

Between Uncertainty and Integration: Exploring the Influence of Legal Precarity on Refugee Socio-Economic Integration in Sweden

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SUMMARY

The importance of legal status for the integration of refugees and other migrants has long been recognised by researchers. Previous literature generally indicates that an unfavourable legal status often has adverse consequences on socio-economic integration outcomes. The aim of this article is to compare the socio-economic outcomes of two refugee groups from Bosnia-Herzegovina who came to Sweden during the 1990s. The two groups are arguably similar, with the principal difference being their legal status upon arrival. To elucidate, one group was able to regulate its legal status after an average of eight months after arrival in Sweden, while the other group waited for longer than four years. We analyse the short- and long-term outcomes of both adult and child refugees. Our results differ from those obtained in most previous studies conducted in other social contexts. We find that the difference in the length of the waiting period and the level of exposure to a precarious legal status did not result in a substantial difference in the degree of long-term socio-economic integration among refugees from these two groups. For most indicators, the differences are marginal and not significant, especially when looking at the outcomes of child refugees. Moreover, when differences in outcomes are observed, they tend to favour the precarious status group (except for the earnings in the year 2000).

KEY WORDS: precarious legal status, socio-economic integration, refugees, Bosnian refugees

INTRODUCTION

The importance of legal status for the socio-economic integration of refugees and other migrants has long been recognised by researchers. The literature generally indicates that, regardless of the social and geographical contexts, an unfavourable legal status often has adverse consequences on short- and long-term integration outcomes. Moreover, the impact of a precarious legal status is not limited to adult migrants; it can also be reflected in negative effects on long-term outcomes for migrant children (Bernhard et al., 2007). This article is based on the assumption that the initial period after arrival at the destination is crucial for long-term socio-economic integration. It aims to compare the socio-economic outcomes of two refugee groups from Bosnia-Herzegovina who came to Sweden during the 1990s after escaping the war in the former Yugoslavia. The two groups are arguably similar, with the principal difference between them being their legal status in the country of destination. The group composed of Bosnian-born Bosnian citizens received their permanent residence permits in June 1993 after an average waiting period of around eight months. We will henceforth refer to this group as the “secure status group”. By contrast, the members of the other group, Bosnian-born Croat citizens who arrived in the summer of 1993 or later, were forced to wait under very precarious conditions for four years until 1997 or even longer before receiving their permanent residence permits. This group will be referred to as the “precarious status group” throughout this article. The study is based on data acquired from Swedish registers, allowing us to examine a wide range of outcomes, both for adult and child migrants. At the same time, although we employ multivariate analysis techniques, our study is mainly exploratory and descriptive. Its primary objective is to identify aspects of socio-economic integration where certain differences between the two groups may have emerged.

Previous Swedish research (among others, Bevelander, 2011; Bevelander and Pendakur, 2014; Povrzanovic Frykman, 2012) has mainly dealt with long-term differences in integration according to immigrant entry categories (asylum seekers, quota refugees, family migrants, etc.). However, these studies did not address the stability of legal status (or lack thereof). The contribution of our paper lies in it being, to the best of our knowledge, the first study to combine data on country of birth and citizenship, using high-quality registers to analyse short- and long-term integration outcomes for a group that experienced uncertain legal status for several years after its arrival and was on the verge of deportation for a significant part of that period.

PREVIOUS RESEARCH

Previous research has generally found a negative relationship between precarious legal status and socio-economic integration. This negative link is usually explained by the fact that unresolved legal status limits the opportunities offered to the rest of the population by the educational system and the labour market. Undocumented migrants are often restricted from accessing educational institutions, and, sometimes, this also applies to their children (Hellgren, 2014). As a result, previous studies have revealed that undocumented migrants have lower educational attainment than other migrants with otherwise similar characteristics. For instance, when focusing on Mexican and Central American immigrant youth, Greenman and Hall (2013) found a negative impact of unregulated legal status on educational attainment. Söhn (2014) found similar results for Germany. Connor and Massey (2010), Anderson (2010), Goldring and Landolt (2011) and Obućina (2013) all showed that an unfavourable legal status is associated with adverse labour market outcomes in the US and Europe. An unfavourable legal status also poses risks for exploitation, particularly in an informal economy (Jordan and Düvell, 2002; Jones, Ram and Edwards, 2006). Moreover, Swedish-based research (Slavnić, 2015) has shown that for many immigrants, the situation of precarity in the labour market continues despite formal improvements in their legal status even after obtaining citizenship. In addition, the negative socio-economic consequences of a precarious status can occur indirectly. For example, a precarious legal status can have a negative impact on mental health, and in certain contexts, implies limited access to healthcare (Silove et al., 1997; Hellgren, 2014). All of the foregoing can hinder the full realisation of immigrants' personal potential in the destination country. Silove et al. (1997) demonstrated that delays in processing refugee applications, difficulties in dealing with immigration officials and obstacles to employment all negatively affect the mental health of asylum seekers in Australia. The Spanish study by Sousa et al. (2010) demonstrates that a precarious legal status results in worse self-reported physical and mental health. Cavazos-Rehg, Zayas and Spitznagel (2007) found that Latino immigrants with concerns about deportation from the US are at a heightened risk of experiencing negative emotional and physical health states. Similarly, Arbona et al. (2010) find that the fear of deportation can be a source of both extrafamilial and intrafamilial stress.

Most previous studies have analysed the relationship between legal status using a binary division into legal and undocumented migrants. However,

in reality, it is often the case that migrants find themselves in a legally unclear position that does not correspond to these established dichotomies. It has been asserted in previous literature that a non-negligible share of immigrants experience what can be referred to as precarious legal status trajectories (Goldring, Berinstein and Bernhard, 2009; Goldring and Landolt, 2011, 2021), where migrants switch between episodes without state authorisation and those with temporary authorisation (the term “semi-legality” is also often used in this context; see Kubal, 2013). Precarious legal status trajectories are associated with discontinuous access, not only to formal employment but also to social services and protections (Landolt and Goldring, 2015; Tungohan, 2018). Unstable legal trajectories, combined with an uncertain final outcome and widespread fear of deportation, also characterised the experiences of Bosnian-born Croat citizens after their arrival in Sweden.

