

## “They Stopped the Lives of Others”: Stateless Palestinians Facing Bureaucratic Violence in Sweden

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Résumé de l'article

Les appels officiels à quitter la Suède pour les demandeurs d'asile déboutés ignorent les difficultés et les préjudices subis par les personnes apatrides qui ne peuvent pas retourner dans leur ancien pays de résidence car elles n'ont pas la citoyenneté. Les personnes apatrides sont coincées dans un vide juridique et sont dans une situation où le retour ou l'obtention d'un permis de résidence dans un avenir proche leur sont tous deux impossibles. Pour comprendre la logique qui sous-tend ce vide juridique, ses conséquences et la manière dont il est produit et reproduit par la bureaucratie de l'immigration suédoise, cet article étudie trois ensembles de données: des entretiens avec sept Palestiniens apatrides, les lignes directrices internes de l'Agence suédoise de la migration pour les procédures de retour, et les rapports de cette même agence sur la situation des personnes apatrides dans les pays de déportation désignés. Inspiré par les réflexions de Hannah Arendt sur la condition d'apatride et les sociétés modernes bureaucratiques, l'article révèle la grande difficulté à accéder aux droits pour les personnes apatrides et à tenir qui que ce soit responsable des décisions prises par les autorités suédoises chargées des migrations. De plus l'article démontre comment le vide juridique induit deux technologies interconnectées à des niveaux multiples au sein des autorités migratoires: l'ignorance et le consentement répressif. En tant que vases communicants, ces technologies constituent une violence bureaucratique. Tout en diminuant l'accès des migrants à la sécurité et à la dignité, la violence est entretenue par des changements législatifs et est insidieusement cachée du débat public.

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# “They Stopped the Lives of Others”: Stateless Palestinians Facing Bureaucratic Violence in Sweden

Anna Lundberg<sup>a</sup>

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## ABSTRACT

Official calls for “failed” asylum seekers to leave Sweden ignore the difficulties and harms befalling stateless people who cannot return to previous countries of residence because they lack citizenship. Stateless people are caught in limbo, a position where they have no prospects of return or of attaining a residence permit in a predictable future. To learn the underlying logics and consequences of such limbo and how it is (re)produced in the Swedish migration bureaucracy, this article investigates three data sets: interviews with seven stateless Palestinians, the Swedish Migration Agency’s internal guidelines for the return process, and the same agency’s country reports on stateless people’s situation in the assigned deportation countries. Inspired by Hannah Arendt’s reflections on statelessness and modern bureaucratized societies, the article reveals that there are great challenges to access rights for stateless persons and in holding anyone accountable for decisions adopted by Swedish migration authorities. Moreover, the article shows how limbo induces two interconnected and multilevel technologies in migration authorities: **ignorance** and **repressive consent**. As communicating vessels, these technologies form a bureaucratic violence. While diminishing migrants’ access to safety and a dignified life, violence is sustained by legislative changes and insidiously hidden from public debate.

## KEYWORDS

limbo; Sweden; ignorance; repressive consent; migration control; deportability; Migration Agency; borders; border police

## RÉSUMÉ

Les appels officiels à quitter la Suède pour les demandeurs d’asile déboutés ignorent les difficultés et les préjudices subis par les personnes apatrides qui ne peuvent pas retourner dans leur ancien pays de résidence car elles n’ont pas la citoyenneté. Les personnes apatrides sont coincées dans un vide juridique et sont dans une situation où le retour ou l’obtention d’un permis de résidence dans un avenir proche leur sont tous deux impossibles. Pour comprendre la logique qui sous-tend ce vide juridique, ses conséquences et la manière dont il est produit et reproduit par la bureaucratie de l’immigration suédoise, cet article étudie trois ensembles de données: des entretiens avec sept Palestiniens apatrides, les lignes directrices internes de l’Agence suédoise de la migration pour les procédures de retour, et les rapports de cette même agence sur la situation des personnes apatrides dans les pays de déportation désignés. Inspiré par les réflexions de Hannah Arendt sur la condition d’apatride et les sociétés modernes bureaucratisées, l’article révèle la grande difficulté à accéder aux droits pour les personnes apatrides et à tenir qui que ce soit responsable des décisions prises par les autorités suédoises chargées des migrations. De plus l’article démontre comment le vide juridique induit deux technologies interconnectées à des niveaux multiples au sein des autorités migratoires: l’ignorance et le consentement répressif. En tant que vases communicants, ces technologies constituent une violence bureaucratique. Tout en diminuant l’accès des migrants à la sécurité et à la dignité, la violence est entretenue par des changements législatifs et est insidieusement cachée du débat public.

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## INTRODUCTION

I am not sure if this thing inside is guilt. Guilt making us feel as though people like us cannot collapse, cannot stop running otherwise we will have to start from the beginning and be invisible again. Or is it hope, ambition, even superpowers? ... Are we super humans? ... Because I do not see "normal humans" tolerating this.

