



# Reducing Refugee Numbers through European Integration?

## Swedish Party Politics and the Harmonisation of the European Asylum Policy

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### **Introduction**

During the last two decades, Sweden has taken an active part in initiatives to promote greater harmonisation of the asylum immigration policy within the EU. Examples include the Swedish governments' initiatives for a Common European Asylum System (CEAS) consisting of common asylum rules, 'burden sharing' mechanisms and a common European resettlement system. Sweden's attitude towards common supranational asylum immigration policy is intriguing for several reasons. First, Sweden has traditionally advocated intergovernmental cooperation within the European Union (Andersson 2008; Johansson 2002). Thus, it is rather puzzling that Sweden is one of the most active advocates of harmonised asylum policies. Second, Sweden has often been described as a bastion of generous asylum policies (Boswell 2005; Hammar 1999; Perlmutter 1996). The question is why Sweden has chosen to delegate power to the European Union where the standardisation of migration legislation has led to what polemically has been dubbed "*Fortress Europe*" (Cyrus 2008; Hansen 2008; Marfleet 1999), i.e. fewer rights, freedoms and privileges for immigrants. Third, Swedish supranational

initiatives have taken place within a policy area which has implications for security, citizenship, social welfare and employment policies, which all are central to national sovereignty. In policy areas which are considered to be important to the national interest, member states will prefer to retain control over policy-making, rather than delegating power to supranational authorities or cooperating with other EU member states (Beach 2005; Geddes 2003; Messina 2007). And yet, as will be highlighted in the Swedish case, member states do still choose to conduct immigration policy at the EU level in some instances. During the last two decades, there was an influx of asylum seekers in Sweden and resulting in many emotional debates over immigration. These developments may justify the increasing intensity of Swedish co-operation on asylum and migration in Europe, but cannot explain it. If we assume that Swedish politicians are concerned about the big inflow of asylum seekers then the question is why they do not restrict the inflow by introducing restrictive legislation and policies on the national level, which has been a trend in several other Member States during the past decades (Boswell and Geddes 2011; Hatton 2005). Why is the supranational governance of immigration the desirable solution for the Swedish governments?

Drawing upon the literature on ‘policy venues’ this article analyses the Swedish initiatives to harmonise asylum policies within the EU as a case of ‘venue shopping’. ‘Venue-shopping’ refers to the idea that policy-makers, when encountering obstacles in their traditional policy venue, tend to seek new venues for policy-making that are more responsive to their political preferences and policy claims (Baumgartner and Jones 1993). Several scholars have argued that EU cooperation on migration policies has been guided by the preferences of European governments to develop more restrictive asylum and migration policies (Guiraudon 2000; Hansen 2008). In particular, it has been argued that European states have ‘venue-shopped’ to the EU policy-venue in order to escape national constraints. These constraints can take various forms, such as judicial constraints, the activities of pro-migrant groups or the necessity for Interior ministries to compromise with other ministries (e.g. labour,



social affairs) when making national legislation. Guiraudon particularly emphasises how attempts to further increase migration controls were stifled in several European countries by the jurisprudence of higher courts – what has come to be known as the ‘judicialisation’ of asylum and migration policies (Guiraudon 2000; Lahav and Guiraudon, 2006).

This paper supports the theory of venue shopping by adding complexity to existing empirical accounts by exploring the Swedish political parties’ strategic use of the EU to resolve domestic asylum immigration dilemmas. Reflecting on the Swedish case, the aim of this paper is not to argue that the explanation of the Swedish official standpoint on supranational immigration cooperation can be accounted for by one factor alone. Rather, the paper wishes to highlight how the party preferences and the party competition in the realm of immigration policy can explain a significant part of the Swedish Governments official position. As this paper will demonstrate, the Swedish Parliament’s two largest, and politically opposing, parties i.e. the Social Democratic Party and the Moderate Party (liberal) have played an important role in advocating supranational migration policies within the EU. In the last two decades, these two parties have described refugee immigration as a burden Sweden cannot handle without the help from other EU countries. The perception of refugee immigration as a problem facing Sweden has thus operated as a legitimization to deepen the harmonisation within the EU. The paper also demonstrates how the Swedish party structure in combination with the government formation rules create possibilities for small parties<sup>1</sup> with liberal migration preferences (the Liberal Party, the Green Party, the Left Party, the Centre Party and the Christian Democratic Party)<sup>2</sup> to influence national refugee policies in a more generous direction not allowing the Social Democratic Party and the Moderate Party to meet their restrictive policy preferences. Since

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<sup>1</sup> Except for the openly xenophobic and anti-immigrant party Sweden Democrats (SD) (5, 7 % in the last election).

