

**ERC Starting Grant 2025
Revised brief project plan**

**The right to give rights.
Welfare professionals as guardians of undocumented
migrants' human rights.**

GIVE RIGHTS

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Proposal duration: 60 months

Undocumented migrants' rights are under pressure in Europe today and migration control is increasingly depolitized across different societal actors. Several decades ago, Hannah Arendt pointed out that universalistic understandings of human rights have little to offer noncitizens. Inspired by her, researchers have suggested that the foundation for undocumented migrants' human rights instead can be found in the right-claims and contestations of migrants themselves. However, little attention has been paid to the role of welfare professionals in these processes.

Across Europe, welfare professionals have resisted proposals that they should have a duty to report undocumented migrants to the police. This has been pivotal for protecting migrants' rights. Consequently, GIVE RIGHTS will develop new conceptual tools for an interdisciplinary understanding of undocumented migrants' rights as rooted in an interplay between migrants' rights-claims and welfare professionals' attitudes, practices, and collective contestations – highlighting the underexamined relational character of rights. The project investigates the politics of undocumented migrants' rights as an interplay between different actors with converging interests: Undocumented migrants want access to their human rights – in Arendt's words they want to have a "right to have rights" – and welfare professionals do not want to act as extended border guards but have a "right to GIVE RIGHTS".

GIVE RIGHTS will compare Italy, the Netherlands, Sweden and the UK where the protection of undocumented migrants' access to rights are, or have recently been, undergoing intense negotiations. Through its novel theoretical framework and by innovatively combining survey data with policy mapping, qualitative media analysis, participant observation, focus groups and expert interviews, GIVE RIGHTS provides a new research agenda for theoretical and political debates on the future of human rights in Europe.

Section a: Extended Synopsis of the scientific proposal

The European Union is standing at the crossroads: It was founded on “respect for human rights” (Treaty on European Union §2) but following the surge of nationalist-populist political parties (Noury & Roland, 2020), the status of human rights is being challenged. **GIVE RIGHTS addresses this important challenge of the future of human rights in Europe by studying the case of undocumented migration.** Increasingly hostile policies are making access to rights for undocumented migrants more difficult (Ambrosini & Hajer, 2023), but migrants – and other actors supporting them – are contesting this development, arguing that human rights should not depend on one’s right to reside in a territory. Studying these contestations, critical human rights and migration researchers have argued that the universality of human rights is not founded on an imagined shared humanity but the struggles of rights-claimants themselves (Honig, 2009; Krause, 2008). However, by focusing primarily on the actions of migrants, this research has given little attention to the role of other actors in these political processes through which human rights are constituted.

Civil servants have mainly been studied in this context by analyzing how they negotiate their contradictory roles of providing services while at the same time being “deputized” to perform immigration control as they are required to check their clients’ immigration status and report to the authorities (Griffiths & Yeo, 2021; Schweitzer, 2022; Van der Leun, 2006). **GIVE RIGHTS goes beyond the state of the art by investigating a neglected issue: the collective contestations of welfare professionals as they oppose being increasingly responsible for implementing hostile policies towards undocumented migrants.** By connecting the everyday level of rights-provision with collective contestations against repressive policies, this project investigates undocumented migrants’ rights as also rooted in the actions of welfare professionals. Consequently, it explores **the politics of human rights as an interplay between different actors with converging interests:** Undocumented migrants want access to their human rights – have a “right to have rights” (Arendt, 1951), and welfare professionals do not want to act as extended border guards but provide rights – have a “right to GIVE RIGHTS”. In this way, GIVE RIGHTS will enhance academic and public understanding of how the human rights of migrants are protected and made real through relational political processes involving multiple actors. Through this novel approach, **GIVE RIGHTS will offer a new research agenda for migration and human rights studies focusing on the attitudes, practices, and collective contestations of welfare professionals.**