BACKGROUND

The war in Bosnia and Herzegovina began in April 1992, and within a very short time, caused a mass exodus of the population, both to other territories of the former Yugoslavia and to Western countries. The group of Bosnian refugees who constitute the secure status group in our study came to Sweden between the late spring of 1992 and June 1993. Although the Swedish refugee policy had become increasingly restrictive since 1989 (Appelqvist, 2000) and although other European countries’ policies towards ex-Yugoslav refugees were based on temporary protection, the Swedish government decided in June 1993 to grant a permanent residence permit (PUT¹) to about 40,000 Bosnian war refugees (Appelqvist, 2000).

The same decision of the Swedish government had another negative aspect. Specifically, while granting permanent residence to the Bosnian refugees already present in the country, the government also restricted the further arrival of refugees and introduced a travel visa requirement for all other Bosnian citizens. The decision was motivated by the fact that Sweden, in addition to Germany and Austria, had received proportionally the most war refugees from Bosnia-Herzegovina and was the first country in Europe to grant them permanent residence (Slavnić, 2000). However, the war in Bosnia-Herzegovina continued unabated, resulting in new devastation and new refugees. The newly displaced, faced with a situation in which fewer

¹ In Swedish, *Permanent uppehållstillstånd*.

and fewer countries were willing to receive them, sought different ways to help themselves. Some took advantage of the fact that shortly after declaring its own state sovereignty, Croatia had offered dual citizenship to a significant proportion of Bosnian citizens. This primarily applied to ethnic Croats but also to some non-Croats married to ethnic Croats, as well as children from mixed marriages where one parent was an ethnic Croat. Since the Swedish government's decision to introduce visas for some former Yugoslav countries did not apply to Croatia, this meant that Croatian citizens could still enter Sweden as tourists without requiring a visa. Thus, some Bosnian-born refugees with dual Bosnian-Croatian nationality were able to enter Sweden freely with a Croatian passport and apply for asylum on humanitarian grounds. However, despite the relatively easy entrance to Sweden, this group, which constitutes the precarious status group in this study, faced serious challenges in the subsequent years concerning the regularisation of their legal status in Sweden.

From the summer of 1993 to the summer of 1994, around 5,000 of these refugees arrived in Sweden (Dacyl, 1999; Slavnić, 2000). They came under similar circumstances and in a similar manner (most often using bus transport) as the Bosnian refugees who arrived before them. While waiting for a government decision, they also enjoyed very similar conditions to those of the secure status group before obtaining permanent residence. This included accommodation and financial assistance, a work permit (from which they did not benefit much due to the high unemployment rate) and the right to learn the language while their children were included in the primary school system. However, their situation changed dramatically after the government made a negative decision on their asylum applications in June 1994. From that moment on, they became persons awaiting deportation. Although they formally retained the above-mentioned rights throughout the period leading up to the execution of the deportation decision, their lives nevertheless began to diverge significantly from the lives of other refugees, including negative consequences for their mental health (Slavnić, 2014). In an effort to take control of their destinies, many individuals and families began to leave the refugee camps, seeking to evade the Swedish refugee authorities and thus avoid deportation. Therefore, they lost both their accommodation and all their means of livelihood. Their children could still formally attend school, but each appearance in school increased the risk of being discovered, arrested and forcibly deported. The decision began to be implemented in the summer of 1994, although mass deportations never took place. During this period, a small number of refugees were sent back

to Croatia, some left Sweden voluntarily in the hope of finding safer refuge in third countries, but the majority either waited to be deported or hid at various locations across the country. Eventually, the refugees began to organise themselves more effectively and received help from various voluntary organisations. Mass media interest in the unique situation of the refugee group also began to grow (Dacyl, 1999). The climax was reached in the spring of 1995 when a large number of these refugees, in a joint protest action with representatives from various non-governmental organisations (NGOs), church representatives and ordinary citizens, took refuge in the German Church in Karlskrona (Slavnić, 2000). Caught between a largely pro-refugee public opinion and the rapidly deteriorating political and security situations in Croatia, the government granted this group temporary residence permits (TUT²) in May 1995, valid for six months, until 30 November 1995. It is important to note that this marked the first instance in the history of Swedish refugee and immigration policy where the legal framework for temporary refugee protection was applied to such a large refugee group (Appelqvist, 2000).

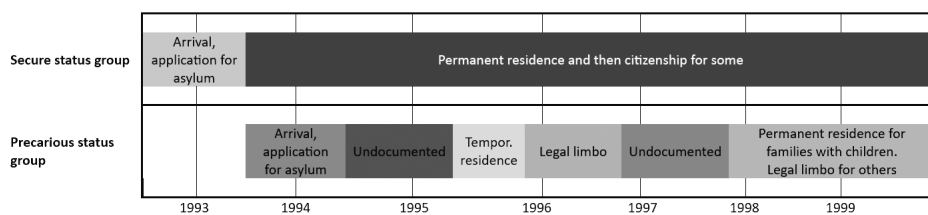
After the temporary residence permit had expired, the situation remained unchanged for quite a long time. The government only issued a short press release, stating that it was not relevant to send Bosnian-born Croat citizens back during the winter of 1995/96. Winter passed, followed by spring and even summer, without the government making a new decision. It was not until 28 November 1996, almost exactly one year after the temporary residence permits had expired, that the government again decided that the refugees should be deported. They were given three months to leave the country voluntarily. At that time, there were approximately 2,500 of these refugees left in Sweden. They again tried to organise themselves with the help of NGOs, ordinary citizens and even the media. The refugees' demands were also backed by a large number of government officials and physicians who stated that the health condition of many refugees had deteriorated rapidly, as most of them had lived in fear and uncertainty for more than four years. Finally, on 12 November 1997, two years after the temporary residence permits had expired and after more than four years of waiting, the government granted permanent residence permits to families with children in the refugee group. By that time, only about one-third of the total number of these refugees, who arrived during 1993/94, were still in the country. Out of that number, the government's decision involved

² In Swedish, *Tidsbegränsad uppehållstillstånd*.

about 1,500–1,700 of them. However, the decision of November 1997 did not cover a few hundred single refugees, that is, people who had no family with them. They faced uncertainty for a longer time. Some were deported or left the country, but most of them were granted permanent residence by the end of 1999.