<sup>2</sup> All of them oscillate between 4-5 percent and at the most 10-12 percent - but all of them have played a role in coalitions or as support parties to government.

restrictive refugee policy proposals by the Social Democrats and the Moderates tend to be questioned and blocked, the two parties have chosen additional policy venue to pursue their preferences and policy objectives, namely the EU. Interestingly, the lines of domestic conflict also play a very important role in the parties' differing positions regarding certain EU measures. Small political parties have often been critical towards the directives and immigration policies adopted by the EU. In several cases they have opposed the national implementation. This pattern is rather surprising, since the differences in views concerning the EU cooperation in general held by the Christian Democrats and the Liberals on the one hand and the Greens and the Lefts on the other are expected to show up in their respective opinions regarding EU immigration regulation. The small Swedish parties either prefer national control over immigration policy because of the stronger judicial and parliamentary oversights and protections for immigrant rights at the national level (the Green Party and the Left Party), or advocate minimum EU standards in order to preserve generous elements of the Swedish refugee policy regulations (the Liberal Party, the Christian Democrats and the Centre Party). The Social Democrats' and the Moderate Party, on the other side, show little concern regarding the further restrictions of the right to asylum which the harmonization might lead to. In that case the loss of de facto national border sovereignty can be interpreted as offset by the greater gains in limiting immigration through a 'Fortress Europe' policy of tightly patrolled external EU borders.

The paper is structured as follows. First, it provides an overview of the previous research on the Europeanization of immigration politics and policies. Second, it shows that the same consistency, albeit in favor of more open national policies, is true for all Swedish parties, apart from the Moderates and the Social democrats, which have predominantly advocated restrictive policies during the past two decades. Third, it outlines the Swedish political parties' strategic use of the EU to resolve domestic asylum migration dilemmas in the period 1990-2011. Material in which principled parties' political stances and motives can be traced will be used: key parliamentary

proposals, special issue area programmes, key speeches by leading parties' leadership representatives, political party programmes and election manifestos.

## **Europeanization of asylum-immigration politics and policies**

EU cooperation on asylum and migration matters is one of the most significant task expansions of the EU in recent years (Boswell and Geddes 2011). The literature on the EU and migration policies has generated a number of important insights in the explanation of the development of supranational migration policies within the EU, two of which are noteworthy here. First, the cooperation is assumed to be the result of 'spillover' from other policy areas and therefore perceived necessary by the member states. Given the provisions on free movement for EU citizens and the gradual move towards abolishing internal border controls within the EU, member states are presumed to be no longer self-contained, bordered units. Common laws and new political institutions challenge the sovereignty of each state to make policies or assert political control over immigration issues (Favell, 2001; Joppke, 1998). However, while the 'spill over' arguments which possibly explain long term variation in harmonisation across time they cannot explain the variation between countries. The 'spillover' explanatory approach just pushes the puzzle back to why some states are more willing than others to harmonize migration policies within the EU. Furthermore, the number of asylum seekers still varies substantially between European countries, suggesting that domestic politics and regulations still play a role. States are rarely 'in prison' in immigration matters; they have very different histories of asylum immigration and labour market needs, and may even be competing against each other regarding highly qualified as well as cheap labour migrants.

An alternative explanation for the cooperation on a supranational immigration policy is that the EU level constitutes just another venue for Member States to pursue their national immigration policy

preferences (Geddes 2005; Guiraudon 2000; Lahav and Guiraudon, 2006; Lavenex 2006). According to Guiraudon national governments began to cooperate on asylum and migration matters at the European level after encountering opposition from national buirocrats, courts or civil society when attempting to develop increased migration controls at the beginning of the 1980s (Guiraudon 2000: 252; Lahav and Guiraudon 2006). Guiraudon suggested also that only one side in the EU asylum and migration debate managed to ‘venue-shop’ at the international level to pursue its own ambitions: national Interior ministries sought to regain control over asylum and migration policies from domestic courts and national adversaries by escaping to the EU level.

