Chapter 1
Introduction

In Austria, as in most European states, claiming asylum is one of the few possibilities to enter the state legally for most non-European migrants who are not highly skilled (except for family reunification). In 2015, during the so-called refugee crisis, 88,340 persons submitted asylum applications in Austria, adding to applications that were already pending (Bundesministerium für Inneres 2017). An asylum procedure can last from a few days to several years. This empirical reality confronts a large number of actors in their everyday and working lives, including asylum claimants, legal representatives, NGOs, and decision-making officials. Public officials' work, their decisions – which impact these individuals' lives – and their institutional embeddedness are at the center of this study. This book is the result of my research on social practices and processes in a governmental agency. It concerns the work of public officials employed at the former Federal Asylum Office (FAO), an administrative unit of the Austrian Ministry of the Interior in charge of processing asylum applications in the first instance. These officials decide whether an asylum claimant is granted or denied asylum or subsidiary protection or receives a residence permit on humanitarian grounds in Austria. In this book, I investigate the "what, how, and why" of a bureaucratic agency as an organization within a governmental system (Krause and Meier 2003).

The administration of asylum represents a field of public administration that has seen important development and change throughout recent decades as a consequence and a part of societal, political and legal events and developments in the world, which are also related to the movement of people, among whom are refugees. Nevertheless, the study of immigration bureaucracies has long been "conspicuously absent from the literature on public administration" (Wagenaar 2004:643). Investigating the process of refugee status determination is a pressing need for several reasons. Despite the intrinsic importance of asylum adjudication in

the field of human rights and persistent concerns about the quality of the process, organizational practices have thus far been a comparatively neglected area of concern for scholarship. Moreover, the decision-making process occurs in a highly controversial political context. More than 15 years ago, Steiner (2000:1) found that "few issues in Europe today are as controversial as the granting of political asylum." Asylum is still a key issue of state politics (Joly 2016), and the controversies over asylum seem to have increased in the wake of the so-called refugee crisis.

This book does not provide a legal or policy analysis or a media analysis of current events and developments. Instead, the study focuses on the organizational context of decision making in the asylum procedure and offers an analysis of the social practices of public officials in administering and deciding asylum claims. The title of this book refers to Downs's (1967) "Inside Bureaucracy," and some findings of this study are surprisingly similar to those in his investigation of the bureaucratic organization half a century ago. This study takes a close look at the governmental body, understanding the bureaucratic apparatus as the "belly" (Mountz 2010: xxxii) or the "heart" (Fassin 2015) of the state. In the recent past, other researchers studying bureaucracies in the field of migration and asylum have adopted similar inside perspectives (e.g., Hall 2010; Calavita 2010; Bosworth 2014; Eule 2014; Jubany 2017).

This investigation aims to gain a complex understanding of how the everyday work of decision makers is structured and which social practices and processes are involved in administering asylum applications at the FAO. The study started from the assumption that the legal and administrative parameters, which are the main sources defining the work of decision-making officials, have differing or competing objectives and logics, producing structural contradictions. Research on the work of public administrators has shown that in enacting policies, they are confronted with inconsistencies and "inherently contradictory sets of ideas" (Mountz 2010:88). "Bureaucratic work is internally conflictive" (Heyman 1995:264), even if this is not outwardly apparent because coherent narratives are constructed for the public. As Thomas (2011:48) notes, "asylum decision making is notoriously difficult, perhaps the most problematic adjudicatory function in the modern state." I argue that public agents have to balance these structural tensions in their interactions with the other involved actors and develop individual strategies for dealing with the prevailing circumstances. Thus, it seems essential to critically analyze these "dilemmas of the individual in street-level bureaucracy" (Lipsky 2010[1980]) and to investigate how officials address these conflicting logics in everyday work.

Consequently, the main interest of this study is first to investigate the circumstances under which decision makers work at the Asylum Office and how those circumstances can be explained. I then aim to explore how decision makers deal with these circumstances, that is, the identified structural dilemmas, and how decision makers' practices can be explained (through social theory). I briefly discuss the consequences of the observed social practices and possible ways forward. To that end, a set of more detailed questions needs to be investigated. What does the organizational context look like, and how does it inform officials' work? How are officials socialized in the organization? With which actors do officials interact in the course of processing an asylum application, and what are their roles in the proce-

dure? How can officials' relations to and the interactions among these actors be characterized and explained? What role do artifacts play in decision makers' everyday work?

This approach offers an unprecedented view from the perspective of organizational sociology combined with a link to broader social theory, which surpasses traditional street-level bureaucracy approaches. I believe that this approach to theorizing, which includes theories of social practice (Reckwitz 2002), structuration (Giddens 2011[1984]), and social construction (Berger and Luckmann (1975[1966]), and which has been neglected thus far, makes a necessary contribution to the existing literature. In this study, I am interested in structural aspects regarding institutional, organizational and legal elements, which structure and contextualize the asylum procedure; however, I also examine aspects of agency, that is, the social practices and processes occurring at the front side and the back side of this administrative justice system. By studying action in its course, I aim to shed light on what is happening in this state agency and what is involved in deciding upon asylum applications. I investigate government action with qualitative and ethnographic methods and through sociological perspectives on organizational practice in the administration of asylum. Thus, the study responds to a call for more information on "what lower-level officials actually do in the name of the state" (Gupta 1995:376). While "it is puzzling that although human rights pervade nearly all actions that affect the public, so little attention is devoted to their administration" (Montgomery 1999:323), in dealing with refugee status determination, this book offers insights into the administration of (human) rights. Studying decision makers' everyday work is relevant because it not only affects a large number of lives but also provides insight into our contemporary society and how certain topics are organized through bureaucracy. It is important to understand how the state governs migration, that is, how the forces of structure and agency that affect each other to allow for a holistic diagnosis of the administrative situation; this understanding also facilitates the ability to act on and possibly improve that situation.

The average citizen cannot be expected to know much about the asylum procedure since reports on institutional practices and processes are rare and often do not provide a comprehensive picture. This lack of knowledge can be attributed to the fact that these administrative procedures are not public and occur behind closed doors. If anything is communicated to the outside at all, responsible officials will "craft a unified, coherent narrative for public consumption" (Mountz 2010:58). A focus on the "street-level bureaucrats" (Lipsky 2010[1980]), the front-line workers who interact with their "clients" on a daily basis, and their everyday activities and taken-for-granted routines is not only able to help demystify and explain institutional practices and processes at the FAO; it can also contribute to making the asylum procedure more transparent.

Change is a constant in the field of asylum, which might be related to the controversiality of the topic. This field is characterized by permanent modifications at both the legal level and the organizational-structural level. In recent decades, numerous political and legal changes have been undertaken at national as well as European

Union levels. In Austria, the most recent institutional change was implemented in 2014 when the former FAO, established in 1992, was incorporated into the newly established Federal Office for Immigration and Asylum (FOIA) and the Asylum Court, established in 2008 and representing the second instance in the asylum procedure, was incorporated into the new Federal Administrative Court.

While reorganization is partly related to new (distribution of) responsibilities, the practices and processes involved in the administrative asylum procedure seem more resistant to change. Considering research findings on the bureaucratic everyday from this and other current studies as well as those from half a century ago (e.g., Downs 1967; Lipsky 2010[1980]), key patterns of practice and structure – and the dilemmas involved – are remarkably similar independent of the local context and the issue of administration. Hence, structural dilemmas and officials' practices will likely remain much the same even if certain organizational processes are modified. Some of the theoretical implications made and drawn upon in this study are characteristic of any street-level bureaucracy; others seem particularly relevant to the asylum procedure. The findings suggest that if the procedure itself is not dramatically changed, its specific problems and dilemmas will very likely continue to exist. Therefore, it is interesting and important to better understand decision making in the context of asylum. This book examines how caseworkers address the dilemmas that confront them and how the stability of their practices can be explained against the backdrop of constant (structural) change.

Structure of the Book

The book is divided into four parts: (I) Claiming asylum in the twenty-first century, (II) Setting the scene, (III) Performing the maneuver, and (IV) Conclusion and prospects. In the remainder of the first part, I sketch the social, political and legal context in which the asylum procedure is situated. I then discuss the contemporary amalgamation of migration and asylum and provide background information on the developments of the last few decades in the field of asylum and immigration control in Europe. Following this, the research approach is outlined, including the theoretical and methodological approaches in this case study. The second chapter provides additional contextual information regarding the legal and institutional framework of refugee status determination. After presenting the relevant international and supranational law, I briefly outline the legal and institutional developments in the Austrian asylum system. For a better understanding of the legal procedure, I then explain how a person can be granted asylum (or subsidiary protection) in Austria.

The second part of the book, Setting the scene: the context and circumstances of work at the FAO, presents empirical findings. Chapter three explores the organizational context of refugee status determination with a focus on structure, environment and socialization at the FAO. The chapter addresses topics such as management and control, formal and informal requirements for the job, socialization and the development of routines, the ideal-typical workflow, and the logics of New Public Management (NPM). The next chapter examines the asylum interview as a magni-

fying glass for key issues such as conflicting norms, power struggles, and actors' strategies. The analysis of interviews revolves around the implementation of administrative norms and human rights standards and the related clash of logics, power relations in the interaction and differences in actors' intentions and expectations. Additional focus is placed on the role of interpreters and the importance of the written word in the legal procedure, as exemplified by the interview transcript.