(Lynn Khatib, stateless Palestinian ordered to be deported to Lebanon, 2019)

This quotation is from a blog post by a friend of mine who in many ways inspired the present article (Khatib, 2019). Lynn received a three-year residence permit in May 2022, eight years after applying for asylum due to a risk of persecution. She commented on the decision in a newspaper article: "It's mixed feelings, these years I will never get back" (A. Lindholm, 2022, Preamble). These disparate feelings, about being able to rest after a long wait combined with deep frustration at having been trapped for many years in limbo, illustrate some of the consequences of the violence that this article depicts. The aim of the article, besides describing the handling of expulsion decisions that should not have been made in the first place, is to contribute to societal and scientific discussions of Western states' so-called return migration and limbo—the phenomena where people are caught between removal from one's state of residence, inability to return to that state, and the refusal of any other state to grant them entry (Grant, 2007, p. 31). In Sweden, limbo appears when it turns out that it is not possible to leave the country even though an expulsion decision has been made. Limbo is, as I understand, a position of liminal legality that is maintained, produced, and normalized through legal contradictions (A. Lindberg, 2023, p. 10). In the following, I reveal the consequences of the position of limbo—in particular, the violent technologies that it induces in Swedish migration

bureaucracy and that makes this bureaucracy violent. Drawing on the expertise of interviewees, seven stateless Palestinians, I also depict the consequences of this violence. The interviewees' experiences illustrate what happens when ignorance and repressive consent combine and form a governing strategy. They shared a situated knowledge with its own epistemic certainties (Gupta, 2012, p. 20). To wait in limbo—often for several years (Griffiths, 2014)—means to be caught in uncertainty at the edge or border of a welfare state (Andersen, 2021, p. 225). It means anticipation combined with efforts not to lose hope or control (Khosravi, 2020, p. 205).

Limbo is also demonstrated by available quantitative data indicating the gap between the number of noncitizens eligible to be deported and the number deported in any given year (Gibney, 2008).<sup>1</sup> In Europe, this gap was estimated at 60% per year between 2012 and 2016 (Slominski & Trauner, 2018; van Houte & Leerkes, 2019), covering both persons who absconded and those who for various practical reasons could not leave. According to DeBono et al. (2015, p. 151), the number of persons in Sweden who have received a deportation decision but could not be deported by the police increased by 74% between 2008 and 2014. Furthermore, the Swedish Migration Studies Delegation has reported that almost one third of all so-called failed asylum seekers in Sweden currently abscond, and less than half (44%) return voluntarily (H. M. Lindberg, 2020, p. 127).

One group particularly affected by limbo is stateless Palestinians. Statelessness, when a person is not considered as a national by any state under the operation of its law, is

<sup>1</sup>The main channel through which stateless persons enter Sweden is the asylum procedure. At the end of 2015, 21,580 persons were registered in the Swedish Population Register as stateless, while 5,523 persons were registered as having "unknown" citizenship (UNHCR, 2016, p. 20).

a common circumstance in so-called limbo cases in Sweden, and most stateless asylum seekers in the country are Palestinians (H. Lindholm, 2021, p. 275). Stateless people are also caught in limbo for increasingly long periods compared with other rejected asylum seekers (SOU 2017:84, 2017), and the ratio of asylum claim approvals to stateless people has dropped from 80% in 2015 to 41% in 2020 (H. Lindholm, 2021, p. 276).

One way to solve the limbo problem in Sweden would be via a statelessness determination procedure granting stateless migrants a right to residency and facilitating their naturalization. While such a procedure has been suggested (SOU 2017:84, 2017, p. 33), there have been no sharp legislative proposals.

I analyze what limbo produces on the inside of the Swedish migration bureaucracy as well as its effects. The present study is part of a growing body of research on migration policies in the Swedish context (Borrelli, 2018; Borrelli & Lindberg, 2018, 2019; DeBono et al., 2015; Khosravi, 2009; A. Lindberg, 2023; Tucker, 2017; Lundberg, 2020) and contributes to the scholarly discussion of return migration (Chimni, 2009; Coutin, 2015; Noll, 1999; Schultz, 2020; Webber, 2011). Swedish bureaucracy is interesting as a case because it is among the few recognized models of a legally secure system, being well known for its comprehensive protections against insecurity (Barker, 2017) and among the least corrupt such bureaucracies in the world (OECD, 2019).

Beyond illustrating how a violent bureaucracy takes form and how violence is reproduced, limbo is a proxy for structural problems in Western migration bureaucracies on a more general level. “Failed” asylum seekers who are not categorized as stateless—for example, people whose countries of citizenship refuse to receive them if they do not

return “voluntarily” (Webber, 2011)—are also affected by the violence. In Sweden, a form of semi-limbo has been extended to all categories of asylum seekers, as, since 2016, temporary residence permits have been the main instrument used in implementing the Aliens Act (see, e.g., A. Lindberg, 2023, ch. 1). Repeated conditional residence permits are currently combined with greater differentiation of rights linked to status (see *Tidöavtalet [Tidö Agreement]*, 2022, p. 42). This development is fuelled by politicians constantly proclaiming that “a no must be a no,” implying that people who have received a decision to leave must do so at any price (Stenergard & Roswall, 2023; Swedish Migration Agency, 2017). Seldom discussed is the historical fact that “failed” asylum seekers who have not been able to leave remain because they cannot return, with or without the formal right to do so (Düvell, 2006, p. 239), and so they settle in society. One possible reason for how the debate is framed, to which I will return, is the function of contradicting regulations and the bureaucracy in actively concealing the problems of the migration bureaucracy from public scrutiny.

In the next section, I describe the political and legal context, followed by a presentation of previous research, theoretical considerations, and the empirical data. I then present my analysis and, finally, provide some concluding reflections.

## THE LEGAL CONTEXT

Most European countries have regulations in place to grant temporary residence permits to people who are caught in extended limbo situations; this is also the case in Sweden (see the *Aliens Act*, 2005, ch. 8, sec. 7; *European Migration Network*, 2016, p. 31). However, as indicated above, a residence permit is rarely granted to stateless Palestinians. Studies

have shown that repeated unenforceable expulsion decisions are instead adopted in Sweden (Lundberg, 2020). Such decisions not to grant residency because of practical enforcement barriers cannot be appealed (Aliens Act, 2005, ch. 14, sec. 3), nor do the concerned individuals have a right to publicly funded legal support. Simultaneously, the Swedish Migration Agency (SMA) can at any time (ex officio) assess whether residency may be granted in a case due to a new circumstance that implies enforcement barriers (Aliens Act, 2005, ch. 12, para. 18:2).