According to the ‘venue shopping’ argument, the cooperation at the EU level is instrumental in the sense that member states ‘use’ the EU to achieve their national preferences (Aspinwall and Schneider 2000; Geddes 2005; Moravcsik and Nicolaïdis 1998). Yet such theories can be criticized for failing to open the ‘black box of government’. The rational pursuit of national interest does encounter some difficulties due to the warping effects of party ideology, public opinion, the mass media, and policy inertia. As the Swedish case demonstrates the notion of national interests vary depending on political parties’ policy preferences.

## **Refugee immigration and party politics in Sweden**

According to previous research, we would expect the EU member states not to hand over competence in such a sensitive area, unless it suits them (Geddes 2003; Messina 2007). Given that the direction and detail of state policy demonstrably depends on who governs (Imbeau et al. 2001), political parties are highly likely to count for something on immigration, whether states refuse or decide to hand over (or at least share) sovereignty in those areas. While national-level institutional factors ultimately condition the influence of parties, the latter also serve as reservoirs of societal pressure (Hall 1993). A



number of studies examining party preferences on immigration control conclude that it is an issue cutting across both the ideological preferences and the electoral support bases of centre-left as well as centre-right parties (Bale 2008; Hinnfors, Spehar and Bucken-Knapp 2011; Perlmutter 1996; Zolberg 1999). The left-right dimension is traditionally very strong in Sweden, and the major dimension on which parties compete and voters perceive the parties. However, there are still other dimensions of relevance helping us to understand why certain political issues cut across the left-right dimension, some arguing that as many as five dimensions are relevant across a broad spectrum of issues (Oscarsson and Holmberg 2010).

Usually, it is suggested that while immigration is an important issue for mainstream parties in Europe, it is rarely a dividing factor for Swedish parties (Demker 2007; Hammar 1999; Odmalm 2011). Rather, it is assumed that there has been a broad consensus on migration among the political parties regarding the overall migration ambitions and the strategies to fulfill them. Contrary to that assumption this paper will show that the last two decades of refugee policy making in Sweden can be characterized as highly dynamic and far from consensual. As already mentioned, the Social Democratic Party and the Moderate Party are more or less of the same, restrictive, opinion concerning refugee policies. Their restrictive preferences can be partly ascribed to their ideologies that are characterized by a strong division between internationalism and nationalism (Abiri 2000; Lagergren 1998). In the case of the Moderates, this division has commonly been symbolized by the concepts of open borders for labour immigrants and patriotism (Ljungren 1992), whereas the Social Democratic division has focused on the notions of international solidarity and the 'Folkhem' (the people's home). Both parties defend their restrictive refugee policy decisions by referring to national interests in the sense that refugee immigration burdens the Swedish welfare state and economy. Perlmutter (1996: 377) argues that disagreement on immigration issues is common for large mass parties because 'they face cross-cutting cleavages that affect their core constituencies'. He suggests a possible conflict between 'unions who

favour restrictive policies, and liberals and ethnic groups who favour expansionist policies'. This description seems to fit quite well the Swedish Social Democratic Party. During the last decades, it was increasingly difficult for the Social Democratic Party and the Moderate Party to form a government with an absolute majority on its own. Instead, both parties have to form a coalition government with smaller parties, or minority governments. As the following section will show, the five smaller political parties; The Liberal Party, the Christian Democratic Party, the Centre Party, the Left Party and the Greens have been strongly differing from the restrictive attitude among the Moderate Party and the Social Democrats. None of these parties are big parties, all of them oscillate between 4-5 percent, at the most 10-12 percent, but all have played a role in coalitions or as support parties to the government. As members of coalition governments or parliamentary supporters of minority governments, these parties have blocked more restrictive policy proposals coming from Social Democrats and Moderates on many occasions. Not only have the small parties stood up against restrictive entry policies, they have actually opened the entry door even further. For example, their liberal political convictions on immigration together with their parliamentary power led to the situation where Sweden accepted record numbers of refugees from Bosnia in 1993 - 1994 (about 60 000) and from Iraq in 2006-2007 (about 40 000).

In the following section I will show that the same consistency, albeit in favor of more open national policies, is true for all Swedish parties, apart from the Moderates and the Social democrats, which have predominantly advocated restrictive policies during the past two decades (see table 1). Second, I will outline and discuss the Social Democrats and the Moderates' strategic use of the EU to resolve domestic asylum migration dilemmas, as well as the standpoints of small political parties on that matter.