Performing the maneuver: handling four dilemmas in everyday asylum bureaucracy, the third part of the book, continues with the discussion of empirical findings and examines the structural contradictions that characterize public officials' day-to-day work. A chapter is dedicated to each of the four identified dilemmas: regulation versus room for maneuver (Chap. 5), definitiveness versus uncertainty (Chap. 6), the human individual versus the faceless case (Chap. 7), and responsibility versus dissociation (Chap. 8). The chapter progression follows the logic of my arguments. First, I argue that caseworkers develop individual strategies and approaches, highlighting the role of the subjective dimension of decision making in the asylum procedure. Thus, chapter five explores the tension between a highly regulated field of action and decision makers' room for maneuver in implementing the different norms, with a focus on officials' individual approaches, attitudes and strategies. Second, I hold that decision makers' practices include the construction of facts, artifacts (in particular, documents) and incredibility; from an organizational perspective, these can be understood as practices that transform informality into formality. The following chapter is therefore dedicated to the fact that a definite decision needs to be made despite the asylum procedure (almost) always being characterized by uncertainty. Third, caseworkers make extensive use of categorization; this not only reduces the complexity of everyday work but also allows them to address both the requirements and consequences of NPM such as efficiency and various pressures. Hence, chapter seven illustrates the dilemma between a focus on the individual or on the "masses" – the human individual versus the faceless case. Fourth, officials show different practices in dissociating and delegating responsibility; officials' practices of assuming or delegating responsibility are thus explored in chapter eight in combination with the issues of emotions and ethics.

In the last part, Conclusion and prospects: theorizing public officials' practices and practical ways ahead, I first explore how street-level bureaucracy and organizational theories and the theoretical perspectives of structuration and praxeology help explain social practices at the FAO. Finally, I argue that more attention needs to be paid to ethics in public administration and in the context of international protection. Thus, the final chapter discusses practical implications for handling the structural dilemmas and possible ways to improve the asylum procedure. Bringing the book to a conclusion, I call for a stronger focus on procedural justice and decision makers' ethical competence. The book closes with a short outlook on future research avenues.

1.1 The Decision-Making Context: The Confusion Over Asylum and Immigration Control

Since the late 1980s, asylum has increasingly been "treated as an immigration rather than a humanitarian issue" (Morris 2002:23); it "is now deemed a vector of immigration" (Kobelinsky 2015:87). Whereas certain scholars agree that asylum should be considered a form of migration and that refugees[1] can therefore be conflated with other immigrants, other scholars contend that voluntary and forced migration should not be confounded. There is a trend to discuss "asylum migration" (Böcker and Havinga 1998; Borjas and Crisp 2005; Castles and Loughna 2005; Koser and Van Hear 2005; Keogh 2013; Barthel and Neumayer 2015); similarly, the notion of "the migration-asylum nexus" has been established in academia (Borjas and Crisp 2005; Castles 2007; Mingot and de Arimateia da Cruz 2013). Although these approaches address the blurring of voluntary and forced or economic and political migration, they also seem to partly contribute to it.

Several authors suggest that traditional distinctions are no longer valid in the contemporary world. Castles (2007:39) argues that "complex and ongoing emergencies may cause people to move between migration categories." Although "the distinction between migrant and refugee [is] in some sense the whole point of the Convention" (Gibney and Hansen 2005:92), Westra et al. (2015:2), along with other scholars, argue that the Geneva Convention and its Protocol are "totally inadequate to deal with both the quantity and the quality of asylum seekers" for a number of different reasons. Today, asylum claimants' suffering is often not the result of direct, deliberate persecution; instead, the causes of flight include internal conflicts, the impact of the Western industries on the global climate and "macroeconomic operations" (ibid:3) in the global South.

> While the distinctions between migrants and refugees in principle relies on the presence of a coercive element in the movement of the latter, the reality is often far more ambiguous. Increasingly, there are overlaps and complex dynamics at play in identifying the "voluntary" or "forced" nature of human mobility (Türk 2013: xii).

According to Brochmann (1999a:2), "the traditional distinctions between 'economic' and 'political' migrants became increasingly problematic in the 1980s and the 1990s." The two concepts, which had previously been separate, merged with the fusion of the concepts in the public and political spheres (Gibney and Hansen 2005). This intermingling went hand in hand with the politicization of asylum and a proliferation of policy reforms in this regard as asylum applications were sharply increasing and states started to aim to prevent, deter and limit the number of asylum seekers.

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[1] The law differentiates among asylum claimants (those seeking protection), recognized refugees (those granted protection) and other categories (such as subsidiary protection and humanitarian grounds). From a more philosophical point of view, those seeking protection may of course also be regarded as refugees, defined as individuals fleeing their countries of origin for reasons such as wars or persecution.

The events of the late 1980s and early 1990s – the fall of the Iron Curtain and the war in the former Yugoslavia – led to increased numbers of immigrants and refugees and thus constituted a significant marker for a more restrictive asylum policy. Immigration regulations started to become closely linked to asylum, and the latter was often used synonymously for irregular migration (Kraler 2011). Today, asylum is still often constructed as a "threat" or a "problem" that can be solved with increased restriction or control (Squire 2009; Jubany 2017). Although the framing of asylum as a security or criminal "threat" is used to legitimize the extension of restrictions (Huysmans 2006; van Munster 2009), it can be argued that many of the "problems" associated with asylum are actually "produced or aggravated by restrictive controls" (Squire 2009:9–10).

> To formulate and implement immigration control policies that correspond to normative obligations, while at the same time taking care of the "interest of the state" – all within a context of uncertain prognoses and insufficient information – may be said to constitute the current major dilemma of European governments (Brochmann 1999a:4).

Current developments in Europe demonstrate that almost 20 years later, the above observation still holds true. Refugee protection belongs to the field of human rights, but it has increasingly become an issue of border control, discarding the right to seek protection (Brochmann 1999b:312). The mechanisms of immigration control, that is, "the rules and procedures governing the selection, admission and deportation of foreign citizens," (Brochmann 1999a:9) can be understood as "mundane practices of exclusion" by which "states enact violence" (Walia 2013:5). Today, seeking asylum has become one of the few ways through which so-called third country nationals can legally enter an EU country. Hence, a critical gap can be observed between the importance of asylum as a means of protection for refugees when it was established more than six decades ago and the role of the concept today as an instrument allowing entry to a territory for a selected few, thereby functioning as a tool for collective exclusion. Additionally, the exclusionary politics of asylum have "become both discursively sedimented and institutionally embedded at the political, popular, public, and technical levels" (Squire 2009:185).

Immigration control even represents "one of the defining features of the modern sovereign state" (ibid:5). In the context of globalization, transnationalism and neo-liberalism, immigration control contributes to the constitution of a territorial order with regard to state governance and national belonging (Bartelson 1995). "The long-term targets of immigration control are generally determined by perceptions of national interests and national identities" (Bauböck 1999:98). Immigration bureaucracies are thus involved in the process of nation building, which is "embedded in its institutions, manifested in its policies and practices, and organized through state bureaucracies" (Basch et al. 1994:37). Civil servants contribute to this nation building through their daily practices of exercising discretion and deciding who belongs and who does not (Heyman 1995).

Despite the existence of the framework of the Common European Asylum System, these decisions on international protection differ widely among the EU

member states (Eurostat 2016; AIDA 2017).[2] The political choice of specific policy instruments is influenced not only by legal traditions and a country's political regime but also by its international position and orientation (Zincone et al. 2011). The varying recognition rates suggest that asylum decision making is not only a human rights issue but that it is also linked in practice to immigration control policies. The EU's harmonization goal can therefore be labeled more appropriately as "conditional convergence" due to "variation in national traditions in immigration policies and practice and, partly as a consequence of this, opposing interests on the side of the governments" (Brochmann 1999b:333). Policy transfer in the EU is thus a challenging process; this is also true in the context of refugee policy (Lavenex 2002). Nevertheless, Kraler (2011:53) notes that a proliferation of transnational policy communities can be observed in the field of migration and integration, and "it is likely that their influence on policymaking will increase in the future, especially in the EU context" (ibid).

1.1.1   Recent Developments in the Field of Asylum

Almost two decades ago, Brochmann (1999a:27) stated that "the EU and its member states are on the brink of a crisis with respect to their driving principles, insofar as key social institutions are being shaped by conflicting and contradictory forces." Eventually, the crisis manifested itself, and a tension of contradictory forces still shapes the work of decision-making officials in the asylum administration. Morris (2002:158) shows that the area of migration rights and controls "is one of compromise, made inevitable by the management of contradiction." This is equally valid for the street-level bureaucracy at the FAO. To some extent, this study thus replies to Morris's (ibid) call for more attention on "the nature of such compromise and its costs."

In 2015, European countries were confronted with a relatively sudden increase in refugees arriving mainly from the Middle East; indeed, Europe faced the largest refugee movement since World War II. These events were eventually labeled a "refugee crisis."[3] Close to 1.3 million individuals applied for asylum in the EU-28 in 2015, amounting to twice as many applications as 2014 (627 thousand) (Eurostat 2016). In 2015, 51% of all EU-28 first instance asylum decisions resulted in positive outcomes, that is, grants of refugee or subsidiary protection status, or an authorization to stay for humanitarian reasons (ibid). According to the UN High Commission for Human Rights (UNHCR) (2016), more than one million people arrived in Europe by crossing the Mediterranean Sea in 2015. Austria has been a major receiving country for asylum applications throughout the recent past. A UNHCR (2015) report identified Austria as one of the top 15 receiving countries in the last 15 years among 44 industrialized countries worldwide and as one of the top ten since 2012.