The project builds on and extends a pilot study I am conducting in Sweden – a country led by a government set to fulfil a “paradigm-shift” in the country’s approach to asylum and migrants’ rights (The Tidö Agreement, 2022). The paradigm-shift has so far not led to any large-scale protests in Sweden, with one clear exemption: the proposed introduction of **a duty for public officials to report undocumented migrants to the border police** (Lind et al., 2023). This proposal has met immense critique from an alliance of unions, professional associations, and other key representatives of welfare professionals across an overwhelming majority of public organizations in Sweden (dok.farr.se/lista-mot-angiveri). Recently, I was interviewed in *the Guardian* (Kassam, 2024) and *CNBC* (Ellyatt, 2024) about (what *the Guardian* chose to call) the Swedish “Snitch Law”, and the Swedish debate is spreading across Europe. To enable a comparative analysis of the status of human rights in Europe, GIVE RIGHTS will focus on **four European countries where a duty to report has been negotiated at different times: The Netherlands, Italy, Sweden and the UK.** This selection of countries will enable me to trace how collective contestations have come and gone over time. It includes countries both from Northern and Southern Europe, inside and outside of the EU, with stronger and weaker unions. They all also have various within-country differences in the rights accorded to undocumented migrants.

In this project, the category of “welfare professionals” refers to civil servants working within the educational, health care and social work sectors. These are the professions undocumented migrants most often are in contact with and the sectors where a duty to report or information sharing schemes primarily have been introduced. This project suggests that the collective contestations of welfare professionals against increased deputization together with undocumented migrants’ everyday rights-claims is a litmus test of the state of human rights in Europe today. Considering that large parts of Europe are in the middle of a potential paradigm-shift that may influence the status of human rights more broadly, there is an **urgent need** to study the attitudes, practices, and collective contestations of welfare professionals as “human rights guardians” (Marks, 2012).

Ground-breaking nature of the research and objective

Theoretically, GIVE RIGHTS applies a **novel approach**, drawing on concepts from **interdisciplinary fields** of critical migration studies, critical human rights studies, and critical race theory with an overlapping perspective of ethics. It connects debates of professional ethics (Airaksinen, 2012) with the ethics of human rights (Marks, 2012; Reis Monteiro, 2014) and migration (Bosniak, 2007; Carens, 2013) – and analyzes them through the lens of “interest-convergence” (Bell, 1980; Driver, 2011). Hannah Arendt famously identified that undocumented migrants, who lack the legal right to reside in a territory, also lack the initial “right to have

rights" (Arendt, 1951). Having this initial right is what enables a person to be considered "human" enough for human rights (Suárez-Krabbe, 2014). Through its interdisciplinary approach, this project will develop a **novel conception** of how undocumented migrants' interest in having the "right to *have* rights" is connected to welfare professionals' interest in being able to provide rights, as such protecting their "right to *GIVE* RIGHTS". This will highlight the **underexamined relational character of rights** and critique dominant individualistic understandings of rights (Brown, 2004).

Methodologically, GIVE RIGHTS goes beyond conventional approaches within the fields of critical migration and human rights research that mainly include small scale ethnographic research projects focusing on migrants' everyday rights-claims or professionals' negotiations in their day-to-day work. The project builds on experiences from a pilot study and **combines survey data with policy mapping, qualitative media analysis, participant observation, focus groups and expert interviews** to create a diverse, large-scale, and rich empirical material. Through this approach, I will establish a new research agenda within **human rights and migration research** about a topic that has been gravely overlooked: Welfare professionals as human rights guardians who are not just defending individuals' rights – **but the human rights paradigm overall**.

Empirically, the project captures a **fleeting moment of opportunity** where stakeholders across Europe are following the developments in Sweden closely and worry that other countries will be inspired by the proposed duty to report. This enables me to have unique access to collaborators and networks that can enable the proposed research, which would be very difficult to achieve without these connections. The project is **of urgent character** since it can potentially unveil processes that drive large parts of Europe away from an all-encompassing understanding of human rights as they are happening in the present.