**Table 1: Swedish Parties Asylum Policy Stances 1989-2011 \***

Swedish Governments	Key Policy Decision and Restrictiveness/Openness (R = Restrictive, O = Open)	Agenda setting Party(ies)
1989-1991 (minority government) Social Democrats	<b>R:</b> Strict application of the Geneva convention + temporary residence permits only (1989)	Social Democrats 37.6 %, Moderate Party 21.9 %
1991-1994 (majority coalition government) Moderate Party , Liberal Party Christian Democrats, Centre Party	<b>O:</b> Withdrawal of the Social Democratic government's bill that suggested that refugees seeking asylum in Sweden should be granted temporary residence permits rather than permanent ones (1991)  <b>O:</b> Decision to grant permanent residence to Bosnian refugees (1993)  <b>R:</b> New legislation on temporary protection (1993)	Liberal Party 9.2 %, Christian Democrats 7.1 % , Left Party 4.5 %  Liberal Party 9.2 %, Christian Democrats 7.1 % , Left Party 4.5 %  Moderate Party 21.9% Social Democrats 37.7%
1994-2006 (minority government) Social Democrats	<b>R:</b> A reform of the Aliens Act changed the categories of people who could be given asylum, extended the possibilities to grant temporary protection, and narrowed the rules for the family reunification. (1997)  <b>R:</b> Deportation possible even in cases where child suffers from 'apathy stress syndrome' (2006)  <b>O:</b> According to the Government Bill 2005/06:6, individuals who run the risk of persecution on grounds of gender or sexual orientation may fulfill the criteria for refugee status.  <b>O:</b> Enactment of a temporary Asylum Act. The Act made it easier to obtain a residence permit for, primarily, families with children who have been in Sweden for a long time. (2006)	Social Democrats 45.3 %, Moderate Party 22.4 %  Social Democrats 39,8 % Moderate Party 15,2 %  Liberal Party 7.5 %, Left Party 5.8 %, Centre Party 6.1 %, Green Party 5.2 %  Liberal Party 7.5 %, Christian Democrats 7.1 % , Left Party 5.8 %, Green Party 5.2%

<p>2006-2010 (majority coalition government) Moderate Party , Liberal Party Christian Democrats, Centre Party</p>	<p><b>R:</b> According to new rules for family reunification, a refugee granted asylum in Sweden must have housing and utilities arranged before the government will consider granting residency for other family members. (2009)</p>	<p>Moderate Party, 30.1 %</p>
<p>2010- (minority coalition government) Moderate Party , Liberal Party Christian Democrats, Centre Party</p>	<p><b>O:</b> Asylum seekers whose application for residency has been rejected but who remain in the country without permission, have received an increased right to education and health care. Removal of the restrictive regulations the grounds of family reunification. (2011)</p>	<p>Liberal Party 7.5 %, Christian Democrats 7.1 % , Left Party 5.8 % , Green Party 5.2%</p>

Note: S\*) R = Restrictive = Parties decide that the number of entrants should be limited and/or decide that current legislation should be implemented 'efficiently' and/or decide that entry legislation should become tighter/stricter and/or decide that asylum should be given on the condition of return and/or decide that various abuses of the asylum system should be penalised; O=Open= Parties decide that the number of entrants should be increased and/or declare that current legislation should be interpreted liberally and/or decide that immigration rights should be extended to new groups .

## **Restrictive vs. generous refugee migration proposals: 1990-2011**

After the election of 1991 a new centre-right government was formed by the four parties: the Centre Party, the Liberal Party, the Moderate Party, and the Christian Democrats. One of the new government's first actions was to withdraw the previous Social Democratic government's bill 'An active immigration and refugee policy', proposed in 1991 (Abiri 2000:19). In essence, the bill suggested that refugees seeking asylum in Sweden should be granted temporary residence permits rather than permanent ones (Government bill 1990/91: 95). The Liberals, with 9.1 percent of the votes paid extra attention to the new government's asylum policies. The Liberals held the Department for Cultural Affairs (which dealt with immigration

issues at that time) and was able to set its generous mark on the Government's policies (Written Communication from the Riksdag 1993/94:76).