In summary, this study looks at two refugee groups fleeing the same conflict. Although the secure status group consisted mostly of ethnic Bosniaks, while the ethnic Croats constituted the majority of the precarious group, both groups originated from the same political, institutional and socio-cultural contexts. First, regardless of their ethnicity, most Bosnian refugees lived in multi-ethnic regions, where it was almost impossible to avoid contact with other ethnicities, whether in school, the workplace or other settings where everyday social interactions take place. The similarities also extended to schooling. While the education system varied slightly across the former Yugoslav republics, it was uniform within each of them. The curriculum was the same in every school within the territory of Bosnia-Herzegovina. Unlike the situation today, it was not adapted to the dominant ethnicity in the region. Therefore, we argue that the principal feature that significantly separates the two groups is the length of time and the conditions under which they waited for their legal status decisions in Sweden. The differences in legal trajectories between the secure status group and the precarious group are shown in Figure 1.

Figure 1. Legal trajectories of Bosnian-born refugees in Sweden, 1992–2000



DATA AND METHODOLOGY

The data used in the empirical analysis were obtained from STATIV, a longitudinal database for integration research. The database is maintained by Statistics Sweden and covers the period between 1997 and 2016. STATIV contains longitudinal data on all individuals residing in Sweden during each selected year.

Our population of interest consists of Bosnian-born refugees who arrived in Sweden during the first half of the 1990s and were granted permanent residence on humanitarian grounds. As members of the precarious status group could only obtain permanent residence on humanitarian grounds, in order to maximise comparability, we have excluded individuals from the secure status group who were granted permits as quota refugees or as individuals seeking protection. The main independent variable of interest is their legal status upon arrival in Sweden. In particular, using data on country of birth, nationality and year of arrival in Sweden,³ we distinguish two groups of Bosnian-born refugees as follows: 1) Bosnian nationals, also referred to as the *secure status group* (Bosnian-born immigrants who arrived in Sweden as Bosnian citizens in 1992 and 1993), and 2) Croat nationals, also referred to as the *precarious status group* (Bosnian-born immigrants who arrived in Sweden as Croat citizens in 1993 and 1994). It is important to note that we use their nationality at the time of arrival to assign Bosnian-born refugees to one of the two groups. Most individuals from both groups had already become Swedish citizens by the years in which we observed their outcomes. Some Bosnian-born refugees who arrived in Sweden as citizens of third countries (usually one of the newly independent former Yugoslav republics) are not included in this study. The comparison of short-term and long-term outcomes between the two groups is the principal aim of the empirical part of the study. The empirical analysis is divided into two main parts. We start by looking at the outcomes of adult refugees, specifically those who were at least 18 years of age when they first arrived in Sweden. The second part of the analysis focuses on the outcomes of Bosnian child refugees, namely, the refugees who were younger than 18 at the time of their arrival in Sweden. Each regression is implemented in two steps: controlling for legal status and then incorporating other observable characteristics.

Outcomes of adult refugees

In the first part of the analysis of adult refugees, we focus on two principal labour market outcomes, namely, employment and earnings. We examine employment at three different points after their arrival in Sweden: in 2000, 2008 and 2016. The dependent variable takes the value of 1 if the person was employed in November of the year in question (year t); otherwise, it

³ The year of arrival variable in the STATIV database is considered to be of low quality due to a high proportion of missing values. However, Bosnian-born refugees who obtained their residence permits based on humanitarian grounds constitute an exception with regard to this, as hardly any missing values are observed.

takes the value of 0. We also compare the earnings of individuals from the two groups under the study within the same three calendar years. Given that the Swedish labour market is characterised by a high degree of gender segregation (Carlsson, 2011), we look separately at male and female earnings. The dependent variable in these regressions is defined as the percentile rank (1–100) in terms of earnings among all employed individuals of the same sex in Sweden in year t .

Apart from the effects on economic outcomes, we also seek to explore whether their precarious legal status is associated with their general health status. To this end, we analyse whether individuals from the precarious status group were more likely than those from the secure status group to take sick leave at three different points after arrival: in 2000, 2008 and 2012 (which is the last year for which information on sick leave is available in STATIV). The dependent variable takes the value of 1 if the person was on sick leave at least once during year t ; otherwise, it takes the value of 0. We use the linear probability model (LPM) when analysing binary outcomes, such as employment and sick leave. Regressions on earnings are based on ordinary least squares (OLS) regression. All the analyses of the outcomes of adult refugees include individuals who arrived in Sweden aged 18 or older and who are 65 or younger in the year of observation. Apart from legal status, we also control for age at arrival in Sweden, sex and education level (categorised as 1 for primary or less, 2 for secondary, 3 for at least some post-secondary and 4 for unknown). An overview of the covariates used in each regression is shown in table A1 in the Appendix.

Outcomes of child refugees

The second part of the empirical analysis is devoted to examining the short-term and long-term outcomes of Bosnian refugees who arrived in Sweden as minors (aged 17 or younger). We first look at three indicators of school success and then proceed to the analysis of economic integration at the age of 30.

School success is measured via three indicators: 1) success in primary school, 2) success in secondary school and 3) eligibility for post-secondary education. Success in primary school is operationalised as the student's percentile rank in terms of their final grade among all students in Sweden who completed primary school in the same year. Success in secondary school is defined analogously. Eligibility for post-secondary education is a binary variable, taking the value of 1 if the person is entitled to pursue post-secondary education upon completion of secondary education and 0 if not.

Multivariate analyses for school success are based on OLS, whereas we use the LPM when examining eligibility for post-secondary education.

We also investigate the economic outcomes of child refugees in adulthood. The focus here is on the same outcomes that are analysed for adult refugees, namely, employment and earnings. However, instead of focusing on outcomes in a specific calendar year, we analyse the outcomes of child refugees at the age of 30. For employment, the dependent variable takes the value of 1 if the person is employed in November of the year they turn 30; otherwise, it takes the value of 0. Just as is the case with adult refugees, the analysis of earnings is carried out separately by gender. In these regressions, the dependent variable is defined as the percentile rank (1–100) of earnings among all employed individuals of the same sex in Sweden in the year when the person turns 30. Apart from the main independent variable, the additional covariates in these analyses include age at arrival, sex, and the education level of each parent (categorised in the same way as in the analysis of adult migrants), as well as a dummy variable for each year of observation. An overview of the covariates used in the regressions for child refugees is shown in table A2 in the Appendix.