People caught in such limbo are deprived of most welfare benefits and rights that follow from a residence permit, such as the right to work, social assistance, and access to health care beyond care that cannot be postponed (Lundberg, 2020). Access to welfare has been further restricted since 2015 due to drastic changes to Swedish asylum legislation, accompanied and fuelled by a public debate claiming that Sweden has taken far too much responsibility for the reception of refugees in Europe (A. Lindberg, 2023, pp. 33–35). With respect to neglect of the basic rights of “failed” asylum seekers who remain in Sweden, migration scholar Jason Tucker (2017) has explained that the severe hardship to which people caught in limbo are subject to could qualify as inhuman and degrading treatment in the meaning of article three of the European Human Rights Convention, regardless of whether it is unintentional or the result of a government strategy.

## THEORETICAL FRAMEWORK AND ANALYTICAL APPROACH

Theoretically, this study is inspired by Hannah Arendt's reflections in *The Origins of Totalitarianism* (1968, specifically ch. 9) and *On Violence* (1969). In the latter, Arendt presents her understanding of violent actions as ruled

by the means-end category. A core problem to understanding violence, according to Arendt, is that “the end is in danger of being overwhelmed by the means which it justifies and which are needed to reach it” (1969, p. 4). In particular, Arendt points to how an increased bureaucratization of public life that is characteristic for modern societies has serious consequences: “the greater the bureaucratization of public life, the greater will be the attraction of violence” (p. 81). She states the dangers of a fully developed bureaucracy:

In a fully developed bureaucracy there is nobody left with whom one can argue, to whom one can present grievances, on whom the pressures of power can be exerted. Bureaucracy is the form of government in which everybody is deprived of political freedom, of the power to act; for the rule by Nobody is not no-rule, and where all are equally powerless we have a tyranny without a tyrant. (p. 81)

Accordingly, modern bureaucracies are a form of government in which everybody is at risk of being deprived of the power to act and think critically and where it is difficult to hold a specific agent responsible for decisions and actions (Arendt, 1969). The problem for Arendt is not the existence of bureaucratic systems but the risk entailed in modern bureaucracies that these are perverted by an instrumental force and thereby are liable to become violent.

In *The Origins of Totalitarianism*, Arendt discussed a different matter, namely, the specific position of stateless people and how loss of membership (citizenship) implies a loss of the right to have rights. Because the world, in the words of Arendt, found “nothing sacred in the abstract nakedness of being human” (1968, p. 299), a stateless person was nothing but a human being stripped of all rights. This may be compared, as we shall see, to the contemporary situation of stateless Palestinians in limbo today.



I depart from the concept of bureaucratic violence to highlight different types of violence that cannot be separated (also see the introduction to this special issue). Elements in this type of bureaucracy involve cruel attacks on the integrity and dignity of individuals and the impossibility of redress; specific technologies developed by bureaucrats, such as the manipulation of legal content or the non-recognition of knowledge; intersecting regulations that exclude individuals from fundamental rights; and the maintenance of an order in which pain and abuse are normalized.

Analytically, I make use of the notions of ignorance and repressive consent. The latter was developed by criminologist [Schlarek Leandro Mulinari](#) (2019, p. 451) to identify and analyze situations in which people are induced to undertake activities against their will, such as when the police persuade members of marginalized groups to assist in efforts claimed to thwart purported terrorist activities. Drawing on the Marxist scholars Althusser and Marcuse, Mulinari has revealed how Swedish bureaucracy imposes “constraints ... in order to maintain [unjust] social hierarchies” and how these constrictions come to circulate throughout society (pp. 452–453). These constraints are complemented by a repression that manifests itself in a “psychoanalytic fashion ... internalized by individuals in complex manners” (p. 453). These constraints are painful on an individual level and legitimize racial inequalities in society as a whole. The introductory quotation from [Lynn Khatib](#) (2019) is a case in point.

Ignorance in the present study helps me to depict and analyze certain practices, relations, and forms of communication on the inside of migration authorities. Next to coercive control, deliberate non-recognition of certain individuals and their claims has been identified as an important governing

technology in migration control apparatuses (see [Canning, 2018](#)). Drawing on Lisa Borrelli’s (and colleagues’) work, I understand ignorance as an (un)conscious technology that reproduces, normalizes, and legitimizes structural violence. [Borrelli \(2018\)](#) has explored how ignorance and being ignorant are used as strategies to avoid responsibility in the Swedish context and elsewhere. Typically, ignorance plays out through non-recognition, manipulation of knowledge, or a “calculated non-knowing” to reduce emotional labour and resist unjust policies ([Borrelli, 2018](#), p. 107).

## METHOD AND EMPIRICAL DATA

The method used for the present work was inspired by the anthropologist [Akhil Gupta](#)’s (2012, p. 6) problematizations of the myriad of agents and procedures that make up a bureaucratic apparatus. Gupta points to how bureaucratic procedures end up subverting the system’s intentions and to the inability to identify a responsible actor for violent acts—in this case, acts undertaken by the SMA or the border police who blame the SMA. To understand how violence becomes normalized, Gupta argues, greater attention should be directed towards bureaucratic procedures, such as “planning and implementation, communication or lack thereof across hierarchies, [and] the rule-following actions of particular officials” (p. 13). Gupta’s focus on chaos and contingency inspired me to investigate how stateless Palestinians are kept and remain in prolonged limbo.