The next step towards more open immigration policies was taken in 1993. On the initiative of the Liberals, the centre-right government granted 40.000 Bosnian refugees permanent residence permits. In 1992, other European countries, including the Nordic countries, had already applied Temporary Protection as their means for addressing the refugee wave stemming from the Yugoslav crisis (Appelqvist 2000). Sweden accepted the greatest number of Bosnian refugees of the Nordic countries, with Denmark accepting 19.000, Norway 10.000 and Finland 1.000. Both Social Democrats and the Moderates advocated temporary permits for Bosnian refugees. However, the Liberals opposed the temporary permits proposal and instead advocated permanent residence permits. A contributing factor behind the Liberal stance was the fact that many of the refugees had been in the country for quite some time. Security and the refugees' right to regain control over their lives were important arguments in favor of the permanent solution (Appelqvist 2000:99-100). After internal centre-right government negotiations, permanent residence permits became the government policy. However, the 1993 decision on permanent residence permits was followed by the simultaneous decision to impose visa requirements upon Bosnian nationals. The imposition of visas was delicate question for Liberal party and can be understood as a political compromise between parties of the new center-right government (Appelqvist 2000, p. 98)

When the Social Democrats returned to office in 1994, they reverted to the restrictive policies of the late 1980s. The 1995 Parliamentary investigation 'Refugee Policies in a Global Perspective' held that *'it's a human right to be able to return to your country. Encouraging voluntary returns should constitute an important part of refugee policies'* (SOU 1995:75, 205). A 1996 Government bill added emphasis to the policy by facilitating voluntary returns for all, including those who held permanent residence permits (Government bill 1996/97:25). Furthermore, a heated debate erupted over purported

simulation of semi or total paralysis and apathy among young children in families about to be expelled after having been denied residence permits. The Social Democratic minister in charge, Barbro Holmberg, strongly defended a report from the Cabinet's special coordinator, which claimed that the children were 'up and running' at nights when reporters were away and that the children were either intoxicated or otherwise induced by their parents to act in order to persuade the immigration authorities to grant residence permits to the family.<sup>3</sup> The allegations caused a furor among parts of the centre-right opposition and five parties: The Liberals, the Christian Democratic Party, the Centre Party, the Left Party and The Green's demanded the children and their families be given amnesty including permanent residence permits. The demand was turned down by the Social Democratic and the Moderate party votes in a subsequent Parliament votation.

From 1994 until the autumn 2006 the Social Democratic Party formed a minority government that received support from both the Green Party and the Left Party. Both parties have taken strong stances regarding asylum seekers and undocumented immigrants. After 1995 the numbers of newly arrived asylum-seekers fell rapidly (Swedish Migration Board statistics). In 2006 and 2007, however, Sweden once again became an important destination country for asylum-seekers. In 2007, the Swedish Migration Board registered a total of 36.207 applications for asylum, more than any other EU state. Above all, the high figures experienced by Sweden can be explained by a significant increase in the flow of refugees from Iraq since 2006. The large increase in Iraqi asylum seekers can be attributed to the enactment of a temporary Asylum Act, in force from November 2005 to March 2006. The Act made it easier to obtain a residence permit, primarily, for families with children having been in Sweden for a long time (Alliens Act 2005:716). The Act was pushed forward by a grand coalition of grassroots' movements, religious communities and political parties (the Centre, the Liberals, the Christian Democrats, the Greens and the Left party) again with the exception of the Social Democrats and the

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<sup>3</sup> Swedish Television, 19 September 2006:  
<http://svt.se/svt/jsp/Crosslink.jsp?d=56605>).



Moderates. It was the minority Government support parties, the Green Party and the Left Party, which forced the Social Democrats to accept the aforementioned temporary law on residence permits during the budget negotiations of autumn 2005. More than 50 per cent of the granted permits during 2006 were due to a temporary change in the Aliens Act (Swedish Migration Board). As a consequence, in 2006-08, Sweden was the number one receiver country among OECD countries for Iraq refugees, accepting far more than the US, Germany or the UK (Swedish Migration Board statistics). Another intriguing example is the question regarding family reunification rules. In spring 2008, the centre-right government decided to shift from being the least restrictive country in the EU for family reunification to one of the most restrictive. According to new rules, a refugee granted asylum in Sweden must have housing and utilities arranged before the government will consider granting residency for other family members. New rules were initiated by the Moderate party. Even before the proposal was presented, it sparked a public debate and was criticized by the political opposition. Critics claimed, among other things, that the proposal breaches children's rights to their parents as stated in the UN Convention on the Rights of the Child.<sup>4</sup>

In the spring 2011, the four government parties, the Moderates, the Christian Democrats, the Centre Party, and the Liberals forged a comprehensive framework agreement with the Greens. Among other things, the agreement aims to remove the regulations for immigration on the grounds of family reunification from 2008, as well as to give illegal immigrants the right to healthcare and education and the right to run businesses. The move follows long negotiations between the smaller governing parties (the Centre, the Liberals and the Christian Democrats) which have long argued for more rights for undocumented migrants, and the Moderate Party, which opposed the idea. Migration minister Tobias Billström (Moderate Party) has argued that giving

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<sup>4</sup> Hård kritik mot försörjningskrav, Riksdag och departement, 9 november 2008: Arbete och bostad kan krävas för återförening, Riksdag och departement, 1 December 2008.

such entitlements would legitimize people who have no right to be in Sweden (SR Ekot 30/10 2008).