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[2] For example, recognition rates across Europe for Iraqis differ in the following ways: Germany, 70.2%; Belgium, 54.4%; Sweden, 45%; Finland, 24.1%; Norway, 18.4% (AIDA 2017).

[3] For a critical discussion of this notion, see, for example, Bade (2016).

Applying the per capita measure, Austria also ranks in the top ten for the period of 2010–2014 in contrast to the major receiving countries in absolute terms, Germany and the US. (UNHCR 2015). Within the EU, Austria ranked third on a per capita basis and among the top ten countries receiving asylum applications in absolute numbers in 2014 (European Commission 2015).

Looking at concrete numbers, Austria has seen an increase in asylum applications from 11,012 in 2010 to 28,064 in 2014 and to 89,098 in 2015; in 2016, the number was more than halved to 42,285 applications (Bundesministerium für Inneres 2011, 2015, 2017). In recent years, most claimants have been from the conflict regions of Afghanistan, Syria and Iraq. In Austria, 22,307 individuals were granted asylum in 2016, whereas 13,124 persons received a negative asylum decision. Subsidiary protection was granted to 3699 persons, whereas 4180 negative decisions were issued. In the scope of the asylum procedure, 1546 residence permits were granted on humanitarian grounds, and 9396 claims were denied (Bundesministerium für Inneres 2017).

From the perspective of administrations, the 2015 crisis was a challenge in terms of capacity and routine practices. For the Austrian case, Gratz (2016) provided an analysis of the management of the refugee crisis between August 2015 and February 2016, which he calls a "transit crisis" and an "asylum crisis." He notes weaknesses in the organization of the state administration. Similar to the situation in Germany (Bogumil et al. 2016; Hahlen and Kühn 2016), the federal and provincial states had conflicting aims, and the different provincial states reacted heterogeneously to the crisis. In sum, disputes about responsibilities as well as ill-defined double responsibilities largely impeded quick and efficient crisis management. In addition to the enormous pressure to increase the number of decisions, the recruitment of only poorly trained staff is mentioned as a major reason for a massive decline in the quality of asylum decisions (Lobenstein 2017). Beyond that, Mountz (2010:168) notes that states take advantage of crises "to advance enforcement agendas that exclude those in search of refuge." The legal steps that were taken in reaction to the crisis are briefly discussed in Chap. 2.

1.2   Investigating State Practices of Governing Asylum

"The state is a concrete and situated reality" rather than an abstract and neutral entity (Fassin 2015:3). The FAO thus represents one of the institutional sites, such as the police or the justice system, where the state is (re)produced. This (re)production is based on the individual and collective actions of civil servants embedded in a specific legal framework, organizational culture and ideological orientation that inform the objectives of the institution. Due to their "specific space where action is produced at the intersection of the national and the local, institutions allow for the theoretically delicate and methodologically uncertain operation of interconnecting the macro-sociological and micro-sociological levels" (ibid:7). As Cicourel (1981) notes, micro- and macrostructures are not separate; instead, they always interact

with each other. Whereas the macro level often seems too distanced from empirical practices, the focus on the micro level is perceived as ignoring structural conditions. Thus, a promising way to include both perspectives and investigate social practices at the intersection of the micro and the macro is to take the institution as a point of departure. Ethnographic approaches, such as "stategraphy" (Thelen et al. 2014) or "anthropology of the state" (Sharma and Gupta 2006), counter the abstraction of states suggested by Durkheimian and Weberian analyses of "the state as an impartial and dispassionate institution" (Fassin 2015:8) by investigating the practices and attitudes of public officials and thereby demystifying the power of the state. The state is often conceived as a unified decision maker; instead, it should be understood as a set of institutionally arranged social practices and conceived in terms of the individuals who act in the name of that state in everyday work. "Mapped ethnographically, the state is an idea that is imagined, shared and performed by a set of institutional actors with powerful material consequences" (Mountz 2010:xxiii).

The agency of migrants and their decision-making processes have been studied in the context of research on transnationalism, especially in the last two decades (Silvey and Lawson 1999; Bauböck and Faist 2010). In contrast, only a few scholars have analyzed the agency of the state in controlling migration; however, that agency can be considered "an essential aspect of the 'state-ness' of states" (Torpey 2000:3). To ensure that the state and its units are no longer perceived as "disembodied institutions" (Mountz 2010:xxx) and to make policies and decision making less obscure, conceptual models of migration must also include the state and its bureaucracy, its institutions and its actors. One recent stream of research that considers this perspective, and in which the present study can be situated, works with the concept of "migration regimes" (Horvath 2014; Pott et al. 2014) or "asylum regimes" (Morris 2002). This concept allows us to explore the interplay of political decision making, legal frameworks, and institutional configurations in the regulation of migration by providing a helpful framework for exploring the contested and complex dynamics of current migration politics from a sociological perspective (Horvath 2014). This approach allows us to examine "the internal mechanisms that shape the regime," including the individual and institutional actors who "manage migration to their favor" (Wolff 2013). While not explicitly referring to the concept of migration regimes, scholars are increasingly investigating (administrative) state practices in the field of migration in Europe and North America, often with a focus on decision-making processes. However, most of these studies do not focus on the administration of asylum but on immigration more generally, on specific programs (Calavita 2010; Eule 2014), including visa application (Infantino and Rea 2012), or on issues such as deportation (Ellermann 2009; Welz and Winkler 2014) and detention (Bosworth 2014).

As asylum becomes a more complex topic and legal instruments are refined, scholars have also developed a critical understanding of how European states act in the field of asylum. A growing number of studies on asylum law and policy in Europe and North America have emerged in the last three decades. Whereas legal (Guild 2012; Peers et al. 2012; Cornelisse 2016) and political science (Lavenex

2001; Geddes 2003; Toshkov and De Haan 2013) analyses are widespread, socio-logical investigations in the field of asylum, especially from an institutional per-spective, are still rare (Morris 2010; Liodden 2015; Tomkinson 2015; Lahusen 2016). Specifically, work on asylum adjudication, which is particularly represented in the UK (Thomas 2011; Gill et al. 2015; Campbell 2016) and US (Ramji-Nogales et al. 2011; Schoenholtz et al. 2014), often focuses on courts and judges rather than the administrative level. This focus may be the result of easier field access – both to the institutions and to court decisions and other legal documents that are publicly or easily available. Other studies tend to take a quantitative approach (for the US, e.g., Schoenholtz et al. 2014; Miller et al. 2015). The issues on which studies regarding refugee status determination often focus are credibility and discretion (Johannesson 2012; Wikström and Johansson 2013; Gray and Mcdowall 2013).

Due to the rather recent increase in interest in the topic, ethnographic research on the asylum procedure has not yet developed a long tradition. Partly driven by and parallel to important developments and changes in the European asylum system, the administration and adjudication of asylum have been investigated from various angles only since the turn of the century in different European countries, especially in Germany (Scheffer 2001; Probst 2013; Schneider and Wottrich 2017), France (Spire 2007; Kobelinsky 2014), and the UK (Gibb and Good 2014; Jubany 2017) as well as Norway (Fuglerud 2004; Liodden 2015), the Netherlands (Wagenaar 2004), and Switzerland (Affolter 2017). In 2014, a group of young scholars from various disciplines founded the International Research Network on Asylum Procedures. Following an ethnographic approach, the network members investigate everyday decision-making practices in state institutions, including administrative agencies and courts.

1.3   Old and New Theoretical Approaches: Street-Level Bureaucracy and the Theories of Social Practice and Structuration

While existing studies provide valuable insights into the dilemmas of officials' everyday work, sociological examinations of state actors in the field of migration and asylum and the practices in the organizational context of those actors are still rare; thus far, research has often lacked a link to broader social theory beyond the specific context. Thus, a key contribution of this book lies in the theoretical perspec-tive used to explain the observed practices of decision-making officials, their rea-soning and the consequences of their decisions, including the circumstances under which those decisions are realized. This approach surpasses classical street-level bureaucracy (Lipsky 2010[1980]), primarily by drawing on practice theory (Reckwitz 2003), social construction and structuration theory (Giddens 2011[1984]) as well as through a focus on artifacts (Latour 2010) and texts, which accompanies

the institutional ethnography approach (Smith 2006). The book will show that these theoretical perspectives are not mutually exclusive but rather complement each other. The study thus relates to a small strand of research that applies social theory to the context of front line work.

Street-level bureaucracy research traditionally focuses on contradictions as a characteristic of bureaucratic working conditions (Maynard-Moody and Musheno 2003; Taylor and Kelly 2006; Collins 2016); administrators' key dilemmas were identified in the standard works of Prottas (1979) and Lipsky (2010[1980]). In particular, scholars have investigated issues of discretion in the process of decision making (Brodkin 1997; Hupe 2013; Buffat 2015); agents' behaviors, identities, narratives, and strategies (Maynard-Moody and Musheno 2000; Dubois 2010; Durose 2011; Piore 2011); the role of agents role in law enforcement (Loyens 2015) and implementing – or making – policy (Brodkin 2011; Meyers and Lehmann Nielsen 2012); and the responsiveness of street-level bureaucracies (Jewell 2007; du Gay 2008). Another relevant topic is management issues, especially the consequences of New Public Management and alternatives to it, such as public value approaches (Alford and O'Flynn 2009; Benington 2011; Brodkin 2011; Rathgeb Smith 2012). According to Maynard-Moody and Portillo (2010), "future research needs to focus more directly on how discretion is nested within rule-based systems" as well as on officials' agency and issues such as judgment, justice, and accountability. This study follows Maynard-Moody and Musheno's (2012:S16) approach, questioning "the dominant implementation-control-discretion narrative" and focusing on "the concepts of agency and pragmatic improvisation."