My analysis builds on previous research and conversations, statistics from and email correspondence with the SMA, and a document study. Moreover, with colleagues, I interviewed seven stateless Palestinians who shared their knowledge of their encounters with Swedish bureaucracy. The participants were approached through a

migrant rights network in Sweden that was part of a transdisciplinary research project on changes in asylum regulations since 2015 (see [Elsrud et al., 2022](#)).<sup>2</sup> One group interview was with a family of five, conducted in their home, and the other two were individual interviews conducted via Zoom.

The document study contained eight “Internal Return and Travel Guidelines” (SMA, 2020; hereafter Guidelines)<sup>3</sup> as well as two internal reports entitled **The Situation in Palestine: West Bank and Gaza** (Lifos, 2019a) and **Palestinians in the Middle East** (Lifos, 2019b).<sup>4</sup> While the reports are openly accessible on the SMA website and represent, in the agency’s words, the “impartial presentation of reliable and relevant country reports intended for the handling of migration-related matters” (Lifos, 2019a, p. 2), the Guidelines are not public (Guidelines, p. 1). They shall not, it is stated, “be handed over to persons outside the Agency” (p. 2) but are meant to provide internal “current and generally held processing support” for individual deportations (p. 1). An important starting point in the Guidelines is the assumption that the asylum process preceding the deportation process was conducted in a legally sound manner. The concerned applicant is thus presumed not to need asylum, and thereby, the situation that the individual is likely to face in the country of expulsion also becomes irrelevant. Individual protection needs as well as circumstances such as illness that make return unreasonable are subordinated.

<sup>2</sup>This study was approved by the Ethical Vetting Board (Dnr 2019-05363). My colleagues Torun Elsrud, Sabine Gruber and Emma Söderman and I, as well as the activists Sofia Häyhtiö and Sanna Vestin, were involved in conducting these interviews.

<sup>3</sup>These included guidelines regarding deportations to Egypt (updated March 20, 2020), Gaza (updated October 13, 2020), Jordan (updated March 30, 2020), Kuwait (updated October 13, 2020), Lebanon (updated March 24, 2020), Saudi Arabia (updated October 13, 2020), United Arab Emirates (updated October 13, 2020), and the West Bank (updated October 10, 2020).

<sup>4</sup>Lifos is an SMA database that provides reports on country-specific material (see [Lifos, 2022](#)).

All in all, the Guidelines simply set out the practical steps that officers should follow to deport people.

Besides the role of different parts within the SMA, other sections of the deportation regime, such as the border police, are also involved in the reproduction of limbo. The police’s border section is responsible for the people the SMA hands over to them because they are not assumed to want to return voluntarily. In cases of unsuccessful deportation attempts by the border police, cases may be handed back to the SMA, or the border police may ask for instructions from the agency about what to do next. The SMA may then re-submit the case to the police if the person who has been ordered deported is still not expected to want to return. Both agencies are guided by contradictory regulations, and they intersect, as I will explain, in ways that have serious consequences.

In September 2020, I requested the Guidelines from the SMA, referring to the principle of public access and explaining that I was conducting research on return migration. I also asked for current statistics. As of October 2020, the SMA had adopted 192 decisions regarding Palestinians that year. Of those affected by these decisions, 5 had been granted temporary residency and 23 were registered as no longer under consideration by the SMA [avskrivna] because the decisions had become statute barred (in Sweden, an expulsion decision expires four years after the final refusal). These figures indicate that stateless people re-enter another type of legal limbo, as asylum seekers, so several states of limbo can pile up. In all other cases, the applicants were deemed not to face barriers to enforcement, so deportation should proceed (email correspondence with the SMA’s administrative unit, November 5, 2020).

Scrutinizing the data, I applied qualitative content analysis to identify core consis-

cies and meanings, as well as manifest or latent patterns (Prasad, 2019). I familiarized myself with the documents and interview transcripts by reading them repeatedly. Then, in a second step, I highlighted main ideas related to the specific issue of re-entry and non-deportability. The social context to which the data relate was validated through interviews. While the written data offer valuable insights into how deportation is organized in Sweden, the most important perspectives are provided by the interviewees.

## WHAT TECHNOLOGIES DOES LIMBO PRODUCE? FINDINGS

### Ignorance and Repressive Consent

"I am extremely tired of the SMA, and so are the border police," Hamid<sup>5</sup> said when we met for an interview over Zoom. He continues: "The police have been completely on my side against the agency, stating that 'you come from the Gaza Strip, we cannot enforce the deportation decision ... so you belong to the Migration Agency.'"

Hamid then explained that although the police had informed the SMA of the enforcement barriers, the agency still had not confirmed the practical impediments to enforcement in his case and granted him a residence permit. At the time we met him, Hamid, born and raised in Gaza, had come to Sweden 13 years earlier to seek asylum. Not having his protection needs recognized by the SMA and the migration courts, for years, Hamid had tried to convince the SMA that, despite his "failed asylum claims," it was impossible for him to return—that is, his case was a typical "limbo case." The ongoing correspondence with the SMA led to deep frustration and a feeling of having his right to life violated. Adding to the burden,

Hamid had the growing realization that only he himself will be held accountable for the bizarre situation. The agency actively seemed to ignore Hamid's knowledge and the legislated latitude for him to remain, together with the information from the police and the repressive expectations. This ignorance is combined with a form of "forced choice" (Lietaert et al., 2017) to work actively to execute the SMA's deportation decision, generating a spiral of empty and degrading activities.

