The Women-Friendliness of European Asylum Policies - exploring a gendered policy-area and its determinants

D I S S E R T A T I O N
of the University of St.Gallen,
School of Management,
Economics, Law, Social Sciences
and International Affairs
to obtain the title of
Doctor of Philosophy in International
Affairs and Political Economy

submitted by

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Dissertation no. 5024

Niedermann Druck, St. Gallen 2020

The University of St.Gallen, School of Management, Economics, Law, Social Sciences and International Affairs hereby consents to the printing of the present dissertation, without hereby expressing any opinion on the views herein expressed.

St.Gallen, June 3, 2020

The President:

Prof. Dr. Bernhard Ehrenzeller

Acknowledgements

Throughout this research project, I have had the privilege to receive excellent supervision and support. I would like to extend my sincerest thanks to Patrick Emmenegger for tireless guidance and encouragement, your advice has been invaluable to find direction and stay on course. A warm thank you also to Emma Carmel for your continuous support and your kind and helpful advice, and to Andrea Spehar for accompanying me in my last stage of writing and helping me navigate the defence. It has been a privilege to share my time as a doctoral student with a wonderful group of colleagues from the Department of Political Science at the University of St. Gallen, thank you all for the always interesting and helpful exchanges.

And finally, thank you to my wonderful family for letting me spend years of evenings and weekends at the library – Ingrid and Einar, it is time that you get to know me without this dissertation in tow.

St. Gallen, August 2020 Katarina Stigwall

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List of Abbreviations

AIDA	Asylum Information Database
BSS	Bevara Sverige Svenskt (Keep Sweden Swedish)
CEAS	Central European Asylum System
CEDAW	The Committee on the Elimination of Discrimination against Women
DPP	Dansk Folkeparti (Danish People's Party)
DR	Dansk Radio
EDAL	European Database on Asylum Law
EIGE	European Institute for Gender Equality
EU	European Union
EXCOM	Executive Committee
FGM	Female Genital Mutilation
HBL	Hufvudstadsbladet
IOM	International Organization for Migration
MP	Member of parliament
NGO	Non-governmental Organization
OHCHR	United Nations Human Rights Office of the High Commissioner
OLS	Ordinary Least Squares regression
SCB	Statistiska Centralbyrån (Statistics Sweden)
SOU	Statens Offentliga Utredningar
SPRAR	Protection System for Refugees and Asylum Seekers
SR	Sveriges Radio (Swedish Radio)
SVT	Sveriges Television (Swedish public service television company)
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNHCR	The UN Refugee Agency
UN-Instraw	United Nations International Research and Training Institute for the Advancement of Women
VOA	Voices of America
WFA	Women-Friendliness in Asylum
WHO	World Health Organization
WWII	Second World War
YPFP	Youth Professionals in Foreign Policy

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Abstract

Based on the 1951 Refugee Convention, traditional conceptions of refugees typically referred to the politically active male persecuted for his obstructive acts against a communist regime. Yet, today's asylum seekers are increasingly female with very different experiences of persecution and different reasons to flee their countries of origin. Not all European states have updated their asylum policies to reflect the specific situation of women – an issue brought to light by the refugee crisis in 2015.

The first part of this dissertation develops a Women-Friendliness in Asylum Index (WFA), which reveals clusters of states within the European Union with a solid implementation of women's rights in their asylum recognition and reception framework, and others whom have yet to adapt their asylum policies to consider women's needs. An empirical analysis of the index-scores shows that women's political representation is a key factor in explaining women-friendly asylum policies, whereas critical attitudes toward immigrants from non-EU countries retard the gendered revision of European asylum policies.

The second part of this dissertation consists of a case study that explores the contextual impact and interaction of the two determinants and explains the divergence in asylum policy making between Sweden and Denmark. A process-oriented analysis shows that negative attitudes towards immigration in Denmark have generated an asylum-regime where female political representatives on the right-wing have contributed to shifting the discourse on gender equality, framing it as a challenge related to immigration and the immigrant community. In Sweden, public attitudes towards immigration have remained optimistic and policy makers have been careful to separate gender and ethnicity in their efforts to update policies in line with, and beyond, a European agenda to safeguard women's rights in asylum.

Zusammenfassung

Die traditionelle Vorstellung von Flüchtlingen bezieht sich auf die Flüchtlingskonvention von 1951 und verweist in der Regel auf den politisch aktiven Mann, der wegen seiner obstruktiven Handlungen gegen ein kommunistisches Regime verfolgt wird. Heute sind Asylsuchende jedoch zunehmend Frauen mit ganz anderen Erfahrungen von Verfolgung und unterschiedlichen Gründen, um aus ihren Herkunftsländern zu fliehen. Nicht alle europäischen Staaten haben ihre Asylpolitik aktualisiert um die besondere Situation von Frauen zu berücksichtigen – ein Thema, das durch die Flüchtlingskrise im Jahr 2015 besonders deutlich wurde.

Der erste Teil dieser Dissertation entwickelt einen Index um die Frauen-Freundlichkeit während des Asylverfahrens zu messen ('Women-Friendliness in Asylum Index' (WFA)). Er zeigt Gruppen von Staaten innerhalb der Europäischen Union auf, die die Rechte von Frauen während Anerkennung und Aufnahme im Asylverfahren solide umgesetzt haben. Andere Länder müssen ihr Asyl-System noch anpassen, um die Bedürfnisse von Frauen zu berücksichtigen. Eine empirische Analyse der Index-Werte zeigt, dass die politische Repräsentation von Frauen ein Schlüsselfaktor ist, um die Frauenfreundlichkeit von Asylpolitik zu erklären, während eine kritische Einstellung gegenüber Einwanderern aus nicht-EU-Ländern die genderspezifische Überarbeitung der Asylpolitik in europäischen Staaten verzögert.