MAIN RESULTS

Adult refugees

The results for adult refugees are shown in table 1. We start our analysis of employment with the year 2000, a time when Bosnian-born refugees were still recent immigrants in Sweden. While slightly less than two-thirds of the refugees from the secure status group had a job in November 2000, the employment rate was lower by six percentage points in the precarious status group. However, the regression results suggest that this difference can be entirely explained by observable factors, and cannot be ascribed to the difference in legal status. The employment situation changed considerably in 2008. First, employment clearly increased in both groups. Furthermore, contrary to the situation in 2000, the employment rate in 2008 was higher in the precarious status group (79 vs. 75 per cent). The difference becomes even more pronounced after introducing controls: the likelihood of employment was, with all else being equal, higher among individuals from the precarious status group by eight percentage points. The 2008 patterns did not change much by 2016, although the employment gap between the two groups shrank slightly.

Table 1. Short-term and long-term outcomes of Bosnian-born adult refugees

| Outcome | Dependent variable | Number of individuals and mean value, PSG | Number of individuals and mean value, SSG | Type of regression | Difference PSG - SSG, no controls | Difference PSG - SSG, with controls |
|-----------------------|--|---|---|--------------------|-----------------------------------|-------------------------------------|
| Employment, 2000 | Employed in November 2000 | 918; 0.59 | 17,451; 0.65 | LPM | -0.06*** | -0.02 (n.s.) |
| Employment, 2008 | Employed in November 2008 | 859; 0.79 | 16,035; 0.75 | LPM | 0.04*** | 0.08*** |
| Employment, 2016 | Employed in November 2016 | 770; 0.77 | 14,016; 0.75 | LPM | 0.02 (n.s.) | 0.07*** |
| Earnings, men, 2000 | Percentile rank among all employed men in Sweden in 2000 | 317; 42.42 | 6,325; 46.97 | OLS | -4.55*** | -3.91*** |
| Earnings, women, 2000 | Percentile rank among all employed women in Sweden in 2000 | 221; 45.90 | 4,998; 51.21 | OLS | -5.31*** | -4.13** |
| Earnings, men, 2008 | Percentile rank among all employed men in Sweden in 2008 | 355; 52.50 | 6,387; 53.74 | OLS | -1.23 (n.s.) | 0.48 (n.s.) |
| Earnings, women, 2008 | Percentile rank among all employed women in Sweden in 2008 | 326; 58.27 | 5,601; 59.50 | OLS | -1.22 (n.s.) | 1.08 (n.s.) |
| Earnings, men, 2016 | Percentile rank among all employed men in Sweden in 2016 | 305; 55.35 | 5,495; 56.73 | OLS | -1.38 (n.s.) | 0.54 (n.s.) |
| Earnings, women, 2016 | Percentile rank among all employed women in Sweden in 2016 | 287; 58.30 | 5,036; 61.72 | OLS | -3.42** | -0.62 (n.s.) |
| Sick leave, 2000 | At least one sick leave during 2000 | 538; 0.11 | 11,323; 0.14 | LPM | -0.03 (n.s.) | -0.03* |
| Sick leave, 2008 | At least one sick leave during 2008 | 681; 0.17 | 11,988; 0.17 | LPM | 0.00 (n.s.) | -0.01 (n.s.) |
| Sick leave, 2012 | At least one sick leave during 2012 | 636; 0.15 | 11,188; 0.15 | LPM | 0.00 (n.s.) | -0.01 (n.s.) |

Note: PSG = precarious status group; SSG = secure status group; n.s. – not significant; * p < 0.05; ** p < 0.01; ***p < 0.001

Back in 2000, the secure status group also had more favourable outcomes in terms of earnings. The earnings of males and females from this group were four to five percentile ranks higher than those of their counterparts from the precarious status group. The earnings gap remains almost unaffected by the introduction of control variables. However, somewhat similarly to the results for employment, the precarious status group closed this gap by 2008. They still earned slightly less in 2008 and 2016, but the difference between the two groups is not statistically significant. This is the case for both sexes, both before and after controlling for observables.

Our results also show that, overall, a more precarious legal status did not have negative health consequences for the individuals from the precarious status group, at least when measured by their propensity to take sick leave. In fact, individuals from the secure status group were more often on sick leave than individuals from the precarious status group (14 vs. 11 per cent) in 2000. The difference between the two groups remains at three percentage points after including control variables and is statistically significant at the 5% level. In 2008 and 2012, the propensity to take sick leave increased somewhat in both groups, but the differences between the two groups disappeared almost completely.

Child refugees

The results for child refugees are shown in table 2. Starting from grades in primary school, the average positions of the children from both groups are just below the national median. Although the children from the secure status group scored slightly better, the difference between the two groups is not statistically significant either before or after controlling for observables. The relative performance of the children from both groups, as defined by legal status, is somewhat lower in secondary school, but the difference between them is negligible. More than four out of five Bosnian-born refugee children were eligible for tertiary education. The share of eligible students is higher by two and a half percentage points in the precarious status group. After controlling for observables, this difference increases to four percentage points, but it is not significant at the 5% level.

Turning to the outcomes of child refugees in adulthood, somewhat less than half of the children from both groups obtained a post-secondary

degree by the age of 30. The difference between the groups is marginal and not statistically significant before including the controls. Nevertheless, after controlling for parental education and age at migration, the analysis shows that the likelihood of having a post-secondary degree is higher in the precarious status group by as much as ten percentage points. This is also the only outcome in our analysis of child refugees for which we observe a statistically significant difference between the two groups.

An overwhelming majority of child refugees from both groups are employed at the age of 30, with employment rates slightly higher in the precarious status group at 87 per cent compared to 83 per cent in the secure status group. When it comes to earnings at the age of 30, the average relative position of employed Bosnian-born males from both groups is above the national median. The position is slightly more favourable for the males from the precarious status group. The same patterns are found among Bosnian-born females. However, none of these labour-market indicators show statistically significant differences between the two groups.

In general, the findings from our analyses suggest that the difference in legal status among Bosnian-born refugees in the mid-1990s did not lead to any substantial disadvantage for the precarious status group in terms of short-term and long-term outcomes. For most indicators, the differences are marginal and not significant, especially when looking at the outcomes of child refugees. Moreover, when we do identify some differences in outcomes, they tend to be (with the exception of earnings in 2000) in favour of the precarious status group.