Simultaneously, the perspective of organizational sociology is used to understand officials' practices. Based on Brodkin's (1997) "structural logic of street-level work," Jewell and Glaser (2006) developed a framework for studying how the organizational setting mediates between policy goals and the behavior of front-line officials, which includes the following factors: authority (impact on others), role expectations, workload, client contact, knowledge and expertise, and incentives (rewards and sanctions). These elements are also considered in the analysis of the FAO's organizational setting. Most of the abovementioned issues are also explored to some extent in this study, but additional explanations can be found in broader social-theoretical frameworks.

In this study, I draw on the theories of social practice and structuration in particular. Praxeological approaches to street-level bureaucracy (Thorén 2008; Penz et al. 2017) are as rare as structurational approaches.[4] Sandfort (2000), for example,

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[4] Some scholars aim to incorporate the complex relationship between structure and agency into migration theory (Lamba 2003; Bakewell 2010; Jones 2012). However, the present study cannot be situated in that debate for several reasons. First, I do not investigate processes of migration as such (the movement of individuals) but rather the state action related to these processes. Second, as argued above, the general issue of migration is distinct from the specific focus on international protection. While being embedded in the migration and asylum regime, the application of structuration theory in this study relates to organizational processes in a government agency.

draws upon ethnographic data and a body of social theory to demonstrate that individuals both create and are constrained by social structures in a street-level bureaucracy. He uses this approach to explain a disjuncture between management frameworks and everyday front-line work. Following a similar approach with a focus on social practices, I examine how the system of asylum administration is organized, executed and maintained and how it is lived by government agents who directly interact with the asylum claimants. Thus, the study explores the institutional processes that structure the lives of persons who have been forced to seek protection in a different country.

Practice theory is not a single coherent theory; instead, according to Reckwitz (2003), the central elements of this perspective are based on distinct but overlapping theoretical approaches, such as Bourdieu's praxeology (1972, 1997) and Giddens's structuration theory (1979, 2011[1984]), the social philosophy of authors such as late Wittgenstein (1984[1969]) and Schatzki (2002), and ethnomethodology, poststructuralism, and cultural studies as explored by authors such as Butler (1990) and Latour (1994). In the debate over the social scientific "practice turn," Schmidt (2012) includes Goffman's (1966) and Mead's (1947) sociology of interactions as well as Elias' (1970) figuration theory.

Practice theories are neither individualistic nor holistic; they do not depend on presumptions about the primacy of individual choice or action or on a holistic notion of culture or societal totality. Despite their differences, practice theoretical approaches converge in the analytical decision to examine sociological questions by focusing on social practices in their situatedness, their material anchoring in bodies and artifacts, and their dependence on practical know-how and implicit knowledge. The social is located in practices, and according to Goffman (1971), the focus is less on individuals and their situations than on situations and their individuals. Practice analyses concentrate on the processual, repetitive creation of social phenomena— that is, on the processes of creating social order. A practice can thus be understood as "a routinized way in which bodies are moved, objects are handled, subjects are treated, things are described, and the world is understood" (Reckwitz 2002:250). According to Shove et al. (2012:14ff), "practices emerge, persist, shift and disappear when connections between" materials, competences, and meanings "are made, sustained or broken."

Reckwitz (2003) identifies three main features of the theory of social practices: the materiality of practices as dependent on bodies and artifacts; the "informal," tacit logic of practices and the location of the social in practical understanding and know-how techniques; and the tension between routinization and the incalculability of social practices. These topics will be explored in Chap. 3, which addresses the circumstances of work in the organization. Understanding and exploring administrative work as practice allows us to explore the knowledge and know-how public officials possess, embody, or enact in administering and deciding upon asylum applications. Similar to Wagenaar's (2004:643) approach in analyzing the Dutch Immigration Office, this research also focuses on "the almost unthinking actions,

tacit knowledge, fleeting interactions, practical judgments, self-evident understandings and background knowledge, shared meanings, and personal feelings that constitute the core of administrative work." In sum, contextuality, acting, knowing, and interacting – the four core elements of administrative practice identified by the author – constitute a unified account of practical judgment in an administrative environment characterized by complexity, indeterminacy, and the necessity to act on the situation at hand (ibid). Although uninformed outsiders might think that administrators operate in a well-ordered bureaucratic world, organized according to fixed rules, stable routines, and dependable procedures, the everyday work situations of administrators are full of complexity, indeterminacy, and unpredictability.

The praxeological approach to the set of social practices described as "working as a decision maker at the Federal Asylum Office" can explore the implicit understanding of what it means to deal with a case in a way that is distinct from other fields of public administration (e.g., communication in a shared language is not possible). This approach also considers the knowledge of schemes of procedure concerning the written decision (e.g., which kinds of arguments are accepted) and the routinization of certain motives and emotions (e.g., moral indifference or psychological burden). The practices reveal which symbolic orders structure work at the FAO, such as codes of administrative efficiency and of responsibility or the symbolic distinction from inappropriate behavior (based on Reckwitz 2003).

Practice theory and structuration theory are complimentary; in combination, they are helpful for understanding and explaining organizational processes and public officials' actions. The "duality of structure" (Giddens 2011) describes the recursive relationship of agency and structure, implying the repetitive and routine character of most human activity. In contrast to the concept of structure in which the subject is absent, social systems include the situated activities of agents. Systems, in which structure is recursively implicated, consist of reproduced relations between actors or collectivities organized as regular social practices. The concept of structuration describes the conditions governing the continuity or transmutation of structures and thus the reproduction and alteration of social relations and practices across time and space. "In summary, structuration theory accounts for the primacy of subjectivity without relapsing into a subjectivist view and grasps the structural components of social institutions that outlive single agents without seeing in them the 'forces' determining their conduct and, eventually, human history" (Broger 2011:12). Human conduct is conceived as recursive since agents reproduce, in and through their activities, the conditions that make certain activities possible. Instead of being a subject-independent, external, or internalized "force," structure is understood as a set of rules of conduct and resources to which actors purposively resort in their day-to-day activities.

The theoretical approach to structuration conceptualizes rules in a complex together with resources. Formulated rules such as laws or bureaucratic regulations are codified interpretations of rules rather than rules as such. Rules simultaneously enable and constrain action, and they are transformational since they are responsible for the constitution of meaning as well as for the sanctioning of human conduct. Rules of conduct can be shallow or intensive, tacit or discursive, informal or formal-

ized.[5] Resources, in contrast, are used for the generation of power and categorized into allocative resources and authoritative resources. According to structuration theory, power is inherently tied to the exercise of agency as the human capacity to intervene in the world, that is, to "act otherwise" and "make a difference" (Giddens 2011:14). Allocative resources are conceived as material, including the natural environment and physical artifacts, and derived from human dominion over nature. In contrast, authoritative resources are non-material and derive from the capability of harnessing the activities of humans; they result from the dominion of actors over other actors. The meshing of rules and resources allows actors to develop strategies to change or reproduce the existing system of domination and advance their own strategic autonomy. Rules and resources are not only the medium but also the outcome of the practices they recursively organize (ibid:25).

To analyze the processes involved in the reproduction and change of practices and social systems as bundles of social relations, Giddens (ibid:29) divides the structural realm into three interrelated analytical dimensions: signification, domination, and legitimation. These structural dimensions are related to the knowledgeable capacities of agents by "modalities" that can be invoked by actors in interactions. Interpretive schemes, for example, link communication as an interactional dimension to the structural dimension of signification. In contrast, facilities, or resources, link the structural dimension of domination with power on the interactional level. Legitimation, the third analytical dimension of structure, is linked to sanctions on the level of interaction by means of norms. The dimensions of interaction – communication, power, and sanction – thus connect to the main dimensions of the duality of structure through interpretative schemes, facilities/resources, and norms.

Structuration theory can also be applied to social action in organizations, thus providing a theoretical framework for the analysis of decision-making officials' actions within the organizational context of the FAO. From this perspective, organizations are understood as systems of organized action that reproduce themselves beyond the action of individual actors. Organizations are characterized through organizational practices, recurringly practiced forms of action in organizations, rather than through formal structure or communications and decisions. According to Ortmann et al. (2000), organizations are the social systems within which action is controlled and coordinated by means of reflection on its structure. Through their actions, actors (re)produce the organizational structures – the structures of signification, legitimation and domination – and thus the existing rules and resources (ibid).

1.4   Data Generation and Analysis in This Case Study

To find answers to my research questions, I conducted a case study at a branch of the former FAO. The study builds on the "crystallization" (Richardson 2000) of three qualitative methods: (i) participant observation of office life and asylum

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[5] See, for example, Piore (2011) on tacit rules among street-level agents.

interviews, (ii) semi-structured in-depth interviews as well as quasi-normal conversations (Honer 1994) with decision-making officials and other institutional actors, and (iii) artifact analysis, particularly of asylum claimants' records. The observation data were generated during a research internship in 2010; the interviews were subsequently conducted from 2010 to 2012. The files of asylum claimants analyzed in the scope of this research were obtained in 2013.