Der zweite Teil dieser Dissertation ist eine Fallstudie, in der die kontextbezogenen Auswirkungen und Wechselwirkungen der beiden Determinanten untersucht und die Unterschiede in der Asylpolitik zwischen Schweden und Dänemark erläutert werden. Eine prozessorientierte Analyse zeigt, dass negative Einstellungen zur Einwanderung in Dänemark zu einem Asylregime geführt haben, in dem Vertreterinnen der politischen Rechten dazu beigetragen haben, den Diskurs zur Gleichstellung der Geschlechter zu verschieben und als eine Herausforderung der Einwanderung darzustellen. In Schweden blieben die Einstellungen optimistisch und die politischen Entscheidungsträger achteten darauf, Geschlecht und ethnische Zugehörigkeit zu trennen, in ihrem Bemühen die Schwedische Politik im Einklang mit einer Europäischen Agenda zu aktualisieren, um die Rechte von Frauen im Asylverfahren zu schützen.

1. Introduction

> *There are vast and worrying disparities in the way different EU States handle gender-related asylum claims. As a result, women are not guaranteed anything close to consistent, gender-sensitive treatment when they seek protection in Europe. Women seeking asylum are too often confronted with legislation and policy that fail to meet acceptable standards, while even gender-sensitive policies are not implemented in practice.*
>
> (Ali, Querton and Soulard, 2012, p. 8)

Europe has been on the receiving end of several waves of immigration. Until the early 1970's, inflow was mostly in the controlled form of labor immigration, either through bilateral guest-worker agreements or a colonial migration regime[1] (Hansen, 2003). Subsequent years saw an increase in family reunification related to previous labor resettlement, and from the 1990's immigration to Europe has been increasingly asylum-related (Fassmann, Reeger and Sievers, 2009). Marking a peak in asylum inflows, over 1.2 million asylum seekers made their way into the European Union in 2015, fleeing unrest and persecution in Syria, Afghanistan, Iraq and Northern Africa. This most recent refugee crisis recorded the highest number yet of people forcibly displaced in Europe.[2] In response, asylum policies emerged as one of the most important political battlegrounds of the new millennium, with immigration at the core of both economic and humanitarian agendas across the EU.

At the same time, and considerably less noticed in public debates, the demographic composition of refugee flows changed. Since 2008, the ratio of female to male applicants had remained fairly stable at about 30%, rising to 38% in 2015 and as of January 2016 soaring to 55% of those crossing the Mediterranean to seek asylum (United Nations Refugee Agency, 2016). Today, asylum seekers are just as likely to be women or girls as they are to be male. However, migration is not a gender-neutral phenomenon: The position of female migrants is in many respects different from that of male; channels of migration and receiving sectors differ, as do the exposure to

[1] Continental Europe filled their demand for labor after WWII with guest worker schemes from primarily southern Europe, but also Turkey and North Africa.

[2] The surge in asylum seekers to Europe reflects a global increase: In 2014, UNHCR estimated 59.5 million refugees globally, compared to 51.2 million a year earlier and 37.5 million in 2004 (UNHCR, 2015).

exploitation and abuse. Female asylum seekers to Europe are a "highly exposed population", referring to the high prevalence of sexual violence in European reception facilities,[3] but also as subjects to an extremely stressful asylum-process with severe consequences for mental and physical health (Kalt et al., 2013). Failing to recognize the different situations and opportunities of men and women throughout the migration process has, in turn, created policies that expose female migrants to human rights abuse, discrimination and health risks (Caritas, 2014; Hynes, 2004).

The academic community has also been somewhat reluctant to apply a gendered perspective to the analysis of the asylum policy framework, an otherwise extensively covered research area. Great scholarly interest has generated thorough attention to migration patterns and determinants (e.g. Piore, 1979; Neumayer, 2005; Stark and Taylor, 1991; Heitmueller, 2005), to issues related to reception and integration (e.g. Huddleston et al., 2015; Joppke, 2010), and to the social and economic implications of asylum (e.g. Boswell, 2000, 2003; Hatton, 2005). However, although gender and intersectionality as analytical variables are increasingly present in the academic discussion, studies on asylum policies are still a surprisingly gender-neutral field.

This lack of interest in the gender-dimensions of asylum is puzzling given the gendered origins of European asylum policies. Based on the 1951 Refugee Convention, created in the aftermath of World War II, traditional conceptions of refugees prevalent in Europe typically referred to politically active males fleeing communist oppression (Edwards, 2010). Today's asylum seekers generally flee their countries of origin for very different reasons, and in spite of several decades of gender-mainstreaming efforts[4] the 1951 refugee-concept remains at the foundation of central EU directives.[5] It is often transcribed word for word in contemporary national legislation, defining which asylum seekers qualify for international protection and establishing the responsibilities of receiving states. As a result, national legislative frameworks frequently rely on traditional and severely outdated conceptions, and while all European countries needed

[3] 44,6% of female asylum seekers to European receiving states reported being victimized in reception housing facilities (study by Keygnaert et al., 2014, encompassing Belgium, Greece, Hungary, Ireland, Malta, the Netherlands and Portugal).

[4] The 1997 Treaty of Amsterdam calls for member states to develop joint policies on asylum and immigration, including regulations on the recognition of refugees, no later than 2004 (§ 61-69). The initiative has since been updated several times to address women's rights.