The agency kept stating that the deportation process would proceed, while Hamid could not return. Hamid, on his part, could not question the SMA's decisions in legal proceedings because appeals are not statutory in these situations. Not allowing the right of appeal makes it extremely difficult to find evidence of errors in the SMA's decision-making.

How can we understand Hamid's liminal position? One way is through a close reading of the SMA's Guidelines on how deportations should be enforced in comparison with SMA's descriptions of the situations at the assigned deportation sites in the same agency's country reports. These documents contain several illustrative examples of how an instrumental force in which the stated purpose of the legislation—to grant a residence permit if the expulsion decision cannot be enforced and the individual applicant cannot do anything about it—is overwhelmed by the methods and obligations imposed on the individual (Arendt, 1969). For instance, the Guidelines for the process of deportation to Lebanon state that the deportee's "right attitude towards return" must be ensured even if return appears impossible.<sup>6</sup> The deportation officer should "ensure the deportee's right attitude, when the person together with staff from the coordinating embassy apply for a

<sup>5</sup>Interviewees chose their own aliases.

<sup>6</sup>In March 2022, the SMA registered 243 open return cases to Lebanon for stateless people (statistics as of March 2, 2022).



travel document in person at the Lebanese embassy" (Guidelines, Lebanon). At the same time, the Guidelines conclude that stateless Palestinians are "not considered likely to be successful," so return trips are "currently not initiated" (Guidelines, Lebanon). Nonetheless, the applicants must visit the Lebanese embassy themselves, which, in the words of the SMA, "is of no use if they lack a will to return" (Guidelines, Lebanon). A need for active (forced) consent emerges, and it is a painful form of repression (Mulinari, 2019)—such is the logic of the bureaucratic violence.

Similar formulations that imply constraints on the individual, in terms of both (an inner) will and concrete although meaningless activities, concern deportation to the State of Palestine—that is, Gaza or the West Bank. While the Guidelines provide detailed descriptions of how the return process should be organized by the individual to access Palestinian territory, the country report clarifies that Palestine does not have citizenship legislation and that citizenship is judged to have such shortcomings that citizens may in certain contexts be considered *de facto* stateless (Lifos, 2019b, p. 13). They are, as all refugees, out of place and in liminal positions (see introduction to this special issue).

Another example of the technology of repressive consent can be seen in the report on Kuwait, which states that "no matter how long they have been out of the country, [they] will not be allowed to re-enter" (Lifos, 2019b, p. 107) because residence permits are entirely linked to sponsorship (p. 99). The sponsorship system is based on a dependency relationship between the migrant and a citizen, company, or state institution that provides access to the labour market as a sponsor, for as long as they determine. Like other immigrants, Palestinians need a sponsor to be deported to Kuwait, regardless

of how long they have previously lived in the country: "the length of stay does not matter" (Lifos, 2019b, p. 140). The same system is present in Saudi Arabia.<sup>7</sup> There, according to the SMA reports, Palestinians who lose their jobs have often been forced to leave the country, and "finding a new sponsor is very difficult to do from abroad" (p. 115). Moreover, due to a recent "Saudiization campaign,"<sup>8</sup> it has become "very difficult for Palestinians to [ever] get visas to enter [Saudi Arabia]" (p. 109). The campaign is also compared with the previous situation, when Palestinians were in the same position as other foreigners and, due to their often higher educational level (see Gren, 2020), had a greater chance to obtain a sponsor. The SMA concluded, however, that it is currently extremely difficult for a Palestinian to obtain a work permit in Saudi Arabia (Lifos, 2019b, p. 140). Still, the individual is made responsible for the return process by having to find a new sponsor.

The following information in the SMA country report on Saudi Arabia is worth quoting at length, because it illustrates specific barriers to enforcement that are not disclosed—for example, they appear to be strategically ignored in the Guidelines for deportation:

Sources that Lifos spoke to say that since the autumn of 2017, it has become almost impossible for Palestinians to enter Saudi Arabia, as entry is not allowed for "new" Palestinians (and Syrians) or Palestinians who have left the country and are applying again. This is according to a law firm that Lifos met in Riyadh. ...

If sponsored Palestinians leave the country and do not return within six months, a source<sup>9</sup> says that the person "can never return to Saudi Arabia," not

<sup>7</sup>In March 2022, the SMA registered 46 open return cases to Saudi Arabia for stateless people (statistics as of March 2, 2022).

<sup>8</sup>This means that the authorities are taking certain measures to ensure that more jobs go to Saudis than non-Saudis (Lifos, 2019b, p. 109).

<sup>9</sup>It is unclear whether or not this is the law firm mentioned above.

even if he gets a new sponsor and no matter how long the person has lived in Saudi Arabia before. This is said to apply to all Palestinians [regardless of ID documents]. Recent information from September 2018 also states that Saudi Arabia will stop issuing entry visas to Palestinians who have travel documents issued from other countries, e.g., Lebanon, Iraq, Egypt, and Syria. ... No official announcement has been made but this information has appeared in several news media and is said to have been officially communicated to tourist offices in connection with visa applications by pilgrims.