Although there is a lack of consensus concerning the definition of case study research, Yin's definition (2009:14) is widely accepted and understands the case study as "an empirical inquiry that investigates a contemporary phenomenon in depth and within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident." Case studies are also useful for dealing with "broad, familiarizing questions about a social process" (Swanborn 2010:25). Such questions are likely to prompt more specific questions during the research, which can be explored in the case study. The case study is thus a useful approach for exploring the relatively broad questions that guide this research. First, under what circumstances do decision makers work, and how can these circumstances be explained? Second, how do decision makers deal with these circumstances, and how can their practices be explained? In this exploratory case study, I aim to provide a nuanced and holistic account of the practice of refugee status determination through the example of the Austrian FAO.

The case study is inspired by the institutional ethnography approach (Smith 2006), designed for the investigation of institutional processes through informants' experiences. The aim is to investigate social relations, which realize and coordinate organization and control in the sense of "relations of ruling" (Smith 2006). The approach focuses on the experiences of individuals whose everyday activities constitute and are shaped by the institutional relations that are being studied. Intermediary actors who are in direct contact with clients, such as decision-making officials at the FAO, are crucial to the research "because they make the linkages between clients and ruling discourses, 'working up' the messiness of an everyday circumstance so that it fits the categories and protocols of a professional regime" (DeVault and McCoy 2002:760). Against this backdrop, the study aims to explore the (rule-based) "procedures of people who make decisions and who thereby manufacture things and facts and statuses," which Prior (2004:350) characterizes as an important research topic for most organizational settings.

To gain access to the FAO, I asked about the possibility of doing an internship, explaining my aim of writing a doctoral thesis about the work of decision-making officials in the FAO. After explaining my approach and assuring anonymity, I was accepted as an intern for one day per week for a three-month duration. By participating in the agency's everyday working life, I was able to investigate the administrative asylum procedure, which otherwise occurs behind closed doors. In addition to the investigated FAO branch, another unit concerned with asylum applications was included in the research: one of the initial reception centers (IRCs) where asylum applications are examined for admission (before the procedure at the FAO).

There, I conducted interviews with officials, the deputy head of the department, a police officer, an official and an assistant as well as a head of a division and two officials of the "Dublin division"; however, I was not given access to participate in on-site interrogations. Data generated at the IRCs were not included in the detailed analysis since the focus of the book remains on work at the FAO. Access to and inspection of files for scientific purposes are not allowed in the asylum procedure. Thus, instead of granting access to files, the Asylum Court offered an interview with a judge, which I accepted. With the help of a colleague working with an NGO, I later received the written authority of three asylum claimants to inspect their files, archived at the respective FAO branches at which the applications had been processed.

The three applied methods provide insight into different areas of interest: "Different methods used in qualitative research furnish parallel datasets, each affording only a partial view of the whole picture" (Barbour 2001:1117). Participant observation permits the researcher to gain access to discursive as well as non-discursive practices. The primary aim of my observations was to study officials' practices in dealing with asylum claimants and their claims in the asylum interview, but I was also interested in communication among colleagues and superiors, discussions of cases, and chats during breaks in the kitchen. By contrast, through in-depth interviewing, I aimed to explore officials' working environment as well as their attitudes and perceptions toward their work. The interview guidelines included key questions regarding (i) the organizational structure and its environment, (ii) the work process in general and the decision-making process in particular, (iii) attitudes toward the job and the required job competences, (iv) the asylum interview situation, and (v) perceptions of and attitudes toward asylum claimants. The interview sample includes a gender balance of three women and three men, aged from their late twenties to mid-fifties. Two officials had a law degree, four officials had already been employees to the Ministry of the Interior before they came to the FAO, and three of them had been police officers. Before conducting the interviews, I had participated in an asylum interview with all officials at least once. In addition to the scheduled interviews, I talked with the FAO head and vice head of the department, a head of a division, assistants, interpreters and other actors during my presence in the field. Most interviews were conducted at the Asylum Office, which had the advantage of allowing interviewees to illustrate what they were describing with concrete examples. For instance, one official provided me with a short introduction to the online data documentation system of the Interior Ministry, whereas another decision maker showed me an Excel table to demonstrate how he proceeds with his work on a daily basis. Additionally, during one of the interviews, an official scrolled through her emails and showed me an email conversation with her assistant to illustrate their communication with each other. These "interruptions" of the interview gave me further insight into the working procedures at the FAO.

The findings from interviews and observations were analyzed following the approaches of grounded theory (Strauss and Corbin 1991) and interpretive social

research (Froschauer and Lueger 2003). Whereas the grounded theory approach provides an overall impression of the key topics and their interrelations, the interpretive system and microstructure analyses go deeper into the issue by suggesting four levels of interpretation that correspond to four different levels of meaning: (1) the manifest content (everyday meaning), (2) the conversation context (subjective meaning), (3) the structural conditions (objective meaning), and (4) the system dynamics (practical meaning). Group interpretations and discussions represent a precondition for this method and were therefore vital for the identification of key issues within the data.

For the analysis of asylum records, I developed a method that I call the *reconstructive process-oriented analysis of records*. Internal documents were subject to a more general content analysis. Although documentation forms a cornerstone of modern – and organizational – life, writing and written traces are often undervalued in social science when compared to the spoken word (Prior 2004:345). However, what eventually counts is what is "spatialized and rendered visual: recorded, filed, and placed on a docket" and what is "embodied 'by the paper'" (Ewick and Silbey 1998:8), especially in legal-administrative procedures such as the asylum procedure. It is thus vital to consider the power of texts (Turner 2001). Whereas document analysis usually adopts methods such as content or discourse analysis (Wolff 2008; Glenn 2009), my approach to records goes in the direction of artifact analysis as developed by Froschauer (2009), investigating the circumstances of production, the use and the purpose of the artifact. In addition, the investigation of artifacts as actants[6] (Latour 2010) enables us to understand more about an organization and to learn something about the functioning of the asylum administration in the context of the FAO.

The analysis of a record reveals communication patterns as well as power relations and the channels and borders of social influence. The circulation of documents that eventually constitute a record also defines the limits of the organizational network that, as we will see, includes governmental and non-governmental actors as well as national and international actors. While also considering the materiality of the record, the strategy that I applied focused on the actors contributing to the emergence of the artifact as well as those involved in the procedure more generally and their roles and actions within the asylum procedure. Instead of focusing on the details of the content, on language use or the choice of pens and markers – which can also produce interesting results – I investigated the "career" of the record by analyzing who contributed to it and to what effect. Due to this perspective, this approach can to some extent be regarded as a form of network analysis, which may be reinforced by its graphic illustration (see Chap. 3).

Overall, the analysis of the different sets of data followed a "crystallization" approach based on the idea of the crystal that "combines symmetry and substance with an infinite variety of shapes, substances, transmutations, multidimensionalities

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[6] Latour's (2005:71) concept of non-human actants refers to objects becoming active mediators: "any thing that does modify a state of affairs by making a difference is an actor – or, if it has no figuration yet, an actant."

and angles of approach … Crystallization provides us with a deepened, complex, thoroughly partial understanding of the topic" (Richardson 2000:934). Unlike triangulation, crystallization presupposes "that no truth exists 'out there' to discover or get close to, but only multiple and partial truths that researchers co-construct" (Ellingson 2009:22). Whereas triangulation aims at discovering a more definitive truth, "crystallization problematizes the multiple truths it presents" (ibid). This approach to analysis considers the complementarity of different research methods and aims for comprehensiveness rather than internal validity (Mays and Pope 2000).

References

Affolter, L. (2017). Asyl-Verwaltung kraft Wissen: Die Herstellung von Entscheidungswissen in einer Schweizer Asylbehörde. In C. Lahusen & S. Schneider (Eds.), *Asyl verwalten. Zur bürokratischen Bearbeitung eines gesellschaftlichen Problems* (pp. 145–174). Bielefeld: Transcript.

AIDA (Asylum Information Database). (2017). *Asylum statistics 2016: Sharper inequalities and persisting aslyum lottery*. Retrieved from http://www.asylumineurope.org/news/17-01-2017/asylum-statistics-2016-sharper-inequalities-and-persisting-asylum-lottery

Alford, J., & O'Flynn, J. (2009). Making sense of public value: Concepts, critiques and emergent meanings. *International Journal of Public Administration, 32*(3–4), 171–191. https://doi.org/10.1080/01900690902732731.

Bade, K. J. (2016). Von Unworten zu Untaten. Kulturängste, Populismus und politische Feindbilder in der deutschen Migrations- und Asyldiskussion zwischen ›Gastarbeiterfrage‹ und ›Flüchtlingskrise‹. *IMIS-Beiträge*, *48*, 35–171.

Bakewell, O. (2010). Some reflections on structure and agency in migration theory. *Journal of Ethnic and Migration Studies, 36*(10), 1689–1708. https://doi.org/10.1080/1369183X.2010.489382.

Barbour, R. S. (2001). Checklists for improving rigour in qualitative research: A case of the tail wagging the dog? *British Medical Journal, 322*, 1115–1117.

Bartelson, J. (1995). *A genealogy of sovereignty*. Cambridge: Cambridge University Press.

Barthel, F., & Neumayer, E. (2015). Spatial dependence in asylum migration. *Journal of Ethnic and Migration Studies, 41*(7), 1131–1151. https://doi.org/10.1080/1369183X.2014.967756.