Table 2. Short-term and long-term outcomes of Bosnian-born child refugees

| Outcome | Dependent variable | Number of individuals and mean value, PSG | Number of individuals and mean value, SSG | Type of regression | Difference PG - SG, no controls | Difference PG - SG, with controls |
|---|--|---|---|--------------------|---------------------------------|-----------------------------------|
| Primary school grade | Percentile rank among all students in Sweden graduating from primary school in the same year | 459; 47.44 | 6,482; 49.15 | OLS | -1.70 (n.s.) | 0.38 (n.s.) |
| Secondary school grade | Percentile rank among all students in Sweden graduating from secondary school in the same year | 436; 43.36 | 6,846; 43.10 | OLS | 0.26 (n.s.) | 2.08 (n.s.) |
| Eligibility for tertiary education | Eligible for tertiary education | 436; 0.85 | 6,846; 0.82 | LPM | 0.02 (n.s.) | 0.04 (n.s.) |
| Educational attainment at the age of 30 | Post-secondary education at the age of 30 | 279; 0.46 | 5,683; 0.44 | LPM | 0.02 (n.s.) | 0.10** |
| Employment at the age of 30 | Employed in November of the year of turning 30 | 279; 0.87 | 5,683; 0.83 | LPM | 0.04 (n.s.) | 0.04 (n.s.) |
| Men's earnings at the age of 30 | Percentile rank among all employed men in Sweden in the year of turning 30 | 131; 56.20 | 2,467; 54.95 | OLS | 1.24 (n.s.) | 1.47 (n.s.) |
| Women's earnings at the age of 30 | Percentile rank among all employed women in Sweden in the year of turning 30 | 111; 57.76 | 2,231; 56.48 | OLS | 1.27 (n.s.) | 1.17 (n.s.) |

Note: PSG = precarious status group; SSG = secure status group; n.s. – not significant; * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$

DISCUSSION

The starting points for this study were the theoretical and empirical results of the literature focusing on the precarious legal status of asylum seekers, which have shown that immigrants' precarious legal status can have significant negative consequences for their subsequent integration into their destination societies. The need to analyse the connection between precari-

ous legal status and socio-economic outcomes among refugees is all the greater in light of the recent status precarisation of asylum seekers in many European countries. Sweden is no exception in this respect, at least not since November 2015 when the government decided that asylum seekers would receive a temporary stay of three years instead of permanent residence. Our study aimed to contribute to the knowledge in this research field by comparing two refugee groups who arrived in Sweden at around the same time, escaping the same conflict, with the same or similar cultural, social, economic and class backgrounds. Their only significant difference was the length of the asylum process and the level of exposure to precarious living conditions during this process. For the members of the secure status group, it took an average of eight months to obtain a permanent residence permit. By contrast, for the members of the precarious status group, it took almost four and a half years, with a period of almost three years during which they had no legal status, little income and limited protection, leading many of them to hide from immigrant authorities. It is important to note that we only analysed the differences in outcomes that could be observed after the members of the precarious status group (or more precisely, the members of the group who stayed in Sweden) obtained permanent residence.

The results of our analyses indicate mostly minimal or modest differences in outcomes between the two groups. This especially concerns the results for child refugees, where only one indicator shows statistically significant differences between the groups. Moreover, in most analyses significant differences are found and they tend to favour the precarious status group. These results shed new light on previous research findings, suggesting that the relationship between precarious legal status and long-term outcomes may be more complex than previously believed. Although the results are somewhat surprising, we still think that it is possible to point to some mechanisms that explain them.

As previously stated, the process of transition from asylum seeker to permanent resident status was relatively short for the secure status group. During that process, they only had to follow the established routines within the institutional framework of refugee policy. Most of them, however, were not aware that the operational logic of that policy was not always in line with the interests of the individuals it applied to. For example, people were often not accommodated in municipalities where they could most easily find employment or access education to improve their job prospects. Instead, they were often placed in municipalities with which the National Immigration

Office had entered into a refugee accommodation agreement. Furthermore, refugees were often not assisted in finding jobs or offered re-training programmes in line with their personal preferences and previous education or work experience. Instead, these services were in line with what officials from the Migration Board (or Employment Bureau) considered suitable for the labour market demand. Since most new residents were unfamiliar with the system, many of them only became aware of these problems after several years, which had long-term negative consequences for their integration into Swedish society despite their secure legal status (Tibajev, 2021). Only a small number of individuals from this group tried to become independent and find their own way into the new society, seeking to choose accommodation, education or employment options they believed were in their best interests. Research has shown (Likić-Brborić and Bennich-Björkman, 2016) that such individuals were more successful in terms of both economic and socio-cultural integration into Swedish society.

On the other hand, individuals from the precarious status group were forced from the beginning to act independently in relation to the above-mentioned institutional framework and, sometimes, not only independently but also in conflict with it. Many of them seized the opportunity offered by the Migration Board to find accommodation on their own. For the Migration Board, it was an opportunity to reduce costs, while for the refugees, it was a way to create more space for free action that could not be controlled by the Migration Board (Slavnić, 1998). This larger manoeuvring space could have helped them avoid deportation if necessary, while also facilitating their ability to find work within the informal economy. Finding jobs within the formal economy was nearly impossible at the time. They needed money not only to cover higher housing costs but also to hire their own lawyers to represent them in their asylum cases, as most of them had little confidence in the lawyers offered by the state. Moreover, after the previously mentioned protest gatherings at the German Church in Karlskrona, members of this group quickly learned the importance of knowing how to engage NGOs and the media in their favour. Over time, this engagement transformed them from mere objects of migration policy into, it can be argued, partners who were taken seriously and accepted by migration authorities (Slavnić, 1998). All these individual and collective strategies, which had been developing over a period of more than four years, enabled these refugees not only to learn how the system worked but also to create an extensive network of contacts. This social capital was certainly of great benefit to them

even after they finally received a permanent residence permit. This social capital also explains, at least to some extent, the results of this study, which showed that despite their much more precarious status while awaiting asylum, this group later had an equally successful and, in some respects, even more successful integration process compared with the secure status group.