## **Supranational policies: a solution to Sweden's 'refugee problem'?**

Beside proposing restrictive national legislation to reduce the number of asylum seekers, during the last two decades the Social Democratic party and the Moderate party have also taken an active part in initiatives to promote greater harmonization of asylum policies within the EU. Both parties are eager advocates of the Common European Asylum System (CEAS) consisting of common asylum rules, 'burden sharing' mechanisms, and a common resettlement system. A particular intriguing example is the Social Democratic government proposal for a so-called 'European Regime', first presented at UNHCR's Sub-Committee on International Protection, (SCIP) in 1992, several years before Sweden became the member of the EU (Appelqvist 2000:8). Among other things, the discussions concerned a legal practice to deal with the so-called 'mass-flux' and about the temporary protection regulations, by that time mostly related to the European responses to the refugee emergency created by the war in former Yugoslavia (1991-95).<sup>5</sup> The common asylum policy within the EU was also among the priorities during the Swedish Presidency of the European Union in 2001 and 2009.

From different public documents it becomes obvious that the Swedish governmental policy on the harmonization of EU asylum policy to a large extent resembles the official standpoints of the Social Democrats and the Moderates. The majority of these two parties' public discourse on refugee immigration revolves around the amount

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<sup>5</sup> By that time, the distribution of *de facto* refugees from ex-Yugoslavia enjoying various forms of legal protection were as follows: Austria, Sweden, Germany and Switzerland had the highest intake on a per capita basis, Germany also had the highest in absolute terms, equivalent to 58 per cent of all West European states or 63 per cent in the EU. Great Britain and France had the least in absolute terms (Suhrke 1998:408).

of asylum applications made in Sweden, which are "proportionally larger share than other European countries" (Svenska Dagbladet, 2007).

"Sweden – a country that did not take part in the Iraq War, was not part of the alliance, did everything it could in order to speak for peace, and is farthest away from the conflict in geographical terms – receives the most refugees. To my mind that is rather strange."

The above quote is from an interview with the Swedish migration minister Tobias Billström (Moderate Party) about Iraqi refugees in Sweden. In Billström's view, it is not logical that the majority of Iraqi refugees are coming to Sweden. The Swedish center-right government led by the Moderate prime minister and represented by the Moderate migration minister has blamed the large increase in Iraqi asylum seekers in 2007 and 2008 on the former Social Democratic government and its enactment of the above mentioned temporary asylum law, which gave thousands of Iraqi people, who had previously received negative responses to their asylum application, a second chance. During 2009, on different occasions the Swedish migration minister has tried to dismiss Sweden's generous international asylum reputation. In an interview for the *Middle East Online* minister Billström said the following:

"We do not have immigration laws that are more liberal than any other European country. However, the effect of our laws was, unfortunately, that people who left Iraq and came to Sweden were given a resident's permit sooner or later. This was an unfortunate signal because it meant that the shared responsibility - which I think is so important in the European Union, namely that all countries take responsibility -also means that we have to have the same set of rules and the same kind of practice in applying these rules. And this is something that Sweden works hard for in the EU. I never go to a council of ministers' meeting in Brussels without speaking about the importance of creating this common asylum policy for Europe."

From the above quote it is also obvious that the EU and its Member States are also held responsible for Sweden's 'refugee burden'. The

Swedish center-right government was, on several occasions, during the Swedish presidency in 2009, issuing a clear warning to its EU partners, stating that ‘if Sweden has to shoulder a disproportionate share of the responsibility for refugee situations [...] this will eventually raise questions about the sustainability of our asylum system’. The solution, advocated by the Swedish government, was obvious: ‘All EU member states must share the responsibility for offering protection for refugees.’ In the views of the Swedish government, the EU concept of free movement must be followed up with common rules for entry. It is important to get away from an asylum lottery where the recipient country is more important than the grounds for asylum (Swedish Presidency 2009 b). During the Stockholm programme the government also emphasized the importance to implement current legislation in the EU Member States as well as a common resettlement system.