Basch, L., Schiller, N. G., & Blanc, C. S. (1994). *Nations unbound: Transnational projects, postcolonial predicaments, and deterritorialized nation-states*. Abingdon, Oxon: Routledge.

Bauböck, R. (1999). Immigration control without integration policy – An Austrian dilemma. In G. Brochmann & T. Hammar (Eds.), *Mechanisms of immigration control: A comparative analysis of European regulation policies* (pp. 97–134). Oxford/New York: Berg.

Bauböck, R., & Faist, T. (Eds.). (2010). *Diaspora and transnationalism: Concepts, theories and methods*. Amsterdam University Press.

Benington, J. (2011). *Public value: Theory and practice*. Basingstoke: Palgrave Macmillan.

Berger, P. L., & Luckmann, T. (1975/1966). *The social construction of reality: A treatise in the sociology of knowledge*. Repr. Harmondsworth: Penguin Books.

Böcker, A., & Havinga, T. (1998). *Asylum migration to the European Union: Patterns of origin and destination*. Luxembourg: Office for Official Publ of the Europ Communities.

Bogumil, J., Hafner, J., & Kuhlmann, S. (2016). Verwaltungshandeln in der Flüchtlingskrise. *Verwaltung & Management, 22*(3), 126–136. https://doi.org/10.5771/0947-9856-2016-3-126.

Borjas, G. J., & Crisp, J. (Eds.). (2005). *Poverty, international migration and asylum*. Basingstoke: Palgrave Macmillan.

Bosworth, M. (2014). *Inside immigration detention*. Oxford: Oxford University Press.

Bourdieu, P. (1972). *Esquisse d'une théorie de la pratique*. Geneva: Droz.

Bourdieu, P. (1997). *Méditations pascaliennes*. Paris: Éds du Seuil.

Brochmann, G. (1999a). Controlling immigration in Europe. In G. Brochmann & T. Hammar (Eds.), *Mechanisms of immigration control: A comparative analysis of European regulation policies* (pp. 297–334). Oxford/New York: Berg.

Brochmann, G. (1999b). The mechanisms of control. In G. Brochmann & T. Hammar (Eds.), *Mechanisms of immigration control: A comparative analysis of European regulation policies* (pp. 1–28). Oxford/New York: Berg.

Brodkin, E. Z. (1997). Inside the welfare contract: Discretion and accountability in state welfare administration. *The Social Service Review, 71*(1), 1.

Brodkin, E. Z. (2011). Policy work: Street-level organizations under new managerialism. *Journal of Public Administration Research and Theory, 21*(suppl_2), i253–i277. https://doi.org/10.1093/jopart/muq093.

Broger, D. (2011). *Structuration theory and organization research*. University of St. Gallen. Retrieved from http://www1.unisg.ch/www/edis.nsf/SysLkpByIdentifier/3873/$FILE/dis3873.pdf

Buffat, A. (2015). When and why discretion is weak or strong: The case of taxing officers in a public unemployment fund. In P. L. Hupe, M. J. Hill, & A. Buffat (Eds.), *Understanding street-level bureaucracy* (pp. 79–96). Bristol/Chicago: PP, Policy Press.

Bundesministerium für Inneres, Sektion III. (2011). *Asylstatistik 2010*. Retrieved from http://www.bmi.gv.at/cms/BMI_Asylwesen/statistik

Bundesministerium für Inneres, Sektion III. (2015). *Asylstatistik 2014*. Retrieved from http://www.bmi.gv.at/cms/BMI_Asylwesen/statistik

Bundesministerium für Inneres, Sektion III. (2017). *Asylstatistik 2016*. Retrieved from http://www.bmi.gv.at/cms/BMI_Asylwesen/statistik

Butler, J. (1990). *Gender trouble: Feminism and the subversion of identity*. New York: Routledge.

Calavita, K. (2010). *Inside the state: The bracero program, immigration, and the I.N.S*. New Orleans: Quid Pro, LLC.

Campbell, J. R. (2016). *Bureaucracy, law and dystopia in the United Kingdom's asylum system*. London/New York: Routledge.

Castles, S. (2007). The migration-asylum nexus and regional approaches. In S. Kneebone & F. Rawlings-Sanaei (Eds.), *New regionalism and asylum seekers: Challenges ahead* (pp. 25–42). New York: Berghahn Books.

Castles, S., & Loughna, S. (2005). Trends in asylum migration to industrialized countries, 1990–2001. In G. J. Borjas & J. Crisp (Eds.), *Poverty, international migration and asylum* (pp. 39–69). London: Palgrave Macmillan UK. https://doi.org/10.1057/9780230522534_3.

Cicourel, A. (1981). Notes on the integration of micro and macro-levels of analysis. In K. Knorr-Cetina & A. Cicourel (Eds.), *Advances in social theory and methodology: Toward an integration of micro- and macro-sociologies* (1. publ., pp. 51–80). Boston: Routledge & Kegan Paul.

Collins, S. B. (2016). The space in the rules: Bureaucratic discretion in the administration of Ontario works. *Social Policy and Society, 15*(2), 221–235. https://doi.org/10.1017/S1474746415000251.

Cornelisse, G. (2016). Territory, procedures and rights: Border procedures in European asylum law. *Refugee Survey Quarterly, 35*(1), 74–90. https://doi.org/10.1093/rsq/hdv023.

DeVault, M. L., & McCoy, L. (2002). Institutional ethnography. Using interviews to investigate ruling relations. In J. A. Holstein Gubrium & F. Jaber (Eds.), *Handbook of interview research* (pp. 751–775). Thousand Oaks: Sage.

Downs, A. (1967). *Inside bureaucracy*. Boston: Little, Brown.

Du Gay, P. (2008). 'Without affection or enthusiasm' Problems of involvement and attachment in 'Responsive' public management. *Organization, 15*(3), 335–353. https://doi.org/10.1177/1350508408088533.

Dubois, V. (2010). *The bureaucrat and the poor. Encounters in French welfare offices*. Farnham: Ashgate.

Durose, C. (2011). Revisiting Lipsky: Front-line work in UK local governance. *Political Studies, 59*(4), 978–995. https://doi.org/10.1111/j.1467-9248.2011.00886.x.

Elias, N. (1970). *Was ist Soziologie?* München: Juventa-Verlag.

Ellermann, A. (2009). *States against migrants: Deportation in Germany and the United States*. Cambridge: Cambridge University Press.

Ellingson, L. L. (2009). *Engaging crystallization in qualitative research: An introduction*. Thousand Oaks: Sage.

Eule, T. G. (2014). *Inside immigration law: Migration management and policy application in Germany*. Farnham: Ashgate Publishing Ltd.

European Commission. (2015). *Asylum in the EU*. Retrieved from https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/docs/infographics/asylum/infographic_asylum_en.pdf

Eurostat. (2016). *Asylum decisions in the EU*. Retrieved from http://ec.europa.eu/eurostat/documents/2995521/7233417/3-20042016-AP-EN.pdf/34c4f5af-eb93-4ecd-984c-577a5271c8c5

Ewick, P., & Silbey, S. S. (1998). *The common place of law*. Chicago: The University of Chicago Press.

Fassin, D. (2015). *At the heart of the state: The moral world of institutions*. London: Pluto Press.

Froschauer, U. (2009). Artefaktanalyse. In S. Kühl, P. Strodtholz, & A. Taffertshofer (Eds.), *Handbuch Methoden der Organisationsforschung* (pp. 326–347). Wiesbaden: VS Verlag für Sozialwissenschaften.

Froschauer, U., & Lueger, M. (2003). *Das qualitative Interview. Zur Praxis interpretativer Analyse sozialer Systeme*. Wien: Facultas. WUV.

Fuglerud, O. (2004). Constructing exclusion. The micro-sociology of an immigration department. *Social Anthropology, 12*(1), 25–40.

Geddes, A. (2003). *The politics of migration and immigration in Europe*. London: Sage.

Gibb, R., & Good, A. (2014). Interpretation, translation and intercultural communication in refugee status determination procedures in the UK and France. *Language and Intercultural Communication, 14*(3), 385–399. https://doi.org/10.1080/14708477.2014.918314.

Gibney, M. J., & Hansen. (2005). Asylum policy in the West: Past trends, future possibilities. In G. J. Borjas & J. Crisp (Eds.), *Poverty, international migration and asylum* (pp. 70–96). Basingstoke: Palgrave Macmillan.

Giddens, A. (1979). *Central problems in social theory: Action, structure and contradiction in social analysis*. Berkeley: University of California Press.

Giddens, A. (2011). *The constitution of society: Outline of the theory of structuration*. Cambridge: Polity Press.

Gill, N., Rotter, R., Burridge, A., Griffiths, M., & Allsopp, J. (2015). Inconsistency in asylum appeal adjudication. *Forced Migration Review, 50*, 52–54.

Glenn, A. B. (2009). Document analysis as a qualitative research method. *Qualitative Research Journal, 9*(2), 27–40. https://doi.org/10.3316/QRJ0902027.

Goffman, E. (1966). *Behavior in public places: Notes on the social organization of gatherings*. New York: Free Press.

Goffman, E. (1971). *Strategic interaction*. Philadelphia: University of Pennsylvania Press.

Gratz, W. (2016). *Das Management der Flüchtlingskrise: Never let a good crisis go to waste*. Wien/Graz: Neuer Wissenschaftlicher Verlag.