Furthermore, when interpreting the minimal differences in outcomes between the two groups, apart from the undoubtedly important contextual factors, we should not lose sight of some basic concepts from the classical literature on the socio-economic integration of migrants. Classical economic literature on migration, such as Chiswick (1978, 1999), starts from the assumption that migrants are above-average ambitious and motivated people. Moreover, other influential studies have found that the type of selection that occurs in the migration process from origin to destination is further accentuated through return migration (Borjas and Bratsberg, 1994). In other words, if those who migrate are particularly ambitious, those who choose to stay maybe even more so. Although these considerations have mostly been applied to economic migrants, we cannot rule out the possibility that these mechanisms are, to some extent, also at work among refugees. This especially concerns the choice of whether to return or not. We should take into account that the armed conflict ended in November 1995. Although faced with strong pressure to leave the country, many refugees from precarious status groups opted to stay in Sweden even when their lives were no longer in danger. Therefore, given the high rate of return and onward migration, those who remained in Sweden were most likely a more select group compared with the secure status group at the beginning of our study period in 2000. Classical literature suggests that those who remained in Sweden had a greater desire to stay and that they were, therefore, on average, more motivated, ambitious and persistent than those who left. This comparison extends to individuals from the secure status group who did not encounter as many difficulties in obtaining a permanent residence permit. Furthermore, following this logic, we cannot rule out the possibility that economic motivations were stronger among the refugees from the precarious status group. This implies that those who, thanks to their persistence and resilience, managed to obtain permanent permits were also able to make up for the initial disadvantages resulting from their unfavourable legal status.

These three points indicate that, although a precarious legal status while waiting for a residence permit was initially the primary distinguishing factor between the two groups, it is most likely not the sole determinant of

later results in the integration process. Our first point opens up the possibility that the effectiveness of the integration policy, as well as its orientation towards or away from the real interests of the refugees, also plays a significant role. In addition, all three of our points indicate that individual agency also matters. The capacity of individual and group actors to act free from the influence of harsh and limiting social structures often helps them not only to survive difficult times, but also to deal more easily with problems during the later process of integration into new societies. Additionally, while the paper predominantly examines public policies through a critical lens, it is important to recognise that these policies may have exerted a positive influence as well. It is conceivable that the generous Swedish welfare state and integration policies could have contributed to reducing long-term disparities between groups that initially started from different positions. Thus, while our discussion has centred on the potential shortcomings of public policies, we acknowledge the possibility that they might have facilitated a more equitable trajectory for the groups under examination.

As discussed in the introduction, our study is exploratory and descriptive. We focus on a wide range of short- and long-term indicators among both adult and child refugees. However, due to the relatively small size of the precarious status group (which is significantly smaller than the secure status group), we were limited in our ability to employ more rigorous multivariate techniques. Moreover, our results are descriptive in the sense that we do not account for multiple processes of (self-)selection. It is indeed possible that unobserved factors, such as the decision to stay in Sweden or selection in the labour market, also shaped the patterns of cross-group differences in this study. Finally, the findings from our study should be interpreted within the specific geographical and institutional parameters of our research. While the insights gained are valuable for our particular context, it is important to acknowledge that the generalisability of these results to different geographical areas or institutional settings may be limited. Immigrant integration is a complex and multidimensional concept, and some of its important indicators (among others, residential segregation, friendship networks, and intermarriage) are not dealt with in our study.

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CONFLICT OF INTEREST STATEMENT

The authors certify that they have NO affiliations with or involvement in any organisation or entity with any financial interest or non-financial interest in the subject matter or materials discussed in this manuscript.

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APPENDIX

Table A1. Regression models for Bosnian-born adult refugees

| Outcome | Dependent variable | Independent variables |
|--|--|---|
| Employment in year t (2000, 2008 or 2016) | Employed in November of year t (1 yes; 0 – no) | <ul style="list-style-type: none"> • Nationality at arrival • Age at migration • Sex • Education level: (1) – less than secondary, (2) – secondary, (3) – at least some post-secondary, (4) – unknown |
| Earnings in year t, by sex (in 2000, 2008 or 2016) | Percentile rank among all employed persons of the same sex in Sweden in 2000 | <ul style="list-style-type: none"> • Nationality at arrival • Age at migration • Education level: (1) – less than secondary, (2) – secondary, (3) – at least some post-secondary, (4) – unknown |

| Outcome | Dependent variable | Independent variables |
|---|---|---|
| Sick leave in year t (2000, 2008 or 2012) | At least one sick leave during year t (1 – yes; 0 – no) | <ul style="list-style-type: none"> • Nationality at arrival • Age at migration • Sex • Education level: (1) – less than secondary, (2) – secondary, (3) – at least some post-secondary, (4) – unknown |

Table A2. Regression models for Bosnian-born child refugees

| Outcome; N | Dependent variable | Independent variables |
|---|--|--|
| Primary school grade | Percentile rank among all students in Sweden graduating from primary school in the same year | <ul style="list-style-type: none"> • Nationality at arrival • Age at migration • Sex • Mother’s education: (1) – less than secondary, (2) – secondary, (3) – at least some post-secondary, (4) – unknown |
| Secondary school grade | Percentile rank among all students in Sweden graduating from secondary school in the same year | <ul style="list-style-type: none"> • Father’s education: (1) – less than secondary, (2) – secondary, (3) – at least some post-secondary, (4) – unknown |
| Eligibility for tertiary education | Eligible for tertiary education (1-yes, 2-no) | <ul style="list-style-type: none"> • Year indicator variable |
| Educational attainment at the age of 30 | Completed post-secondary education at the age of 30 (1 – yes, 2 – no) | <ul style="list-style-type: none"> • Nationality at arrival |
| Employment at the age of 30 | Employed in November of the year of turning 30 (1 – yes; 0 – no) | <ul style="list-style-type: none"> • Age at migration • Sex • Education level: (1) – less than secondary, (2) – secondary, (3) – at least some post-secondary, (4) – unknown |
| Men’s earnings at the age of 30 | Percentile rank among all employed men in Sweden in the year of turning 30 | <ul style="list-style-type: none"> • Year indicator variable |
| Women’s earnings at the age of 30 | Percentile rank among all employed women in Sweden in the year of turning 30 | |