### **What can ‘venue shopping’ achieve in the Swedish case?**

As shown in the previous section, the Social Democratic Party and the Moderate Party have been consistently in favor of more restrictive refugee policy proposals on the national level during the past two decades. These two parties are also in favor of the supranational refugee policy making. Why is that the case? Important claim of this article is that the EU constitutes additional policy venue for these two parties to pursue restrictive refugee policy preferences. At first glance, that may sound a bit odd given that Sweden have been labeled as a Member State that appears to promote high asylum standards at the EU level (Thielemann 2003; 2008). However, the high standard asylum policies at the EU level can actually benefit the member countries' restrictive ambitions. Scholars have shown that Member States with high standards are concerned about collective action problems as well as moral hazard and free-riding opportunities in asylum policies (Suhrke 1998; Thielemann and El-Enany 2010). The Social Democrats and the Moderates thus have an incentive to

promote more extensive and uniform protection of asylum seekers at the European level which would with the proportionate share of the responsibility in the member states reduce the number of refugees in Sweden. Furthermore, the restrictive character of the EU immigration policies itself can also explain to why these two parties are willing to delegate power to the EU. Although, the development of the EU asylum policy has not led to the adoption of more restrictive asylum standards overall (Boswell and Geddes 2011; Thielemann and El-Enany 2010), the EU refugee policy can be characterized as restrictive, mainly aiming to keep people outside the EU territory, which inevitably impact upon applicants for refugee status (Guild 2004; Hansen 2008; Luedke 2009). By applying visa requirements, carrier sanctions and, lately, ‘offshore’ determination the refugee immigration policy approach of the European Union, has consisted partly of measures to move decision-making to third states in order to keep all those seeking refugee status outside the EU (Carrera and Hernández 2009; Hansen 2008).

When analyzing Social Democrats’ and Moderate Party statements and policy decisions regarding the content of the EU asylum policy the lack of critical perspective is obvious. Contrary to the standpoints of the small parties these two parties show no concerns regarding the fact that if the harmonization itself may lead to a further restriction of the right to asylum.

Overall, the small Swedish parties do not share these two parties vision regarding the direction of the asylum policy development within the EU. The Green and the Left party oppose the supranational development altogether, because in their opinion the harmonization might have a negative impact on Swedish refugee policy, slowly lowering Swedish standards, introducing control measures counter-productive to refugee protection. For example, the view of the Green Party is that no component of migration policy should be harmonized since: ‘migration flows differ considerably from Member State to Member State and a harmonized system could be too rigid and could exclude many of those who today make their way to Europe in one

way or another'.<sup>6</sup> The Green Party sees a clear risk because, 'there exist huge differences within the EU, and the risk is that countries with more generous refugee policy, such as Sweden, could be forced to tighten their requirements for achieving a harmonized level' (Chamber protocols 1999/2000: 25, ANF. 4). A similar view is obtained from the Left Party: "It is important that the new acts are not governed by the lowest common denominator among the Member States" (Motion 1999/2000: Sf3). Centre-right political parties (the Liberal Party, the Christian Democrats and the Center Party) supports the supranational cooperation on asylum issues within the EU, but are, similarly to the Green and the Left Party concerned that the European harmonization may affect Swedish asylum generosity in a negative direction. The Liberal Party affirms the importance of minimum standards, 'A coordination of the minimum responsibility on the refugee policy is necessary, if at least some countries in practice will be able to conduct a more generous refugee policy.' (Motion 1999/2000: SF4). The Christian Democrats are of similar opinion: "The rules for asylum should be harmonized within the EU, with the reservation that the minimum rules never get used as a constraint for countries wishing to pursue a more generous refugee policy." (Motion 1999/2000: U514).