Gray, A., & Mcdowall, A. (2013). LGBT refugee protection in the UK: From discretion to belief? *Forced Migration Review, 42*, 22–25.

Guild, E. (2012). *The first decade of EU migration and asylum law*. Boston: Martinus Nijhoff Publishers.

Gupta, A. (1995). Blurred boundaries: The discourse of corruption, the culture of politics, and the imagined state. *American Ethnologist, 22*(2). https://doi.org/10.1525/ae.1995.22.2.02a00090.

Hahlen, J., & Kühn, H. (2016). Die Flüchtlingskrise als Verwaltungskrise – Beobachtungen zur Agilität des deutschen Verwaltungssystems. *Verwaltung & Management, 22*(3), 157–167. https://doi.org/10.5771/0947-9856-2016-3-157.

Hall, A. (2010). "These people could be anyone": Fear, contempt (and empathy) in a British Immigration Removal Centre. *Journal of Ethnic and Migration Studies, 36*(6), 881–898. https://doi.org/10.1080/13691831003643330.

Heyman, J. M. (1995). Putting power in the anthropology of bureaucracy: The immigration and naturalization service at the Mexico-United states border. *Current Anthropology, 36*(2), 261–287.

Honer, A. (1994). Das explorative Interview. Zur Rekonstruktion der Relevanzen von Expertinnen und anderen Leuten. Schweizer. *Zeitschrift Für Soziologie, 20*(3), 623–640.

Horvath, K. (2014). *Die Logik der Entrechtung: Sicherheits- und Nutzendiskurse im österreichischen Migrationsregime*. Göttingen: V&R unipress, Wien.

Hupe, P. (2013). Dimensions of discretion: Specifying the object of street-level bureaucracy research. *der moderne staat–Zeitschrift für Public Policy, Recht und Management, 6*(2), 425–440.

Huysmans, J. (2006). *The politics of insecurity: Fear, migration and asylum in the EU*. London: Routledge.

Infantino, F., & Rea, A. (2012). La mobilisation d'un savoir pratique local: Attribution des visas Schengen au Consulat général de Belgique à Casablanca. *Sociologies pratiques, 24*(1), 67–78.

Jewell, C. J. (2007). *Agents of the welfare state: How caseworkers respond to need in the United States, Germany, and Sweden*. Palgrave Macmillan.

Jewell, C. J., & Glaser, B. E. (2006). Toward a general analytic framework: Organizational settings, policy goals, and street-level behavior. *Administration & Society, 38*(3), 335–364. https://doi.org/10.1177/0095399706288581.

Johannesson, L. (2012). Performing credibility: Assessments of asylum claims in Swedish Migration Courts. *Retfærd Nordisk Juridisk Tidsskrift, 35*(3/138), 68–83.

Joly, D. (2016). *Haven or hell? Asylum policies and refugees in Europe*. London: Springer.

Jones, R. C. (2012). Migrant agency and community structure: Competing explanations for economic decline in migrant sending communities of rural central Mexico. *Migration Letters, 9*(2), 115–130.

Jubany, O. (2017). *Screening asylum in a culture of disbelief: Truths, denials and skeptical borders*. Cham: Springer.

Keogh, G. (2013). Modelling asylum migration pull-force factors in the EU-15. *The Economic and Social Review, 44*(3), 371–399.

Kobelinsky, C. (2014). A matter of value. Exploring what underlies adjudication in the French Court of Asylum. *Migration Letters, 11*(1), 101–108.

Kobelinsky, C. (2015). In search of truth: How asylum applications are adjudicated. In D. Fassin (Ed.), *At the heart of the state: The moral world of institutions* (pp. 67–90). London: Pluto Press.

Koser, K., & Van Hear, N. (2005). Asylum migration: Implications for countries of origin. In G. J. Borjas & J. Crisp (Eds.), *Poverty, international migration and asylum* (pp. 121–142). Basingstoke: Palgrave Macmillan.

Kraler, A. (2011). The case of Austria. In G. Zincone, R. Pennix, & M. Borkert (Eds.), *Migration policymaking in Europe: The dynamics of actors and contexts in past and present* (pp. 21–60). Amsterdam: Amsterdam University Press.

Krause, G. A., & Meier, K. J. (2003). *Politics, policy, and organizations: Frontiers in the scientific study of bureaucracy*. Ann Arbor: University of Michigan Press.

Lahusen, C. (2016). Auf dem Weg zu einem europäischen Verwaltungsfeld? Zur Soziologie der Bürokratisierung Europas am Beispiel des Gemeinsamen Europäischen Asylsystems. *Berliner Journal für Soziologie, 26*(1), 109–133. https://doi.org/10.1007/s11609-016-0304-4.

Lamba, N. K. (2003). The employment experiences of Canadian refugees: Measuring the impact of human and social capital on quality of employment. *The Canadian Review of Sociology and Anthropology, 40*(1), 45–64.

Latour, B. (1994). *Nous n'avons jamais été modernes: essai d'anthropologie symétrique*. Paris: ÉdLa Découverte.

Latour, B. (2005). *Reassembling the social – An introduction to actor-network-theory*. Oxford: Oxford University Press.

Latour, B. (2010). *The making of law: An ethnography of the Conseil D'Etat*. Cambridge: Polity.

Lavenex, S. (2001). *The Europeanisation of refugee policies: Between human rights and internal security*. Aldershot/Hampshire: Ashgate.

Lavenex, S. (2002). EU enlargement and the challenge of policy transfer: The case of refugee policy. *Journal of Ethnic and Migration Studies, 28*(4), 701–721. https://doi.org/10.1080/136 9183021000032272.

Liodden, T. M. (2015). Usikkerhet og tvil i asylavgjørelser. In K. Widerberg (Ed.), *I hjertet av velferdsstaten: en invitasjon til institusjonell etnografi* (pp. 193–219). Oslo: Cappelen Damm akademisk.

Lipsky, M. (2010). *Streel-level bureaucracy: Dilemmas of the individual in public services* (30th anniversary expanded). New York: Russell Sage Foundation.

Lobenstein, C. (2017). Bamf: Behörde auf Speed. *Die Zeit*. Retrieved from http://www.zeit.de/2017/14/bamf-unternehmensberater-geschwindigkeiten-folgen-fluechtlinge

Loyens, K. (2015). Law enforcement and policy alienation: Coping by labour inspectors and federal police officers. In P. L. Hupe, M. J. Hill, & A. Buffat (Eds.), *Understanding street-level bureaucracy* (pp. 99–114). Bristol/Chicago: PP, Policy Press.

Maynard-Moody, S., & Musheno, M. (2000). State agent or citizen agent: Two narratives of discretion. *Journal of Public Administration Research and Theory, 10*(2), 329–358.

Maynard-Moody, S. W., & Musheno, M. C. (2003). *Cops, teachers, counselors: Stories from the front lines of public service*. Ann Arbor: University of Michigan Press.

Maynard-Moody, S., & Musheno, M. (2012). Social equities and inequities in practice: Street-level workers as agents and pragmatists. *Public Administration Review, 72*(s1), S16–S23. https://doi.org/10.1111/j.1540-6210.2012.02633.x.

Maynard-Moody, S., & Portillo, S. (2010). Street-level bureaucracy theory. In R. F. Durant (Ed.), *The Oxford handbook of American bureaucracy* (pp. 252–277). OUP Oxford. Retrieved from https://doi.org/10.1093/oxfordhb/9780199238958.003.0011.

Mays, N., & Pope, C. (2000). Qualitative research in health care. Assessing quality in qualitative research. *British Medical Journal, 320*, 50–52.

Mead, G. H. (1947). *Mind, self & society: From the standpoint of a social behaviorist* (6. impr.). Chicago: University of Chicago Press.

Meyers, M. K., & Lehmann Nielsen, V. (2012). Street-level Bureaucrats and the implementation of public policy. In J. Pierre & B. G. Peters (Eds.), *Handbook of public administration* (pp. 305–318). Los Angeles: SAGE.

Miller, B., Keith, L. C., & Holmes, J. S. (2015). *Immigration judges and U.S. asylum policy*. Philadelphia: University of Pennsylvania Press.

Mingot, E. S., & de Arimateia da Cruz, J. (2013). The asylum-migration nexus: Can motivations shape the concept of coercion? the sudanese transit case. *Journal of Third World Studies, 30*(2), 175.

Montgomery, J. D. (1999). Administration of human rights. *Public Administration and Development, 19*(4), 323–337. https://doi.org/10.1002/(SICI)1099-162X(199910)19:4<323::AID-PAD91>3.0.CO;2-Y.

Morris, L. (2002). *Managing migration: Civic stratification and migrants' rights*. Abingdon: Psychology Press.

Morris, L. (2010). *Asylum, welfare and the cosmopolitan ideal: A sociology of rights*. Abingdon: Routledge.

Mountz, A. (2010). *Seeking asylum: Human smuggling and bureaucracy at the border*. Minneapolis: University of Minnesota Press.

Ortmann, G., Windeler, A., & Sydow, J. (2000). Organisation als reflexive Strukturation. In G. Ortmann, J. Sydow, & K. Türk (Eds.), *Theorien der organisation. Die Rückkehr der Gesellschaft*. Wiesbaden: Westdeutscher Verlag.