[5] The Common European Asylum System rests upon the fundamental right to seek asylum as recognized in the Convention and Protocol Relating to the Status of Refugees (1951 resp. 1967), applying Article 1 of the Convention to define refugee-status.

to update their asylum policies to reflect the new reality with increasing shares and exposedness of female applicants, they have not done so to the same extent.

In fact, despite intensified efforts aiming to end the "asylum lottery" and ensure a women-friendly process across all member states (AIDA, 2012/2013), European asylum policies are often displaying extensive shortcomings with regard to more complex gender-based claims (European Parliament, 2015). Indeed, the refugee crisis in 2015 confirmed that the interpretation and implementation of international policy tools have remained issues of national concern, and recent studies point to extensive disparities among EU member states in handling gender-related asylum claims, as well as consistent failure to recognize and respond to the specific situation of women in asylum (Ali, Querton and Soulard, 2012).

Although several scholars have made significant and groundbreaking contributions to highlight the feminization of migration as a research field in its own right (e.g. Freedman, 2008, 2015; Kofman, 1999; Boyd, 2006; Schenk, 1994; Sager, 2012; Crawley, 2000, 2001; Crawley and Lester, 2004; Spijkerboer, 1999/2000, 2018), women's perspectives within the asylum framework remain an isolated discussion, often found within a narrow segment of personal or emotional accounts. Many studies have been limited to case studies and comparative work on small clusters of states (Bonewit and Shreeves, 2016; Allwood and Waida, 2010; Ali, Querton and Soulard, 2012) or kept to a theoretical or legislative framework analyzing isolated initiatives or phenomena (Hoskyns, 1996; Dauvergne and Millbank, 2010; Beine et al., 2014). In addition, there are few studies that explore the gendered effects of contemporary asylum policies. The observed marginalization of women's experiences in the literature mirrors a gap in the political terrain as well. This study aims to address that gap by mapping and analyzing the women-friendliness of asylum policies in the 28 EU member states, and to review two national contexts in greater detail:

> *In spite of binding common directives and extensive gender mainstreaming efforts, EU member states are responding very differently to women's rights in asylum. How can we explain variations in the women-friendliness of national asylum policies? Moreover, given the potential determinants of women-friendly asylum-policies, how do contextual factors influence the observed divergence of women-friendliness in asylum in two of the most gender-equal welfare states in Europe; Sweden and Denmark?*

1.1. Review of the academic field

Historically, research related to migration issues in Europe has been largely characterized by a strive to explain push-pull factors, following the footsteps of early migration theorists in exploring how for example economic opportunities relate to the cause of migration. Ravenstein's "Laws of Migration" from 1889, developed and modified by Lee in the 1960's, investigate differentials that affect people's ability to migrate, mentioning 'gender' together with 'social class' and 'age'. Piore (1979) explored a similar dynamic in his discussion on the positions of migrants to fill labor market gaps in the host economy. The early direction of migration research is a clear reflection of the labor migration to Europe in the 60s and 70s, but also more recent scholarship maintains a strong interest in the determinants of migration. The ambition to understand the migration process and the response of receiving countries continue to generate prominent research (Neumayer, 2005; Thieme, 2006; Stark and Taylor, 1991; Heitmueller, 2005), and in the analysis of incentives and determinants for migrating, gender is – if at all – mentioned as a variable among others.

In general, early scholarly work perceived migration as a gender-neutral field of study. In the 1980s, the demographic models started introducing gender as an independent variable, and the process of migration, but also the research thereof, was gradually perceived as gendered (Ghosh, 2009). Kofman (1999) broke new ground with her work on "female birds of passage", highlighting the role of women from the beginning of post-war migration, both as primary migrants and as actors alongside male partners. She concludes that migration has helped sustain the hegemony of the white male breadwinner model in western Europe, as migrant women filled gendered gaps in the labor market. Kofman, recognizing the significant proportion of female, independent migrants, added important voices to the migration debate and her work was confirmed and developed by other scholars. Boyd (2006) nuanced the equality-discussion by further noticing that although women constitute half of all migrants globally and are participating very actively in the migration process, conditions and experiences are not the same for male and female immigrants. McLaren (2008) agrees, describing migration as a "highly gendered process" (p. 9).

In the beginning of the new millennium, labor-market migration still seemed to generate more scholarly interest than asylum policy, and gendered accounts of the asylum-

experience remained a very marginalized strand of research.[6] With the development of new European tools and guidelines, however, the growing refugee population moved into focus. Hatton (2005, 2016, 2017) has produced a number of significant studies analyzing European asylum policy and the development of the Common European Asylum System. Thielmann's (2008) conclusion on state preferences and the limitations to EU's proposed burden-sharing mechanisms related to refugee reception is as current as ever, despite being produced over a decade ago. Boswell has also contributed with several influential studies on European identity and its joint approach to refugee protection. She refers to the "Asylum Crisis" already in her writings from 2000, discussing the impact of labor migration policies on the refugee protection framework, and the public fears about a perceived lack of control, generating more restrictive policies (Boswell, 2003). In 2004, examining the numbers seeking asylum in the EU over time and explaining them through the evolution of policies, Hatton, Richter and Faini concluded that the growing policy restrictiveness of individual countries had a hemming effect on asylum flows, at the costs of European humanitarian ideals.