Consequently, the **main objective** of GIVE RIGHTS is to develop new conceptual tools for understanding and investigating the role of welfare professionals' attitudes, practices, and collective contestations towards the safeguarding and realization of undocumented migrants' human rights. By comparing four different European contexts where the access to, and protection of the rights of undocumented migrants have been contested and is under negotiation, GIVE RIGHTS will:

- provide a novel, comparative analysis of how differently situated welfare professionals' perceptions of their ethics, identities and interests influence the processes through which human rights are negotiated.
- develop a conceptual vocabulary of the politics of undocumented migrants' human rights, understood as an interplay between different actors with converging interests.
- assess the correlation between welfare professionals' attitudes, practices, and collective contestations with the overall development of the human rights regime in Europe.

Going beyond the state of the art in earlier research

Within critical migration and human rights studies there is an ongoing debate about the relationship between undocumented migration and human rights. I have earlier, together with colleagues, developed further the concepts of "firewalls" and "sanctuary practices", focusing on the way they are enacted at different scales in the everyday (Hermansson et al., 2019, 2022; Jolly & Lind, 2021). Firewalls (Carens, 2013; Crépeau & Hastie, 2015) are ambiguous and involve "a wide range of different policies and practices" (Bauder, 2017:3) that limit border control agencies' ability to gather information about undocumented migrants from, and enter the facilities of, rights-providing actors. They have been argued for by international human rights bodies such as the European Commission against Racism and Intolerance (ECRI, 2016). However, GIVE RIGHTS goes beyond the state of the art, by connecting an expansive investigation into the everyday attitudes and practices of firewalls and sanctuaries with large scale perspectives highlighting the importance of collective contestations by welfare professionals for influencing the political processes that impact the future direction of undocumented migrant's rights and human rights more broadly.

Much research has focused on within-country differences in the actions of local authorities who contest national migration policy (Bauder, 2017; Baumgärtel & Oomen, 2019; Davis, 2019; Homberger et al., 2022; Kaufmann & Strelbel, 2021; Laubenthal, 2011; Spencer & Delvino, 2019). GIVE RIGHTS aims to add to, and go beyond, this important local perspective and focus on the role of welfare professionals who act at different scales, including in their everyday work, in local level policy making and as they collectively contest repressive national migration policies. Researchers have also studied civil society organizations (CSOs) who advocate on behalf of undocumented migrants (Ambrosini & Van Der Leun, 2015; Asif & Kienzler, 2022; Chimienti & Solomos, 2016; Laubenthal, 2007) and the everyday contestations of undocumented migrants themselves claiming rights (Ambrosini, 2013; Bauder, 2017; Dorn et al., 2011; Kronman & Jönsson, 2020; McNevin, 2013; Nordling, 2017; Ticktin, 2011). Research on public officials and undocumented migration has so far focused on small scale, interview studies with individual professionals

discussing their “micro-management” (Schweitzer, 2022) of undocumented migration – contrasting their discretion in the provision of rights with increased “deputization” (Griffiths & Yeo, 2021) forcing them to act as extended border guards (Karlsen, 2021; Van der Leun, 2006). Welfare professionals are using their discretion for creating local innovations to uphold firewalls or sanctuary practices (De Graauw, 2014; Lundberg & Dahlquist, 2018; Varsanyi, 2006) in alliance with other actors (Elsrud et al., 2023; Mourão Permoser & Bauböck, 2023) and some studies have discussed limited groups of welfare workers’ attitudes and motivations, including the role of their professional ethics, to support or not support undocumented migrants (Björngren Cuadra, 2015; Kvamme & Voldner, 2022; Nordling, 2017; Park & Bhuyan, 2012; Sandblom & Mangrio, 2017; Van Der Leun, 2006; Vanthuyne et al., 2013). Very limited small-scale research has studied welfare professionals’ involvement in challenging information sharing schemes (Ambrosini, 2015; Hiam et al., 2018; Iacobucci, 2018). However, those studies focus primarily on professionals who are engaged in activism and protest, analyzing their motivation and strategies. Not all welfare professionals have a positive view on undocumented migrants’ human rights (Düvell et al., 2018). GIVE RIGHTS aim to engage in an analysis of the attitudes of professionals – **beyond those of migrant rights activists – to see how welfare professionals overall view their professional role and the rights of undocumented migrants and what leads some to organize collectively**. In broader social movement studies (Zald & Berger, 1978), welfare professionals are identified as key actors defending the welfare state against neoliberal restructuration of work organizations (Ryan Bengtsson, 2018) as well as against overlapping politics of austerity and discrimination or racism expressed through right-wing nationalist and populist political agendas (Mulinari, 2018). Jonathan Marks argues that “taking human rights seriously means taking seriously the role of professionals as human rights guardians” (Marks, 2012:263). Inspired by this, **GIVE RIGHTS takes a necessary, groundbreaking leap** and elevates the everyday, local level focus of debates on undocumented migration and human rights provision into larger political developments across Europe – considering the impacts of welfare professionals’ attitudes, practices, and collective contestations for undocumented migrants’ rights and the future of human rights in Europe overall.