Između neizvjesnosti i integracije: istraživanje utjecaja pravne nesigurnosti na socioekonomsku integraciju izbjeglica u Švedskoj

Zoran Slavnić, Ognjen Obućina

SAŽETAK

Istraživači su odavno prepoznali važnost pravnog statusa za integraciju izbjeglica i drugih migranata. U postojećoj literaturi općenito se upućuje na to da nepovoljan pravni status često ima negativne posljedice na ishode socioekonomske integracije. Cilj je ovog članka usporediti socioekonomske ishode dviju skupina izbjeglica iz Bosne i Hercegovine koje su došle u Švedsku 1990-ih. Prva skupina, koja u našoj studiji čini skupinu sa sigurnim statusom, došla je u Švedsku u razdoblju između kasnog proljeća 1992. i lipnja 1993. godine. Švedska je vlada u lipnju 1993. odlučila izdati trajnu boravišnu dozvolu za oko 40.000 tih izbjeglica.

Odluka švedske vlade sadržavala je i nepovoljnu odredbu: ograničenje daljnjeg ulaska izbjeglica i uvođenje obveze posjedovanja vize za sve ostale državljane Bosne i Hercegovine. Međutim, rat u Bosni i Hercegovini nije jenjavao, pri čemu je došlo do novih razaranja te je još više ljudi postalo izbjeglicama. Novoraseljene osobe pokušavale su se snaći na razne načine. Neke su iskoristile činjenicu da je nedugo nakon proglašenja vlastitog državnog suvereniteta Hrvatska ponudila dvojno državljanstvo velikom dijelu državljana Bosne i Hercegovine. Tako su neke izbjeglice rođene u Bosni i Hercegovini s dvojnim državljanstvom Bosne i Hercegovine i Hrvatske mogle slobodno ući u Švedsku s hrvatskom putovnicom i zatražiti azil iz humanitarnih razloga. Međutim, unatoč relativno jednostavnom ulasku u Švedsku ta se skupina, koja u ovoj studiji čini skupinu s nesigurnim statusom, u narednim godinama suočila s velikim poteškoćama kad je riječ o reguliranju njihova pravnog statusa u Švedskoj.

Najprije je u lipnju 1994. vlada donijela odluku o odbijanju njihovih zahtjeva za azil. Od tog trenutka postali su osobe koje čekaju deportaciju. Odluka se počela provoditi u ljeto 1994., iako do masovne deportacije nikada nije došlo. Budući da je javno mnijenje uglavnom bilo naklonjeno izbjeglicama, a politička i sigurnosna situacija u Hrvatskoj naglo se pogoršavala, vlada je u svibnju 1995. pripadnicima te skupine izdala privremene boravišne dozvole s razdobljem valjanosti od šest mjeseci. Važno je napomenuti da je tada prvi put u povijesti švedske izbjegličke i imigracijske politike pravni okvir za privremenu zaštitu izbjeglica primijenjen na tako veliku skupinu izbjeglica.

Nakon isteka privremene boravišne dozvole situacija se nije mijenjala do 28. studenoga 1996., kad je vlada ponovno odlučila da izbjeglice treba deportirati. U to ih je vrijeme u Švedskoj ostalo oko 2.500. Ponovno su se pokušali organizirati uz pomoć nevladinih organizacija, običnih građana i medija. Čak su i brojni državni dužnosnici i liječnici izjavljivali da se zdravstveno stanje mnogih izbjeglica ubrzano pogoršalo jer je većina njih više od četiri godine živjela u strahu i nesigurnosti. Naposljetku, u studenome 1997., nakon više od četiri godine čekanja, vlada je izdala trajne boravišne dozvole obiteljima s djecom. Odluka vlade odnosila se na približno 1.500 – 1.700 izbjeglica.

Ukratko, u ovoj se studiji istražuju dvije skupine izbjeglica koje su pobjegle od istog sukoba. Iako su skupinu sa sigurnim statusom činili uglavnom etnički Bošnjaci, dok su većinu skupine s nesigurnim statusom činili etnički Hrvati, obje su skupine potjecale iz istog političkog, institucijskog i sociokulturnog okružja. Prvo, bez obzira na etničku pripadnost većina izbjeglica iz Bosne i Hercegovine živjela je u višetničkim krajevima, gdje je bilo gotovo nemoguće izbjeći kontakt s drugim etničkim skupinama u školi, na radnom mjestu ili u drugim sredinama gdje se odvijaju svakodnevne društvene interakcije. Sličnosti je bilo i u školovanju. Obrazovni sustav ponešto se razlikovao među bivšim jugoslavenskim republikama, ali je unutar svake od njih bio identičan. Nastavni je program bio isti u svim školama na području Bosne i Hercegovine. Stoga smatramo da su glavno obilježje prema kojem se te dvije skupine uvelike razlikuju trajanje i uvjeti čekanja na odluku o njihovu pravnom statusu u Švedskoj.

Podaci upotrijebljeni u empirijskoj analizi dobiveni su iz longitudinalne baze podataka za istraživanje integracije STATIV. Ta baza podataka, koju održava švedski Zavod za statistiku, obuhvaća razdoblje od 1997. do 2016. STATIV sadržava longitudinalne podatke o svim osobama s boravištem u Švedskoj svake odabrane godine. Analizirali smo kratkoročne i dugoročne ishode odraslih i djece izbjeglica.

Naši se rezultati razlikuju od rezultata većine prijašnjih studija provedenih u drukčijim društvenim kontekstima. Naše analize pokazuju da između dviju skupina postoje uglavnom neznatne ili zanemarive razlike. To osobito vrijedi za djecu izbjeglice, za koje samo jedan pokazatelj upućuje na statistički značajne razlike između skupina. Štoviše, većina analiza u kojima smo utvrdili značajne razlike zapravo pokazuje da je skupina s nesigurnim statusom ostvarila povoljnije ishode. Ti rezultati omogućuju da se rezultati prijašnjih istraživanja sagledaju iz nove perspektive i pokazuju da bi povezanost nesigurnog pravnog statusa i dugoročnih ishoda mogla biti složenija nego što se prije smatralo. Iako su rezultati donekle iznenađujući, smatramo da ih se može objasniti određenim mehanizmima.