With a growing body of research and increasing political interest in migration issues among European states, female migration was put into a larger context. Boyd and Grieco (2003), as well as Timmermann et al. (2015) recognized poverty and gender inequality as strong determinants of the incentive to migrate, but also of the type of migration that women may undertake, and the consequences thereof. These findings were further developed in a legal context, focusing on gender-specific asylum grounds and the definition of gender-specific claims (Valji, De La Hunt and Moffett, 2003; Musalo, 2003). This discussion is often given a philosophical dimension, with fundamental human rights-principles at the heart of asylum (Heuser, 2008). Schenk (1994), however, takes a very practical approach in suggesting that "gender" is added as an actual category in the international refugee definition, instead of the vague inclusion of female refugees under the category of "particular social group". His concerns at the lack of consistency in interpretation of the Geneva Convention resonates soundly with the works of the UNHCR and other monitoring organizations focusing on women's rights.[7]

[6] Due to developments in the legal discourse at this time, the conceptualization and operationalization of gender-related persecution did however generate a new, albeit fairly narrow, wave of academic interest related to gender and asylum (see for example Kelly, 1993; Kim, 1994; Lieberman, 2002; Crawley and Lester, 2004; Baillot, Cowan and Munro, 2009).

[7] See for example the International Review of the Red Cross 2014: "Humanitarian debate: law, policy, action – Generating respect for the law".

The new direction of research with asylum in focus came to rely on gender not only as a variable among others, but as a lens through which to view the entire migration process. Integrating gender issues fully, Oxford (2005) speaks of a "gender-regime of asylum" (pp. 18), placing gender at the very center of asylum practices, shaping the dynamics of national institutions. Several scholars have made prominent marks within this new regime; Hoskyns' (1996) influential analysis of women's rights policies and gender dynamics within the European Community reveals the complexity of integrated national and international social and cultural contexts. Her conclusions are supported by Kronsell (2005), who refers to a lack of effort among scholars in analysing the processes and national interests of EU member states in recognizing gender power dynamics and embedded male stereotypes. Szczepaniková (2006) also emphasises the importance of gender as a constitutive aspect of the migration process, and develops the concept of intersectionality where different categories such as gender, class and ethnicity may shift depending on context.

The feminist scholarship within the research field of migration often rests on an anthropological background (see for example Schuman and Bohmer, 2014; Baillot, Cowan and Munro, 2009). In a Human Rights-context, "gender" refers to the socially determined roles, identities and status of men and women (Anker and Lufkin, 2003), shaped by power, emotion and symbolism (Connell, 2005). Nawyn (2010) develops these perspectives in her discussion on the hierarchies and interpersonal relationships at the foundation of the migration process, for example regarding domestic responsibilities. Crawley discusses the "assigned sex" and the conceptual complexity of gender and the gendered interactions and relationships that shape the migration-process (2000). In the same vein, Freedman (2015) finds that the complexity of context, permeating the entire asylum process, makes it difficult to pinpoint a certain source of gendered inequalities in asylum. In a more recent contribution, Crawley (2010) even counters the argument of Schenk (1994); simply adding 'women' to the analysis, or 'gender' to the definition of persecution, is not sufficient for a women-friendly interpretation of legal instruments and may deny the specificity of women's claims. Instead, she argues the need to focus not on individual women, but on the system that determines gender roles and regulates gendered access to resources (Crawley, 2016).

Closing in on the women-friendly policy development at the heart of my research question, contemporary feminist research recognizes the lack of attention to gender scholarship in the larger field of migration as a blind spot not just regarding women's

experiences but affecting male migrants as well (Nawyn, 2010). Chappel, Brennan and Rubenstein (2012) identify gender as a critical component of the public policy-discussion in general; economic and social differences between men and women cause gendered policy consequences, both intended and unintended, and it is important to expose these differences and challenge the notion of gender-neutral policies. The idea of gender-neutrality is highly present in European policy-making related to asylum, and Zeigler and Stewart (2009) argue that the adoption of a feminist methodological approach is necessary to move away from the assumed validity of existing policies based on male experiences, and to recognize the distinctive features of women's situations. Indeed, Klodawsky and Preston (2006) find gender equality increasingly adopted as an objective of government policy, both on a national and institutional level, although the scholarly attempts to address women-friendliness in asylum present a fairly pessimistic account: Dancygier and Laitin (2014), for example, argue that a persisting male bias within European asylum policy is cementing and even deepening gender-related discrimination. Similarly, Freedman (2008) finds development within European policymaking to further reduce the rights of female asylum seekers, given the failure to recognize the different circumstances of male and female applicants, and the highly gendered implications of the corresponding policy framework.

An emerging strand of research attempts to address the roots of women-friendly policymaking within the asylum field. For example, Olsen (2019) finds the impact of female policymakers to be limited with regard to immigration policy overall, but influential in particular policy areas, notably family reunification, asylum and enforcement. Crage et al., (2013) also investigate gendered patterns in policymaking related to immigration, finding female representatives more prominent in policy development related to integration, while immigration control remains a male-dominated area of national policymaking. Furthermore, related to the second part of the research question for this study seeking to investigate the women-friendliness of specific national contexts, Sager (2015) elaborates on the connection of migration policies, welfare policies and gender by challenging the notion of Sweden as a woman-friendly welfare state.

Now, entering the second decade of the 2000's, the academic landscape surrounding gender and asylum is changing, albeit still surprisingly slowly given the increasingly influential discussion on women refugees among NGO's and human rights-organizations. Academic interest has evolved in response to, and as a reflection of,

migration after World War II. The following section provides a historical overview of immigration to Europe.