(Lifos, 2019b, p. 139)

Comparing this information with the agency's Guidelines for the process of deportation to Saudi Arabia, we can see how the above knowledge is ignored. The Guidelines state that an application for a visa to re-enter should be initiated by the individual's contact with a potential future sponsor. The sponsor must state that the individual "has been notified of deportation [by the SMA] and wants to return" and should then, in a second step, send a work invitation (Guidelines, Saudi Arabia). Again, a logic of what Mulinari (2019) terms "repressive consent" asserts itself by the requirement that the individual applicant should explicitly admit to both being a "failed" asylum seeker (which also means an acceptance of the asylum procedure) and wishing to return (or be disqualified from having their non-deportability taken seriously). On one hand, actively producing SMA reports and, on the other, ignoring this knowledge in the SMA Guidelines for the practical work clearly illustrate what A. Lindberg (2023) has described as legal contradictions in the bureaucracy. It also confirms what Cleton and Chauvin (2020), in their research on return migration in the Netherlands, have described as processes in which "clients" are forced to perform agency, "though their options are bounded and geared towards return" (p. 299). For the individual applicant, this means being forced to try to arrange a visa as well as work

and residence permits in, for instance, Saudi Arabia, despite having no scope to do so.

While applicants are required to feel the right thing and take various actions, they are simultaneously ascribed a desire to stay through the SMA's implicit and explicit disregard of the activities undertaken to provide evidence that they cannot return. This not only causes pain for the individual but also makes it practically impossible to get out of limbo. Key to understanding the repressive instrumental force is to see that it is the **lack of a desire to return that disqualifies the individual applicant** from having taken all actions in their power to return. In the meantime, lives are stolen and hope is lost. Opportunities to work, study, travel, unite with family members, and make long-term plans are all affected. Individuals break down physically and psychologically. They give up but can still not return. In this way, the authorities violently get under the skin of the applicants and influence their emotional lives.

Another central finding of this study is that the risk of **harm on return** is disregarded. This is significant when looking into the reports' descriptions of the situations in return countries.<sup>10</sup> For example, while omitted from the Guidelines, the country report on the United Arab Emirates (UAE) explicitly states that Palestinians in the UAE have, as noncitizens, "no rights" (Lifos, 2019b, p. 10), further noting an increasingly difficult situation for Palestinians. In Kuwait,<sup>11</sup> for instance, migrant workers are subject to raids and arrest: "in 2015 the country had arrested more than 100,000 people" because

<sup>10</sup>While not the explicit focus of this study, human rights violations make it extremely difficult for Palestinians to live in the countries mentioned here, and this is confirmed in previous research; for example, regarding Kuwait, see Kapiszewski (2005), and regarding Lebanon, see Siklawi (2019) and Doebbler (2002).

<sup>11</sup>In March 2022, the SMA registered 43 open return cases to Kuwait for stateless people (statistics as of March 2, 2022).

of expired visas (p. 108). Minor crimes, such as traffic offenses, also “seem to lead to [the workers’] deportation as a way to get them out of the country [i.e., Kuwait]” (p. 108). An “instructed source,” states the report, has pointed out that Palestinians from Syria (with Syrian travel documents) “generally are not deported to Syria, although such cases may also exist” (p. 103).

The country report on Lebanon is another case in point. It states that “Palestinians are clearly vulnerable and discriminated against” (Lifos, 2019b, p. 140) and that their difficult situation is one important reason for them to leave Lebanon (p. 58).<sup>12</sup> An estimated 52% of all Palestinians in the country are unemployed, and many work in low-wage informal jobs. Restrictions on the labour market prohibit Palestinians from working in more than 30 different professions, such as medicine, law, engineering, education, agriculture, and fisheries. For other professions, Palestinians must get special permits, and this involves a discriminatory bureaucratic-administrative process. In the words of the SMA, “There is great discrimination against Palestinians in the [Lebanese] labour market and their access to jobs is even more limited than the restriction imposed by the ban on certain professions” (Lifos, 2019b, pp. 59–60). Furthermore, according to the report, Palestinian refugees are not allowed to buy or own property and are “often treated worse than other foreigners” (Lifos, 2019b, p. 60).

I understand this specific ignorance of risks as linked to the gradual erosion of the right to protection manifested in current European Union policies preventing people from reaching the border, restrictive application of member states’ laws, racism, and disbelief in the asylum process (Achiame, 2022). What is framed as “failed asylum seekers” actu-

ally appear as non-recognized protection grounds. The lack of a rights perspective in the bureaucratic violence hence mirrors the hollowed-out access to asylum. A form of manipulated knowledge is produced that assumes that a rejection is the result of a legally secure asylum process and that the deportation decision is therefore unproblematic (Borrelli, 2018).

To sum up, being instructed to contact the embassy and ask what is required for return manifests a repressive logic that forces individuals to actively try to return to a country they have left to seek protection elsewhere. Despite recognizing that Palestinians who have left certain prior countries of residence without permission are not allowed to return, and despite grave violations of human rights, through a technology of repressive consent, the instrumental goal of deporting “failed” asylum seekers is pursued blindly.

### Living in Limbo

What are people’s real-life experiences of limbo, and how do ignorance and repressive consent affect people? All the interviewees talked about continuous emotional pressure in their everyday lives, most often in relation to their encounters with Swedish bureaucracy. Aras had been living in Sweden for 12 years when we met him. When arriving in Sweden as a 17-year-old, Aras was registered as a single adult asylum seeker despite his seeking asylum with his parents. He explained to us that the family identified the SMA’s skepticism as soon as they entered the agency’s office. Even in their first asylum interview, the officer selected and acknowledged certain circumstances that could be used to reject Aras and his parents while disregarding other issues, such as impediments to enforcement, that would enable a residence permit according to law.

<sup>12</sup>In March 2022, the SMA registered 15 open return cases to Palestine for stateless people (statistics as of March 2, 2022).