Theoretical framework going beyond the state of the art and research questions

GIVE RIGHTS will provide an **innovative conceptual framework** by connecting overlapping theoretical perspectives on the ethics of professionals, human rights, and migration with the concept of interest-convergence. Human rights have become the dominant language through which issues of morality and ethics are talked about today and have been described as “an ethics legally sanctioned” (Rivero, 1988, cited in Reis Monteiro, 2014:168). In relation to the professional ethics of social workers, Jim Ife suggests that on one level “a code of ethics might be seen as equivalent to a statement of rights” (Ife, 2001:104). In his seminal book on the ethics of immigration, Joseph Carens (2013) suggests that firewalls are feasible since the modern state is highly segmented – highlighting the interests of civil servants to follow their professional norms and ethics as one such central segmentation. Professionals have an impact on the human rights of others because of their unique expertise and status (Marks, 2012). Consequently, professional associations have social power and autonomy because of their irreplaceability, which enables them to wield great influence when they decide to collectively make political demands. However, this position is dependent on the trust of the public, which in turn depends on the professionals following their own code of conducts (Airaksinen, 2012). In GIVE RIGHTS, I will analyze how welfare professionals who contest government proposals compromising their ability to follow their own code of conduct do so not only because of care for the undocumented migrant, but also because such a proposal puts the trust of the public for the profession at risk – which in turn threatens their power position.

Here is where the concept of interests-convergence – which has been used to conceptualize the relationships between different racial groups during the US civil rights movement (Bell, 1980) and is influential within critical race theory still today (Driver, 2011) – becomes useful in GIVE RIGHTS for an analysis of the relationship between welfare professionals and undocumented migrants. When applied on the case of a duty to report, the interest-convergence framework suggests that **the struggle to protect the human rights of undocumented migrants becomes the most efficient when it is seen as a converging interest for both welfare professionals and undocumented migrants**. GIVE RIGHTS will explore if this theoretical framework can help explain the relational character of human rights, investigating in a novel way the relationship between undocumented migrants as rights-claimants and welfare professionals as rights-providers. The actions of welfare professionals supporting the human rights of undocumented migrants depend not only on proclamations of ethical statements on their own on, for example about the intrinsic value of human rights being “universal” – they also largely depend on the interest of welfare professionals to protect their power position and trust of the public.

Considering the research gaps identified, **GIVE RIGHTS offers a much-needed leap in ambition**

and scope to how research approaches and theorizes the rights of undocumented migrants and the role of welfare professionals negotiating and guarding human rights. To achieve the objectives stated above, the project will be guided by the following **research questions**:

- **RQ1)** *What are welfare professionals' attitudes towards their own role in safeguarding and realizing the human rights of undocumented migrants?*
- **RQ2)** *What are welfare professionals' everyday experiences of negotiating undocumented migrants' access to rights in practice?*
- **RQ3)** *What role do the collective contestations of welfare professionals play in negotiations around the human rights of undocumented migrants?*
- **RQ4)** *What overall consequences will the attitudes, practices, and collective contestations of welfare professionals have for the direction of human rights in Europe?*

Methodology and Research Tasks

GIVE RIGHTS adopts an ambitious, in-depth, mixed-method comparative research design that combines qualitative policy mapping, media analysis, participant observation, focus groups and expert interviews with a cross-national and cross-sector survey – all of which are well-used for studying social movements and political contestations of organized groups such as welfare professionals (della Porta, 2014). I will assemble a team of two Post Docs and one PhD (PD1, PD2 and PhD) through an open call. The methodology of GIVE RIGHTS builds on what I am learning from an ongoing pilot study in Sweden and is organized in four research tasks (RT).