1.2. Waves of European migration

The interest in European migration as a field of study largely mirrors the dynamic of post-war migration flows, often described as three large overlapping waves: Labor migration, family migration and post-industrial mobility, the latter encompassing both high-skilled labor and asylum migration (Jennissen, 2004). These waves, although very diverse in composition, contributed to a similar migration experience across Europe and have until recently generated a fairly uniform response in the receiving states. Post-war Europe was an area of reconstruction with rapid economic growth, by the mid-50's producing a labor demand that could not be met by domestic supply. Many countries established guest worker schemes,[8] first looking to the poorer countries of southern Europe, (Boswell, 2002), and to regions with colonial ties (Jackson et al., 2001). Eventually, the scope of labor immigration came to include Turkey and North Africa, with Germany and the United Kingdom as the primary receiving countries (Hansen, 2003). The premise of the guest-worker programs – assuming that laborers stay as long as they can work and then they return home – was a miscalculation, however, sparking the second wave of immigration: With the economic downturn of the first half of 1970s, both the capacity and political incentive to accept refugees weakened, and although most European states now introduced legislation to reduce immigration and keep the inflow at a stable and predictable level, European governments also found themselves bound to admit the wives, children and parents of the resettled workers (Hatton, Richter and Faini, 2004). Attempts to limit family reunification and encourage repatriation failed, and the welcoming spirit and liberal policies of previous decades faded with the increasingly difficult economic situation facing Europe in the mid 70's. At this time, and for most of the post-war period, asylum immigration had been very limited. With the disintegration of the former Soviet Union and conflicts related to the collapse of Yugoslavia, however, asylum applications to Europe increased steadily throughout the 1980's. Between 1989 and 1992, the total number of applications more than doubled, peaking at 672 000 applications to the EU-15 in 1992 (Eurostat, 2015). Most of these applications were lodged in Germany and the United Kingdom.

[8] Austria, Belgium, Sweden, Denmark, the Netherlands, France, Germany and the United Kingdom (Hansen, 2003).

At the beginning of the new millennium, asylum inflow to the European Union remained fairly steady at between 300 000- 400 000 applications annually (Eurostat, 2015).[9] Halfway through the 2010's, new and continuing conflicts again generated increased influx from primarily Syria, Afghanistan, Eritrea, Kosovo the Ukraine and Iraq (Eurostat, 2015). European border-states[10], the entryway to the Union, received 626 000 asylum seekers in 2014, and over a million in 2015 (IOM, 2015).[11] Germany remained the main receiving country, accepting and granting the most applications. An overland route through Greece and the Western Balkans made Hungary the second largest receiver in 2015, followed by Sweden (Eurostat, 2015).[12]

Despite initially liberal policies, the waves of European immigration were received with public skepticism, and the notion of an emerging European multiculturalism sparked an increasingly intense political debate on immigration across the Union (Hansen, 2003). In the decades of policymaking following the first wave, the role of the state became limited to control and restriction, and as policy-makers failed to foresee the permanent nature of the guest-worker programs, immigration policies developed reactively and quite late (Rystad, 1992). Social infrastructure such as housing and education for immigrant families was generally neglected, and the mostly low-skilled labor immigrants of the first wave suffered following the 1970's energy crisis and economic reconstruction (Hansen, 2003).

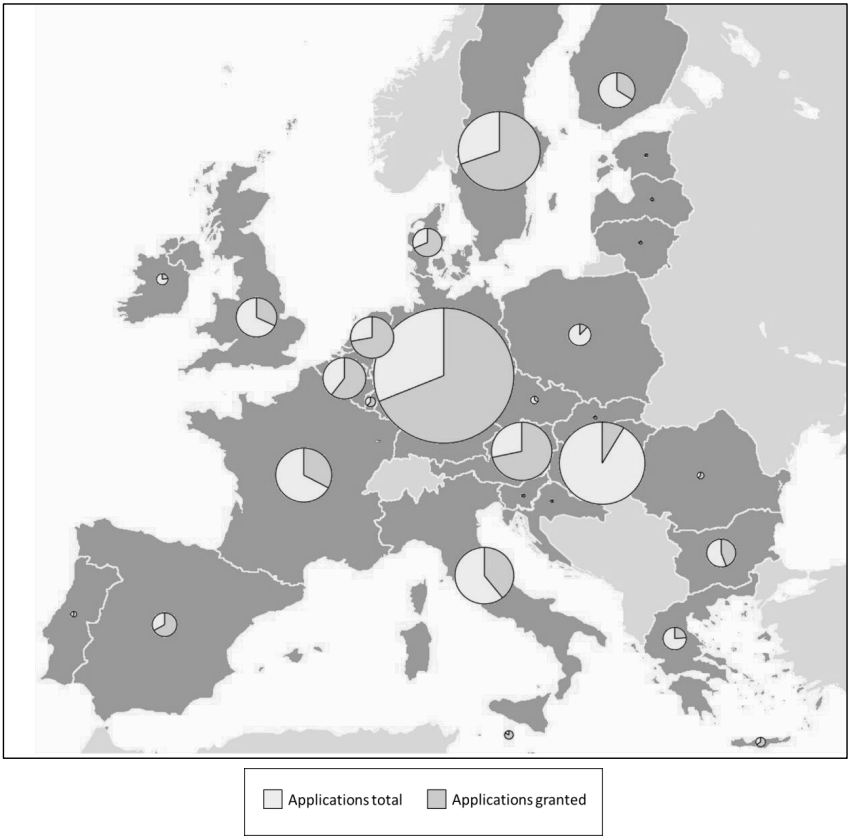
Indeed, the past decades of European policy making have been marked by a generally restrictive stance to asylum immigration. In order to set the stage for further investigation, Figure 1 illustrates the division of asylum-applications across Europe in 2015, the year of departure for this study. The diagram also shows the share of granted applications the year following the crisis.[13] We see great diversity both in terms of inflow (Germany and Hungary being the largest receivers, see footnote 12) and