The fact that the small parties' standpoints on refugee migration differ from the Social Democrats and the Moderates is also evident from the policy processes regarding the national implementation of specific EU regulations in this area. Implementation processes have involved considerable debate and contention between the political parties (Spång 2006). It is common that small parties, especially the Liberals, the Christian Democrats, the Greens and the Left Party, advocate a development that should lead to a liberal and generous asylum policy within the EU. These parties have frequently criticized the Swedish Government for not addressing the relationship between asylum immigration and border control comprehensively (Spång

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<sup>6</sup> Green Party Observations on the Green Paper on the future Common European Asylum System COM (2007) 301



2006:31).<sup>7</sup> Furthermore, small political parties have been critical towards the directives and policies adopted by the EU. In several cases they have opposed the national implementation. The criticism was, among other things, directed towards Schengen-related border control policies and changes closely related to the Schengen agreements (Riksdagens protokoll 1997/98: 91), such as the regulation of refusal of entry and extradition, and carrier sanctions; the Dublin Convention and the Dublin Regulation, and directives concerning temporary residence, refugee reception and refugee qualification (Riksdagen protokoll 2002/03:16).

Differently from the national context, small political parties have not been successful in influencing the Swedish official position on EU refugee policy in a more generous direction. One plausible explanation to this situation is related to the weakening of national parliaments in relation to national governments and supranational bodies as a consequence of European integration (Blomgren 2005; Hegeland 2006). It has been suggested that by ratifying deeper European integration national parliaments are paradoxically the political institutions that lose the most power (Hansen 2008; Moravcsik 1994). The reason for this deprivation of power is that parliaments delegate their decision making competence to the national executives that negotiate and decide on their behalf on issues that are resolved within the EU.<sup>8</sup> As an example, the Swedish parliamentarians perceive that the government and the governmental bodies, e.g. ministerial departments and the EU representation in Brussels, have a power advantage in relation to the Swedish Parliament (Ahlbäck Öberg and Jungar 2009:7). The Cabinet is perceived to have the

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<sup>8</sup> When a proposal is discussed in the European Union, the Swedish government must seek the support of parliament for their policies, which occurs primarily through the Advisory Committee on EU Affairs (In Swedish called EU-nämnden). Questions regarding immigration are regularly discussed in the Committee. The cabinet is coordinating EU policies in the ministries and the parliament is only involved in the late stage of the process. Every Commission proposal is sent to the cabinet, who in turn forward a 'fact memorandum' (faktapromemoria) on issues of 'particular importance' to one of the standing committees under which the issue falls and to the EU committee in the Swedish Parliament.

greatest say in EU policy making (ibid). That the EU integration has led to the strengthening of the executive and the weakening of the parliament in the national configuration of power also applies to migration policy processes (Faist and Ette 2007). In the Swedish case, the Europeanisation of the immigration policy-making processes has clearly strengthened the executive, with parliamentary committees facing great difficulties in influencing the government on European issues. The implementation of EU directives in Swedish legislation is generally prepared by expert commissions and working groups in the ministers rather than parliament, which contribute to a further weakening of the small political parties influence on the Swedish official position on EU refugee policy.

## **Concluding Remarks**

This paper attempted to add complexity to existing accounts on the venue shopping by exploring the Swedish political parties' strategic use of the EU to resolve domestic refugee immigrations dilemmas. Issues concerning asylum and migration evoke mixed attitudes among Swedish political parties. Some fear mass influx of immigrants, whereas others on the contrary are concerned that the EU is building a "fortress" around its borders and that the member states are getting too repressive in attempting to control migration. In the Swedish case, there are foremost two parties, Social Democrats and Moderates that have taken an active part in initiatives to promote greater harmonization of asylum immigration policy within the EU. These two parties frame refugee immigration as a problem facing Sweden and they regard the harmonization of refuge policy within the EU as a solution to that problem. However, as previous research has shown political parties and governments can also choose to escape from the dilemma of receiving unwanted refugees by taking unilateral action to interdict or expel asylum seekers, or—less drastically—to impose stringent visa requirements and legal barriers as several European states did with respect to the Bosnian and Iraqi refugees. This paper

has shown that this kind of opportunities for unilateral actions is severely limited by constraints and incentives inherent in the Swedish political system. The Swedish party structure in combination with the government formation rules created possibilities for small parties with liberal migration preferences (the Liberal Party, the Green Party, the Left Party, the Centre Party and the Christian Democratic Party) to influence national refugee policies in a more generous direction not allowing the Social Democratic Party and the Moderate Party to meet their restrictive policy preferences. Thus, in that situation, the EU provides an alternative political venue to pursue policy objective of the the Swedish Parliament's two largest parties. For future studies, I suggest a more narrow and comparative exploration of whether and how party competition can explain a significant part of the difference in Member States attitudes towards harmonization of immigration policies within the EU. This is undoubtedly a complex and time-consuming process-tracing exercise, but it is a valuable one.

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