Swedish pilot study: During 2024 I have collaborated closely with several Swedish unions, arranging a seminar (DIK, 2024) in the Swedish Parliament. There, I presented the results from a survey I constructed that was distributed by one of the unions among its members. One organization in each of the educational, health care and social work sectors have distributed my survey (or will soon distribute parts of it). 79% of social workers surveyed (N=1537) and 90 % of pediatricians surveyed (N=492) were partly or fully against the proposed duty to report. This pilot study will continue during 2025, and its findings will influence the flexible research design of GIVE RIGHTS.

RT1 Policy mapping and media study: During the first year (2026) of GIVE RIGHTS, I will conduct **an initial mapping study of existing policies across Europe** regarding information sharing between welfare professionals and migration authorities. At the beginning of year two (and followed up at the end of year four), PD2, PhD and I will conduct an analysis (through national media repositories) of how the issue of undocumented migrants' rights have been **discussed in the media in the last 20 years in the four countries** to search for examples of how welfare professionals have organized collectively around the issue historically.

RT2 Cross-national and cross-sectoral survey: Studying attitudes to human rights through surveys is a growing research field (Koo, 2017). In RT2, GIVE RIGHTS will distribute an online survey among welfare professionals in all four countries. The survey will be designed based on the results of the pilot study and focus groups (RT3) with welfare professionals. It will be distributed in year three primarily through the help of collaborating organizations and unions – where the latter have been shown to be a sustainable way to gain access to welfare workers (Blomberg et al., 2015; Schütze, 2019). Apart from designing a survey for my pilot study in Sweden, I coordinated the Swedish part of a Delphi-study as part of the Horizon 2020 MIMY project (mimy-project.eu). I will employ a Post Doc researcher (PD1) with primary expertise in survey methodology to support me in designing the survey. At the internationally renowned research center *Malmö Institute for Studies of Migration, Diversity and Welfare* (MIM) where the project will be located, there is a vibrant and supportive milieu of qualitative and quantitative migration researchers where PD1 and I will be able to present and discuss our survey design. The survey will enable **a unique large scale, cross-national comparative perspective** on professionals' attitudes towards human rights and undocumented migration. It would allow me to investigate whether the concept of interest-convergence is useful for explaining the relationship between undocumented migrants as rights-claimants and welfare professionals as human rights guardians.

RT3 Participant observation, group interviews and expert interviews: : During year one, I will conduct participant observation (DeWalt & DeWalt, 2010) at seminars and events on a European, mostly Brussels based level relating to the recently proposed new EU Return Regulation that includes an article on "efficient detection" of undocumented migrants. I will also conduct expert interviews with organization representatives on a European level. Because of the work conducted in the pilot study **I am in a unique position** to study the current contestations in Sweden in this way. All the major relevant Swedish unions have expressed explicit interest in being part of this research project upon contact, which shows how **urgent** this issue is for them. They have also connected me with their sister organizations in the Netherlands, Italy and the UK, as well as their European umbrella organizations, of which many are also interested in collaborating as they are very concerned that the proposed duty to report will spread across Europe. Together with PD2 and

PhD, who are responsible for fieldwork in Italy and the Netherlands, I will, in year two, identify activities and initiatives in Italy (PD2), the Netherlands (PhD) and the UK (PI) that have been, or are, similar to what is happening in Sweden and approach relevant organizations. Fieldwork during year two and three will consist of PD2, PhD and me interviewing key experts that have been involved in organizing efforts around the issue of undocumented migrants' human rights and conducting focus groups with welfare professionals. Through this work, PD2, PhD and me will support PD1 in finding ways to efficiently distribute the survey. The focus groups will take place in two steps, where initial group interview results will influence the design of the survey, and the follow up focus groups will support the analysis of the survey. Initial focus groups and expert interviews in Sweden will be conducted within the Swedish project HUMASP, and I will have access to this data.