Aras especially remembered the feeling of being intimidated on one occasion when he, despite his near-perfect Swedish pronunciation, was required to talk through an interpreter: “They didn’t want me to speak for myself—they wanted to force me to use an interpreter.” While in Sweden, it is usually taken as a sign of integration in society if one has learned the language, Aras wondered whether it was actually “because of his language skills” that they had him speak through an interpreter or whether SMA was somehow signalling that he was not going to stay in Sweden and therefore would not be allowed to present himself as a person speaking Swedish. This treatment was rude. Moreover, the situation illustrates one very direct way in which ignorance has become a technology in the Swedish bureaucratic violence: namely, to not recognize the person encountered, in Aras’s case, as someone who has lived in Sweden for a long time that can speak for himself.

During their years in Sweden, the SMA consistently made Aras and his family consistently feel unwelcome. His first impression of the officer was that “she was hateful [in tone] ... I was rejected from day one.” This hostile culture led to a bad social and psychological state—“we were in good health when we came, but now we are sick”—confirming both the pain that [Mulinari \(2019\)](#) describes as central for repressive consent and previous research on how wasted time and inability to build a future may be experienced as equally traumatic as being forced to flee from one’s home ([Andersson et al., 2010](#)).

Another problem raised by the interviewees, in addition to the feeling of being judged as people who are not in need of protection and should be deported at all costs, was the endless efforts needed to prove that return was in fact impossible so that the SMA would grant a residence permit. It indeed

becomes absurd when the border police handling the deportation, as Hamid stated, acknowledge obstacles to enforcement and inform the SMA of such obstacles, but without the agency giving this any significance at all. Several people I met who had been stuck in limbo explained how the agency, in these situations, delays administration for a while and then hands the case back over to the police. Different parts of the Swedish bureaucracy (i.e., the SMA and border police) in this way engage in an instrumentalized administrative arbitrariness without considering the outcome or goal. Rather than investigating the obstacles and solving the problem, for both the applicant and society, bureaucratic violence forces the individual to address the situation and then handle the consequences of the unenforceable decision. The border police can either put the case at the bottom of their pile or hand it back to the SMA, who, in the next step, puts the responsibility back on to the individual. On a structural level, this “miscommunication” (see [Gupta, 2012](#)) can be seen as violence reproduced through the ignorance of both actual barriers to enforcement and the harm that limbo implies for the individual. The violence is also present within a logic that deportation constitutes a practice that has intrinsic value.

Deportation as a value in itself is also how we can understand Hamid’s previous explanation that the police were “on my side,” combined with the “game of make-believe” that he wishes to return, giving him hope of being allowed to remain. What is produced is constant pain, as Hamid explained:

I have contacted the border police thousands of times here ... not thousands of times, forgive that statement, but many times. ... I cannot count how many times I have made contact: “Excuse me, I have an expulsion decision, what will happen to me, what can I do?”



Obviously, the SMA did not use discretion in applying the law in Hamid's individual case and in other cases that entail a right to stay. Instead, they left Hamid waiting in limbo. His quotation reaffirms what [Borrelli \(2018, p. 104\)](#) found in her fieldwork: Swedish border police officers admitted to having shuffled cases to the bottom of their piles to "forget about them," perhaps to give migrants more time to come up with proof of non-deportability or so they would not have to take personal responsibility.

Hamid also described as deplorable the protracted lack of care regarding his case and the pressure on him to do everything he could to return:

[From] 2007 until now [2020] has been a long time. ... And I actually feel part of Swedish society. So, when they write to me that "We will help you to re-establish yourself in Palestine," reintegrate [i.e., återetablera dig], it is a very strange thing to need as a 34-year-old. ... I must reintegrate ... I am 34 years old and expected to re-establish myself. Do I have to be prepared to re-establish myself my whole life?

Regarding the right to remain in Sweden, which for Hamid was the only reasonable solution, he knew that a residence permit may be granted according to the law due to impediments to enforcement.

That such a permit appears to be a practical impossibility demonstrates how systemically bureaucratic violence operates. Legislative changes after 2015 made Hamid's struggle even more difficult. He described Palestinians being left out of the struggle for justice by politicians advocating refugees' rights:

Excuse me, I do not want to mention any ethnic group, but I see this. ... Even the Green Party [which has been taking a stand against the proposed restrictive changes in Sweden] has also let us down [and the] Left ... they were happy when the secondary education law [compensation for the effects of restrictive regulations that mainly affected Afghan youth who were categorized

as unaccompanied children] was adopted, but otherwise they did not think [of us]. ... They did not focus at all on other humanitarian reasons that many people have. We are the ones fighting. It is we who march. We are the ones on [hunger] strike. ... And in the end, they could only change the high school law and not think about the rules for us. ... I feel disappointed, actually. Without this, the Palestinians' march, Palestinian strikes ... this hurts, that they let us down like that.

In this quotation, Hamid was describing a development in Sweden in which different asylum-seeking groups were treated differently due to hasty legislative changes with severe consequences, followed by compensatory measures for some groups. This development has led to new hierarchies between refugee groups, as highlighted by Hamid (also see [Ellermann, 2020](#)). Instead of a broad focus on "humanitarian reasons," divisions are created between groups, and it becomes even more difficult to unite around a common cause. Restrictive or compensatory decisions for one group might have paved the way for more restrictive interpretations for others.

Another form of pain and manipulation of knowledge emerging in the interview with Hamid, when he described the enduring Palestinian struggle, related to the multifaceted ignorance of the situation of the Palestinian people globally, as the largest stateless refugee population in the world ([Tucker & Bahram, 2021, p. 334](#)). This is also discussed by [Tucker and Bahram \(2021\)](#) in a study of Palestinian refugees from Syria who came to Sweden in 2015. Their interviewees explained statelessness as a degrading label forced upon them by the SMA, leaving them without legal support. A reaction to this specific experience of ignorance as a technology in the bureaucracy was also, according to the authors, that the specific Palestinian identity was downplayed (p. 344).