Kao što smo već naveli, za skupinu sa sigurnim statusom prelazak iz statusa tražitelja azila na status stalnog boravka bio je relativno kratak. Tijekom tog procesa samo su morali slijediti postojeće ustaljene rutinske postupke unutar institucijskog okvira izbjegličke politike. Međutim, većina njih nije znala da logika djelovanja te politike nije uvijek u skladu s interesima pojedinaca na koje se ona odnosi. Primjerice, izbjeglice često ne bi dobile smještaj u općinama u kojima bi bez poteškoća pronašle posao ili se upisale u obrazovni program na temelju kojeg bi lakše pronašle posao, nego u općinama s kojima je Nacionalna služba za imigraciju sklopila ugovor o smještaju izbjeglica. Nadalje, izbjeglicama se često nije pružala pomoć u pronalasku posla niti su im ponuđeni programi prekvalifikacije u skladu s njihovim osobnim preferencijama i prethodnim obrazovanjem / radnim iskustvom, nego u skladu s onim što se smatralo traženim na tržištu rada. Budući da većina novih stanovnika nije znala kako sustav funkcionira, mnogi od njih postali su svjesni tih problema tek nakon nekoliko godina. To je, dakako, ostavilo dugoročne nepovoljne posljedice na njihovu integraciju u švedsko društvo unatoč sigurnom pravnom statusu (Tibajev, 2021).

S druge strane, pojedinci iz skupine s nesigurnim statusom od početka su bili prisiljeni djelovati samostalno u odnosu na navedeni institucijski okvir, a katkad i u sukobu s njim. Kao pojedinci, mnogi od njih iskoristili su priliku da sami pronađu smještaj, koju je nudio Zavod za migracije. Zavodu za migracije to je predstavljalo mogućnost smanjenja troškova, dok su izbjeglice dobile priliku da prošire prostor slobodnog djelovanja koje Zavod za migracije nije mogao nadzirati (Slavnić, 1998). Zahvaljuju-

ći širem manevarskom prostoru mogli su prema potrebi izbjeći deportaciju te lakše pronaći posao u neformalnoj ekonomiji. Nadalje, nakon već spomenutih prosvjednih okupljanja u Njemačkoj crkvi (Tyskam kyrkan) u Karlskroni pripadnici te skupine brzo su shvatili koliko je važno znati angažirati nevladine organizacije i medije u svoju korist. Može se reći da ih je, s vremenom, taj angažman preobrazio iz pukih objekata migracijske politike u ozbiljno shvaćene i prihvaćene partnere migracijskih vlasti (Slavnić, 1998). Zahvaljujući svim tim individualnim i kolektivnim strategijama te su izbjeglice naučile kako sustav funkcionira, ali i kako stvoriti široku mrežu kontakata. Taj socijalni kapital uvelike im je koristio čak i nakon što su dobili trajnu boravišnu dozvolu. Socijalnim kapitalom mogu se barem donekle objasniti i rezultati ove studije, koji su pokazali da je unatoč tomu što je tijekom čekanja na azil imala znatno nesigurniji status, ta skupina kasnije bila jednako uspješna, a u određenim aspektima čak i uspješnija, u postupku integracije u odnosu na skupinu sa sigurnim statusom.

Nadalje, pri tumačenju neznatnih razlika u ishodima dviju skupina ne bismo trebali zanemariti osnovne koncepte iz klasične literature o socioekonomskoj integraciji migranata. Primjerice, Chiswick (1978, 1999) polazi od pretpostavke da su migranti natprosječno ambiciozni i motivirani. Oni koji migriraju osobito su motivirani, a oni koji ostanu na određitu možda su i motiviraniji. U našem su slučaju izbjeglice koje su ostale u Švedskoj vjerojatnije zadovoljavale više kriterija samoselekcije u odnosu na skupinu sa sigurnim statusom s početka razdoblja istraživanja 2000. Imali su snažniju želju za ostankom te su u prosjeku bili motiviraniji, ambiciozniji i uporniji od onih koji su otišli, kao i od pojedinaca iz skupine sa sigurnim statusom, koji nisu doživjeli toliko poteškoća pri ishođenju trajne boravišne dozvole.

Ta saznanja pokazuju da, iako je u početku nesiguran pravni status tijekom čekanja na boravišnu dozvolu predstavljao glavnu razliku između dviju skupina, on najvjerojatnije nije jedina odrednica kasnijih rezultata u procesu integracije. Naše prvo saznanje upućuje na mogućnost da veliku ulogu ima i učinkovitost integracijske politike, kao i njezina prilagođenost stvarnim interesima izbjeglica. Osim toga, naša saznanja pokazuju da je važno i pojedinačno djelovanje. Sposobnost pojedinačnih i grupnih aktera da djeluju bez utjecaja ograničavajućih društvenih struktura često im pomaže da prevladaju teška vremena, ali i da se suoče s poteškoćama u kasnijim fazama procesa integracije u nova društva.

Kao što je navedeno u uvodu, naša je studija eksplorativna i deskriptivna. Usredotočili smo se na širok raspon kratkoročnih i dugoročnih pokazatelja među odraslima i djecom izbjeglicama, ali zbog male veličine skupine s nesigurnim statusom nismo mogli primijeniti rigoroznije multivarijatne metode. Nadalje, naši su rezultati deskriptivni u smislu da ne uzimamo u obzir višestruke procese (samo)selekcije. Svakako je moguće da su na obrasce razlika između skupina u ovoj studiji utjecali i čimbenici na koje nismo obratili pozornost, kao što je samoodabir ostanka u Švedskoj ili samoselekcija na tržištu rada. Naposljetku, rezultate naše studije trebalo bi tumačiti unutar zadanih zemljopisnih i institucijskih parametara našeg istraživanja. Iako su doneseni zaključci dragocjeni za naš poseban kontekst, važno je istaknuti da generalizacija tih rezultata na drukčija zemljopisna područja ili institucionalne okvire može biti ograničena. Integracija imigranata složen je i višedimenzionalan koncept, a neki od njegovih važnih pokazatelja (među ostalim stambena segregacija, mreže prijateljstava i miješani brakovi) nisu sagledani u našem istraživanju.

KLJUČNE RIJEČI: nesiguran pravni status, socioekonomska integracija, izbjeglice, izbjeglice iz Bosne i Hercegovine