[9] The highest figure was measured in 2001 (424 180 applications), and the lowest in 2006 (197 410 applications).
[10] Greece, Bulgaria, Italy, Spain, Malta and Cyprus.
[11] 972 500 migrants and refugees by sea in 2015, together with 34 000 making their way over land through Turkey.
[12] Germany receiving 353 860 applications in 2015, Hungary 204 595 and Sweden 94 095.
[13] Circles are scaled to illustrate number of asylum applications to each EU country in 2015. The darker surface illustrates acceptance rates (% granted residence permits, first instance) in 2016 (given the lag in processing applications, it is necessary to look a year ahead in statistics to present figures representative of the inflow a year prior. It must be noted, however, that the numbers are not absolute – some applications may take shorter or longer to process, and data does not account for positive decisions granted through appeals.).

acceptance rates (notably Hungary, with a reception rate of 8%[14] compared to the Netherlands, with 72%[15] of applications approved). Although reception figures and liberal asylum policies are no indicators of women-friendliness per se (see section 5.3.3), a map of the European asylum situation provides a helpful foundation for theoretical arguments (for example related to national policies on redistribution), and a discussion on the politization of the immigration debate.

[14] In 2016, the year after the refugee crisis, Hungary processed in total 5105 applications in the first instance, approving 430 (Eurostat 2019).
[15] In 2016, the Netherlands processed in total 28 875 applications in the first instance, approving 20 810 (Eurostat 2019).

Figure 1: The asylum-situation in Europe 2015-2016



(Overall inflow and reception rates, collective data encompassing both male and female applicants. Source: Eurostat 2019)

Having discussed the history of European asylum immigration and the current situation in terms of inflow and reception, I now proceed to introduce the asylum policy framework surrounding national asylum laws in the European Union, and the gendered principles at its core.

1.3. The gendered evolution of protection

European asylum policy is an area highly reflective of the political landscape of individual states, subject to rapid change and constant revision. Its history, however,

rests on a solid foundation, well anchored in international law. According to the Universal Declaration of Human Rights "everyone has the right to seek and to enjoy in other countries asylum from persecution" (Art. 14.1), an expression of humanitarian commitment and solidarity, universal and equal for all men, women and children. However, despite the outspoken principle of universality, the development of refugee policy since World War II has come to embrace a traditionally male bias. Although the UN has referred to the "feminization of migration", suggesting that there are gendered patterns in international migration (UN-INSTRAW, 2007), women are less visible in both migration history and policymaking. Their influence on asylum policy reflects their roles as wives and mothers, a tendency often echoed in the neoclassical economic models of the 1970's and 80's where the domestic responsibilities of women, as well as the breadwinner-role of men, were considered primary determinants in shaping migration flows to Europe (Boyd and Grieco, 2003).

Hence, women's marginalization in the asylum policy discussion has deep historical roots and dates back to the very foundation of modern asylum law: Almost all Western states rest their asylum policy framework on the post-war agreement manifested in the 1951 *Convention Relating to the Status of Refugees*. In response to the large migration flows in the aftermath of World War II, the ambition of the United Nations was to create an internationally agreed standard for the recognition of refugees, applying to any person who

> *"... owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it."*[16]

As a reflection of its time, the 1951 Convention clearly refers to the kind of refugees most common after World War II, the politically active male, persecuted for his obstructive acts against a communist regime. Due to its narrow focus on one particular

[16] Convention Relating to the Status of Refugees, 1951, A(2).

kind of refugee, the Refugee Convention has been called a result of "complete blindness to women, gender, and issues of sexual inequality" (Edwards, 2010, p. 22). Yet, despite this well-recognized bias, it remains the central codification of refugee rights at the international level.

The Refugee Convention has been expanded in several steps and is now accompanied by a number of clarifying documents and guidelines,[17] increasingly linked to the international human rights regime. Merging human rights law and refugee law has harmonized legal systems and given the 'obligation to protect' a more tangible form. It has also opened up for a gendered interpretation, for example by changing the definition of persecution to include new categories of gender-based claims (Westin, 2006). In spite of its wide recognition, however, gender-specific persecution remains a highly disputed legal concept (UNHCR, 2002). It has been defined by CEDAW (2014) as persecution directed towards a woman because of her sex, or affecting women disproportionately. Stevens (1993) develops the definition further by categorizing women's refugee claims and fear of persecution according to four categories:

1. On the same grounds and under the same circumstances as men.
2. Because of the status, activities or opinions of male family members.
3. As a result of sexual discrimination on behalf of authorities or private actors.
4. On reason of discriminatory norms and practices in their country of origin.

Differentiating between the motive and form of persecution, these categories highlight the complexity behind gender-related persecution by showing that not all persecution experienced by women is indeed gender-related. Freedman (2015) and Crawley (2010) nuance the discussion by referring to persecution subjecting women because they are women, but also persecution carried out for other reasons though taking a particular form because the victim is a woman. The concept may therefore include clearly gendered violations that primarily, although not exclusively, subject women (rape or sexual violence, honor crimes, forced marriage, domestic violence or female genital mutilation) (European Institute for Gender Equality, 2016), but also persecution without an obvious gender dimension; detention related to political activity, for example, may

[17] The 1967 Protocol, The UNHCR Guidelines on the Protection of Refugee Women (1991), CEDAW General Recommendation on the Gender-Related Dimensions of Refugee Status, Asylum, Nationality and Statelessness of Women (2014), and The EU Anti-Discrimination Law (Directives 2000/43 and Directive 2000/78).

be experienced significantly differently by a woman than by a man depending on the social context, creating a hidden gender-dimension (Juss, 2005).