Accounts of the harmful effects of the myriad of agents and procedures that make up the migration bureaucratic apparatus in Sweden were also central in the third interview, with the Yosuf family. Mariam, Samir, and their children had lived most of their lives in Libya before seeking asylum in Sweden in 2014. Samir, who is a lawyer, and Mariam, who studied linguistics at university, described how their relationship has changed profoundly during the six years that they had been waiting for residency. Strong, happy, and loving parents, their everyday is now marked by a deeply destructive passivity. The ongoing rude treatment the family has been subject to instills fear every time an SMA letter arrives in the mailbox:

As soon as she [mom] gets a letter from the Migration Agency, she becomes terrified. (Sofia, daughter)

Yes. You came to a country that you thought was democratic and fair ... but there was no difference compared with other countries. They just wanted to show that they had received us, but how we were treated, it didn't matter. They just stopped the lives of others—you couldn't do anything. (Samir, father)

...

The SMA does not make you feel that you are welcome, or that you have rights here in Sweden, or that you are like an ordinary person. (Sofia)

During our interview, Mariam kept coming back to the SMA and to the feeling of having her life “stolen.”

Particularly important in understanding how technologies of ignorance and repressive consent reproduce violence through normalizing suffering is the expert knowledge arising from real-life experiences, like those discussed above. The interviewees' testimonies reveal a systemic disregard of the well-being of non-deported people in general—not just stateless Palestinians. The repressive practices of course did not happen

in a vacuum but are socially situated and dependent on a structure of violence. While immigration officers have room for discretion, this possibility is rejected. Instead, a violent structure is upheld by the various sections of the SMA, by other institutions such as the border police, and by the harsh spirit of the time, as well as by the intersections of these factors.

## FINAL DISCUSSION

Looking at the bigger picture, what is the function of the bureaucratic violence that the interviewees described and I depict in the above analysis? **And why are people in limbo not granted residency?** Inspired by Arendt's reflections on the position of stateless people and the risk entailed in modern bureaucracies of perversion by instrumental forces, and by Gupta's call to investigate processes, agencies, and practices in state bureaucracy, I have tried to provide some possible answers.

The limbo position—that is, the state of not being able to leave a country even though a deportation order has been issued—constitutes a challenge, ultimately because people gain their belonging through citizenship, not just physical presence. For migration bureaucracies, limbo evokes ignorance and repressive consent as two intersecting technologies legitimized by a political debate claiming that the Swedish community is exclusive to its formal members and a no must always be a no.

I have shown how people, when they notify the SMA of obstacles to their deportation, encounter deportation officers who are granted discretion to exercise power. When these officers apply the law, they make choices. And they interpret real-life circumstances as well as legal paragraphs. If barriers to deportation are identified, a 12-month residence permit may be granted

according to law, including an opportunity to access the job market and obtain limited economic support. The officers may of course also inform applicants of the possibility of re-entering the asylum process due to new circumstances indicating new protection needs. These options are often not utilized but instead strategically avoided. This avoidance, besides signalling ignorance, represents a profound lack of knowledge and understanding of the implications of statelessness for the prospects of return—both in terms of the actual (non-)possibility of return and in terms of the situation in the former country of origin should return be possible. In this sense, this study echoes [Arendt's](#) famous reflection in *The Origins of Totalitarianism* (1968) that the stateless are excluded from the right to have rights. Non-deportees are stuck in Swedish territory but are denied access to welfare rights there, becoming an uncomfortable reminder of a failed bureaucracy.

When stateless people receive deportation decisions despite the fact that SMA's own reports and the border police declare that it is not possible to deport them, it could be because the officers do not read the reports (i.e., calculated non-knowing) or because they do not consider the reports to be relevant to their decision-making in individual cases (i.e., non-recognition). The rejections become someone else's problem, not the case-worker's. Apart from not seeing the asylum seeker, this disregard may be about not seeing the whole system but only officials' own (isolated) decision-making. The officials seem not to see that they have the discretion to enable residency. As part of a system ruled by Nobody, they are not responsible. As Arendt has stated, they are part of tyranny without a tyrant. The pointless work assumingly creates frustration within

the SMA that may explain why Palestinians are treated so crudely.

In law, as well as on an organizational level, I understand the officers' practices as insidiously hidden from scrutiny and even encouraged. While not openly available to the public, the SMA Guidelines state clearly that it is unlikely that deportation may occur. Still, the individual applicant is expected to do the deportation work. People in limbo, in a situation in which they are already formally excluded, are thus forced to take full responsibility for their own deportation—not to mention that many also have family members elsewhere, for whom they have a responsibility to provide. Through a technology of repressive consent, deportees are forced to give their explicit consent, even though such consent may not allow them to return. As an effect, both the officers' work and the activities that the stateless persons are forced to perform appear meaningless and destructive.

A valid approach to handling the phenomenon of limbo would be to grant individual applicants residence permits in response to protracted waiting. This could be done collectively through regularization programs or in individual cases. This is what eventually happens, as in Lynn's case. Granting residency is how international immigration outside regular channels has historically been handled, as return policies have proven unworkable.

In the meantime, we as researchers should listen carefully to people who are in unique positions to identify the problems, demanipulate knowledge, and reveal the effects of violent bureaucracies. These systems do not have to persist forever.

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