Peers, S., Guild, E., & Tomkin, J. (2012). *EU immigration and asylum law: Text and commentary*. Leiden/Biggleswade: Martinus Nijhoff/Extenza Turpin.

Penz, O., Sauer, B., Gaitsch, M., Hofbauer, J., & Glinsner, B. (2017). Post-bureaucratic encounters: Affective labour in public employment services. *Critical Social Policy*. https://doi.org/10.1177/0261018316681286.

Piore, M. J. (2011). Beyond markets: Sociology, street-level bureaucracy, and the management of the public sector. *Regulation & Governance, 5*(1), 145–164. https://doi.org/10.1111/j.1748-5991.2010.01098.x.

Pott, A., Rass, C., & Wolff, F. (2014, May 20). *Outline*. Retrieved from https://migrationregimes.com/concept

Prior, L. (2004). Documents. In C. G. G. Seale Jaber, F. Gubrium, & D. Silverman (Eds.), *Qualitative research practice*. London: Sage.

Probst, J. (2013). Asylanträge bearbeiten: BAMF und OFPRA im Vergleich. In *Integrationspolitik im internationalen Vergleich*. Stuttgart: Ministerium für Integration Baden-Württemberg. Retrieved from http://www.migpolgroup.com/wp_mpg/wp-content/uploads/2013/08/2013-08-12-Integrationspolitik.pdf

Prottas, J. M. (1979). *People-processing: The street-level bureaucrat in public service bureaucracies*. Toronto: Lexington Books.

Ramji-Nogales, J., Schoenholtz, A. I., & Schrag, P. G. (2011). *Refugee roulette: Disparities in asylum adjudication and proposals for reform*. New York: New York University Press.

Rathgeb Smith, S. (2012). Street-level Bureaucracy and public policy. In R. F. Durant (Ed.), *The Oxford handbook of American Bureaucracy* (Reprint ed., pp. 431–446). Oxford: Oxford University Press.

Reckwitz, A. (2002). Toward a theory of social practices. *European Journal of Social Theory, 5*(2), 243–263. https://doi.org/10.1177/13684310222225432.

Reckwitz, A. (2003). Grundelemente einer Theorie sozialer Praktiken. Eine sozialtheoretische Perspektive. *Zeitschrift für Soziologie, 32*(4), 282–301.

Richardson, L. (2000). Writing: A method of inquiry. In N. K. Denzin & Y. S. Lincoln (Eds.), *Handbook of qualitative research* (pp. 923–948). Thousand Oaks: Sage.

Sandfort, J. R. (2000). Moving beyond discretion and outcomes: Examining public management from the front lines of the welfare system. *Journal of Public Administration Research and Theory, 10*(4), 729–756. https://doi.org/10.1093/oxfordjournals.jpart.a024289.

Schatzki, T. R. (2002). *The site of the social: A philosophical account of the constitution of social life and change*. University Park: Pennsylvania State University Press.

Scheffer, D. T. (2001). *Asylgewährung: eine ethnographische Analyse des deutschen Asylverfahrens*. Stuttgart: Lucius & Lucius.

Schmidt, R. (2012). *Soziologie der Praktiken: konzeptionelle Studien und empirische Analysen*. Berlin: Suhrkamp.

Schneider, S., & Wottrich, K. (2017). "Ohne 'ne ordentliche Anhörung kann ich keine ordentliche Entscheidung machen ..." – Zur Organisation von Anhörungen in deutschen und schwedischen Asylbehörden. In C. Lahusen & S. Schneider (Eds.), *Asyl verwalten. Zur bürokratischen Bearbeitung eines gesellschaftlichen Problems* (pp. 81–116). Bielefeld: Transcript.

Schoenholtz, A. I., Schrag, P. G., & Ramji-Nogales, J. (2014). *Lives in the balance: Asylum adjudication by the department of Homeland security*. New York: New York University Press.

Sharma, A., & Gupta, A. (Eds.). (2006). *The anthropology of the state: A reader*. Malden/Oxford: Wiley-Blackwell.

Shove, E., Pantzar, M., & Watson, M. (2012). *The dynamics of social practice. Everyday life and how it changes*. London: SAGE.

Silvey, R., & Lawson, V. (1999). Placing the Migrant. *Annals of the Association of American Geographers, 89*(1), 121–132. https://doi.org/10.1111/0004-5608.00134.

Smith, D. E. (2006). *Institutional ethnography as practice*. Lanham: Rowman & Littlefield.

Spire, A. (2007). L'asile au guichet. La dépolitisation du droit des étrangers par le travail bureaucratique. *Actes de La Recherche En Sciences Sociales, 169*(4), 4–21.

Squire, V. (2009). *The exclusionary politics of asylum*. Houndmills/Basingstoke/Hampshire: Palgrave Macmillan.

Steiner, N. (2000). *Arguing about asylum: The complexity of refugee debates in Europe*. New York: St. Martin's Press.

Strauss, A. L., & Corbin, J. (1991). *Basics of qualitative research: Grounded theory procedures and techniques*. Newbury Park: Sage.

Swanborn, P. (2010). *Case study research: What, why and how?* London: Sage.

Taylor, I., & Kelly, J. (2006). Professionals, discretion and public sector reform in the UK: Re-visiting Lipsky. *International Journal of Public Sector Management, 19*(7), 629–642. https://doi.org/10.1108/09513550610704662.

Thelen, T., Vetters, L., & Von Benda-Beckmann, K. (2014). Introduction to stategraphy: Toward a relational anthropology of the state. *Social Analysis, 58*(3), 1–19.

Thomas, R. (2011). *Administrative justice and asylum appeals: A study of tribunal adjudication*. Oxford: Hart.

Thorén, K. H. (2008). *Activation policy in action. A street-level study of social assistance in the Swedish Welfare State*. Växjö University. Retrieved from http://www.diva-portal.org/smash/record.jsf?pid=diva2:206413

Tomkinson, S. (2015). Doing fieldwork on state organizations in democratic settings: Ethical issues of research in refugee decision making. *Forum Qualitative Sozialforschung*, *16*(1). http://dx.doi.org/10.17169/fqs-16.1.2201.

Torpey, J. (2000). *The invention of the passport: Surveillance, citizenship and the state*. Cambridge: Cambridge University Press.

Toshkov, D., & De Haan, L. (2013). The Europeanization of asylum policy: An assessment of the EU impact on asylum applications and recognitions rates. *Journal of European Public Policy, 20*(5), 661–683. https://doi.org/10.1080/13501763.2012.726482.

Türk, V. (2013). Foreword. In S. S. Juss (Ed.), *The Ashgate research companion to migration law, theory and policy* (pp. xi–xiii). Farnham/Burlington: Ashgate Publishing Company.

Turner, S. M. (2001). Texts and the institutions of municipal government: The power of texts in the public process of land development 1. *Studies in Cultures, Organizations and Societies, 7*(2), 297–325. https://doi.org/10.1080/10245280108523562.

UN High Commissioner for Refugees (UNHCR). (2015). *Flucht und Asyl in Österreich – die häufigsten Fragen und Antworten*. Retrieved from http://www.unhcr.at/fileadmin/user_upload/dokumente/02_unhcr/events/UNHCR_QA_2015_FINAL.pdf

UN High Commissioner for Refugees (UNHCR). (2016). *Global Trends. Forced Displacement in 2015*. Retrieved from http://www.unhcr.org/global-trends-2015.html

van Munster, R. (2009). *Securitizing immigration: The politics of risk in the EU*. Basingstoke: Palgrave Macmillan UK.

Wagenaar, H. (2004). "Knowing" the rules: Administrative work as practice. *Public Administration Review, 64*(6). https://doi.org/10.1111/j.1540-6210.2004.00412.x.

Walia, H. (2013). *Undoing border imperialism*. Oakland: AK Press.

Welz, J., & Winkler, J. (2014). Abschiebepolitik im Spannungsfeld des liberal-demokratischen Paradoxons: Ermessensspielräume in asylrechtlichen Ausweisungsentscheidungen. *Österreichische Zeitschrift für Politikwissenschaft, 34*(1), 169–186.

Westra, L., Juss, S. S., & Scovazzi, T. (2015). Introduction to the question of asylum seekers: "Se non Ora, Quando?". In L. Westra, S. S. Juss, & T. Scovazzi (Eds.), *Towards a refugee oriented right of asylum* (pp. 1–9). Farnham/Burlington: Ashgate.

Wikström, H., & Johansson, T. (2013). Credibility assessments as 'normative leakage': Asylum applications, gender and class. *Social Inclusion, 1*(2), 92.

Wittgenstein, L. (1984). Philosophische Untersuchungen. In *Werkausgabe Band 1* (pp. 225–580). Frankfurt am Main: Suhrkamp.

Wolff, S. (2008). Dokumenten- und Aktenanalyse. In U. Flick, E. V. Kardorff, & I. Steinke (Eds.), *Qualitative forschung: Ein Handbuch* (pp. 502–514). Reinbek: Rowohlt.

Wolff, F. (2013, April). *Rethinking migration regimes: Lesson of post-communism*. Bloomington: Indiana University. Retrieved from http://www.indiana.edu/~reeiweb/newsEvents/2013/wolff.pdf

Yin, R. K. (2009). *Case study research: Design and methods*. Thousand Oaks: SAGE.

Zincone, G., Pennix, R., & Borkert, M. (Eds.). (2011). *Migration policymaking in Europe: The dynamics of actors and contexts in past and present*. Amsterdam: Amsterdam University Press.