RT4 Comparative synthesis and theorizing of overall consequences: In year 4, the whole team will analyze all the data together and write publications. Textual analysis involves compiling official documents, media documents, fieldnotes, interview transcripts and survey data in a shared database, as well as using the textual analysis software NVivo for coding methods such as thematic analysis (Boyatzis, 1995) and cross-case analysis (Miles et. al., 2018). RT4 includes the writing of **ten scientific articles, one edited book, one monograph and one policy report**. We will organize three panels at international academic conferences throughout the project. These panels will then lead to a call for chapters to the edited book that we aim to publish through an internationally renowned academic publisher. In year five, I will synthesize the findings further while writing a single authored monograph based on the findings of the project where I will engage in empirically founded theoretical analysis of undocumented migrants' rights and their relationships to welfare professionals' attitudes, practices and collective contestations – discussing the future of human rights in Europe.

Organization of research: Apart from being responsible for synthesizing the results of the three first research tasks in RT4, I will manage the research process in the project, supervise the PhD, mentor the Post Docs and lead the fieldwork in Sweden and the UK. PhD and PD2 will be responsible for the fieldwork in the Netherlands and Italy respectively and PD1 will be responsible for the survey. The international advisory board currently consists of Professor Pieter Bevelander, Malmö University, Professor Bridget Anderson, Bristol University, UK, Professor Peter Scholten, Erasmus University Rotterdam, the Netherlands, Professor Maurizio Ambrosini, University of Milan and Louise Bonneau, advocacy officer at PICUM, but will be expanded.

Choice of countries: Sweden has moved from "Nordic exceptionalism" (Karlsen, 2021) to "negative nation branding" (Gammeltoft-Hansen, 2017). This shift is inspiring other countries, such as the Austrian government who recently invited its Swedish colleagues to discuss their migration policy paradigm shift (DN, 2024). However, a duty to report has been proposed before both in **Italy** in 2009 (Delvino & Spencer, 2014) and **the Netherlands** in 1995 (Van Der Leun, 2006) but in both cases the proposal was stopped thanks to criticism from welfare professionals. In **the UK**, the "hostile environment" policy, since its introduction in 2012, has largely in practice consisted of "deputizing" the responsibilities for immigration control across everyday society (Griffiths & Yeo, 2021) but welfare professionals have been continuously contesting these policies there as well. Through a comparison between Sweden's ongoing paradigm shift and the Netherlands, Italy and the UK where undocumented migrants' access to rights have also been the topic of ongoing negotiations in recent years, the project will be able to capture urgently needed knowledge about welfare professionals' roles in these processes.

Risk and feasibility: GIVE RIGHTS is a high-risk project as it seeks to develop robust concepts and methods that cross disciplinary boundaries. The potential gain is substantial, and the topic is both timely and crucial as the project may radically advance our understanding of the role of welfare professionals as guardians of human rights. One reason that there are few large-scale studies of attitudes to human rights is that researchers do not have sufficient time and access to execute such a project. GIVE RIGHTS' approach has potential to provide important insight into how attitudes connected to human rights affect the actual realization of the same rights for those whose rights are among the most contested: undocumented migrants. My interdisciplinary background, which combines migration and human rights studies with theory-building from ethnography (e.g. Lind, 2019, 2020) – together with my existing network working with stakeholders as chairman of the Swedish IMER-association – makes me **uniquely qualified** to execute this project. I have experience of coordinating a complex comparative and cross-disciplinary project through the COVID pandemic (mimy-project.eu) which combined ethnographic approaches with survey methodologies. This experience will also help me navigate the risks involved in doing theoretical and methodological work in an interdisciplinary and collaborative research project. The main operational risk concerns the survey. Additional contingency plans for distribution include adverts in online magazines for unions and professions, reaching out directly to municipalities and hospitals and using publicly available information such as registers over licensed doctors, teachers and social workers.

The project is also feasible from an ethical perspective, and I have experience from several research projects to handle issues like informed consent, pseudonymization and data protection. With careful planning to manage the risks involved, implementation of GIVE RIGHTS is feasible within the timeframe and the resources available.

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