1.4. Women-friendly policy making

The difficulties to establish firm boundaries between different causes and forms of persecution makes the concept of gender-specific persecution prone to flawed interpretation on behalf of authorities in receiving countries (Freedman, 2015; UNHCR, 2002). As a result, gender-based asylum claims may be disregarded as isolated incidents related to culture (such as female genital mutilation), or to a certain individual context (such as domestic violence) (Crawley, 2000). The international community has also been slow in addressing the specific needs of female refugees and asylum seekers. Issues of protection related to abuse, exploitation and discrimination facing displaced women and girls were not brought to the international agenda until the 1990s (e.g. the 1991 UNHCR Guidelines on the Protection of Refugee Women). Central tools[18] with the ambition of harmonizing the asylum process and ensure similar standards of procedure throughout Europe reflect a decade of development in the policy field, but individual states continue to enjoy considerable leeway in interpreting and implementing these updated mechanisms of refugee protection.

Despite recent efforts to conceptualize gender and include women as an analytical category in the literature on migration, Freedman (2015, p. 23) still refers to women refugees as a "forgotten majority". For example, European states have only very recently heeded the call for gender-differentiated statistics,[19] now producing a record of application figures for male and female asylum seekers respectively. Gender-disaggregated data on the outcome of asylum claims is still only available in very few states (European Refugee Fund, 2012).

[18] Examples include the European Convention on Preventing and Combating Violence Against Women and Domestic Violence (2014), with the dual ambition of raising awareness and providing a legal framework, specifically addressing migration issues and cross-border dimensions of violence against women. EU anti-discrimination legislation is also reflected in the Common European Asylum System (CEAS), intended to provide "… common high standards and stronger co-operation to ensure that asylum seekers are treated equally in an open and fair system – wherever they apply." (European Commission, https://ec.europa.eu/home-affairs/what-we-do/policies/asylum_en, accessed 09 01 2016).

[19] In 1985, the UNHCR Executive Committee (EXCOM) called on all states to "gather(ing) statistical, sociological and other data concerning refugee women and girls in order to identify and implement appropriate mechanisms to ensure their effective protection" (EXCOM Conclusion No.39 Refugee Women and International Protection, § (i)).

Also impacting women-friendly policymaking in the asylum field is the fact that female migration, both as a policy area and an analytical discipline, is often ascribed its own set of categories related to the 'vulnerability'-concept, or membership in a 'particular social group'. Both categories are legal concepts; 'particular social group' is one of the convention grounds listed in the refugee definition from 1951,[20] and EU legislation advocates specific mechanisms to identify and safeguard 'vulnerable' persons in the asylum process.[21] This kind of categorization has opened up for the recognition of women's claims without mentioning gender as a ground for persecution, and may as such be argued to advance policy-development related to female asylum seekers. However, it adds to the complexity of gender-issues in asylum policymaking: Musalo (2003) calls 'particular social group' among "the most thorny interpretive issues in refugee law" (p. 777). Guiding case law has established that a particular social group must be identified by immutable characteristics that individuals cannot change (Foster, 2012), hence encompassing gender depending on the context of the claim. This, Bower (1993) argues, creates a double hurdle for women; having to prove both that she is victim of persecution, and that she belongs to a certain group. The vulnerability-concept is subject to similar legal challenges, and EU law has generated several related categories describing the asylum seeker as 'vulnerable', 'in need of special procedural guarantees' or 'with special reception needs' (AIDA, 2017). Consequently, the actual situation of female refugees remains clouded (Freedman, 2015) and women's claims remains a matter of interpretation on behalf of individual states.

These conceptual challenges reflect the great complexity within women-friendly policymaking. Values traditionally associated with gender, such as 'equality' and 'empowerment', have to be translated into actual principles focusing on costs, benefits and effectiveness (Rosenthal and Perlman, 1986). The ideological foundation of these principles makes them complicated to approach in a legal context, partly due to conflicts within policy programs, but also related to different actors and their diverse interpretation of content (Lipsky, 1980). Both the refugee definition and the fundamental right to asylum (Article 18, EU Charter of Fundamental Rights, Article 14 Universal Declaration of Human Rights) are founded on such ideological values,

[20] Next to race, religion, nationality and political opinion.

[21] The recast Reception Conditions Directive refers to 'vulnerable persons' as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with serious illnesses, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation (Article 21 recast Reception Conditions Directive).

harboring a clear gender dimension with regard to the person in need of protection and the persecution she experiences (UNHCR, 2002, A: 5-8). The lack of universally recognized definitions shines through in national legislations, where embedded gender roles are identified as one of the reasons why male and female asylum seekers are treated differently (Boyd and Grieco, 2003). For this study, mapping and evaluating the women-friendliness of national asylum-frameworks in Europe, I define 'women-friendly asylum policies' as follows;

> *"The equal treatment throughout the asylum process and the recognition of gender-specific needs and individual contexts."*

Based on this conceptual definition, I develop the systematized concept (Adcock and Collier, 2001) rooted in the three policy dimensions deemed most critical to female asylum seekers:[22] 1) The recognition of women-specific grounds for asylum through the application of admission to a receiving state, 2) the women-friendly procedures in the assessment of the asylum application, and 3) the gender-responsive reception conditions while awaiting admission or dismissal. The choice of dimensions is carefully considered to reflect the concrete policy foundation of receiving states, and my ambition to measure the women-friendliness of individual EU members states will naturally also reflect the overarching policy framework and central mainstreaming efforts of the European Union. Indeed, the past decades have produced a set of instruments and institutions (i.e. 2011/95/EU, 2016/0224[23], SWD(2015)182[24]) with explicit mention of women's rights in European asylum, calling for a gender-sensitive approach in the interpretation and adoption of policies. Although these efforts have generated significant convergence in certain policy areas, for example related to family reunification, variation between states remain when reviewing their overall performance in receiving and processing the applications of female asylum seekers.

At the outset of this research project, additional dimensions of asylum were considered for the systematized concept, selected for their impact on gender, e.g. channels of migration or the reasons for fleeing. However, these would require an entirely different

[22] The systematization of women-friendly asylum policies is part of the WFA-index, developed in cooperation with Patrick Emmenegger.
[23] Proposal for replacement 2016/0224, Regulation of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU.
[24] Joint staff working document Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020.

approach, conceptually as well as methodologically. Such dimensions are often part of an informal structure that is difficult to anchor to the existing policy framework. For the sake of validity and transparency, this study is based on the three nationally regulated policy dimensions: the asylum application, the determination procedure, and the reception conditions. Before exploring these dimensions and the women-friendliness of individual states, the following section introduces the dissertation and its ambitions further.

1.5. The dissertation

This dissertation aims at addressing the gaps in academic literature related to women's rights in European asylum. Its contributions are two-fold: First, an extensive review of national asylum policies within all the 28 EU member states intends to provide a comprehensive view of the European policy framework, mapping the divergent approach to gender in the asylum policies of individual states. Second, aiming to explain variation in the national response, this study makes a theoretical claim regarding the determinants of women-friendly asylum policies, and the contextual prerequisites for states to engage in a policy process safeguarding women's rights.

My research will be carried out in three steps, first presenting a Women-Friendliness in Asylum Index (WFA) for all member states of the European Union for the year 2015. The WFA captures the extent to which European states have adapted their regulatory frameworks to consider the specific situation and needs of female asylum seekers, for instance related to safety, self-determination and reproductive rights. Reviewing national legal structures and guiding principles, the WFA index targets policy outputs, revealing clusters of states across Europe with a solid recognition of women's rights in their regulatory frameworks, and others who have yet to update their asylum policies to consider women's needs. The WFA shows that Sweden, perhaps unsurprisingly, is characterized by the most women-friendly asylum policies, while there is a clear gap between the asylum policies of Eastern and Western European countries.

The WFA-scores offer a fresh point of departure for an analysis of cross-national differences. Based on theories frequently used in the literature on gender gaps and comparative public policies, the second step of this dissertation identifies a set of conditions likely to promote women-friendly asylum policies. I conclude that asylum policies are on average more women-friendly in countries characterized by a large share

of female Members of Parliament and positive attitudes towards immigrants from *non*-EU countries (rather than immigrants in general). These findings suggest that women's political representation and empowerment are key factors in explaining women-friendly asylum policies, while critical attitudes towards immigrants from non-EU countries (independent of their gender) retard the revision of European asylum policies to the needs of female refugees.

The third step of my contribution to the literature on gender and asylum is a case study, aiming to further investigate the results of the empirical analysis and examine the mechanism of the two determinants in a process-oriented framework. Interestingly, while the WFA index highlights significant variation among EU member states in the handling of gender-based asylum claims, it also reveals variation within traditional clusters of states and exposes tendencies that do not match the usual gender regimes identified in the literature (e.g. Lister, 2009; Pascall and Lewis, 2004). For example, one would expect to see a largely coherent score among the Nordic countries, corresponding to their gender-egalitarian welfare structure, but although Sweden performs very well on all accounts of gender-based asylum, Denmark achieves a more average score due to poor procedures and insufficient support granted female asylum seekers. The case study targets this, indeed surprising, divergence between Sweden and Denmark, with the ambition to contextualize and nuance the determinants of women-friendly asylum policies.

Getting started on the first step, the next chapter introduces the Women-Friendliness in Asylum Index, detailing the thematic set-up and methodological approach to the evaluation of women-friendliness in European asylum-policies.

2. The Women-Friendliness in Asylum Index

This section is co-authored with Patrick Emmenegger

In response to the growing refugee population, the diverse interpretation of refugee law within European territory has called for a common approach to European asylum legislation (UNHCR, 2013). The notion of the EU as an "area of freedom, security, and justice" (Ippolito and Velluti, 2011) requires a streamlined asylum process, from the initial point of entry, to the determination process and finally through the verdict of residency or repatriation.[25] In place since 2014, and under continuous revision, this common policy framework however struggles to overcome domestic preferences of member states. Carmel (2014), investigating the intensification of EU engagement in the migration policy field, concludes that the European framework of common mechanisms and directives exists side by side the national legal context. As a result, although we see integration with national initiatives, there is still a substantial degree of variation across the EU. Reslow (2010) argues along the same lines when placing the concept of national sovereignty at the center of the European approach to migration, shaping the response of individual states and creating a very diverse regime of nationally regulated conditions of entry and residence. This variation is clearly reflected in the women-friendliness of national asylum frameworks: Although the common European policy addresses gender-related harm[26] and establishes standards for gender-

[25] The Common European Asylum System:

1. The Asylum Procedure Directive (recast) (Directive 2013/32/EU), intended to provide fairer, quicker and higher quality asylum decisions. The directive includes greater protection for vulnerable groups such as unaccompanied minors and victims of torture, and the necessary support for asylum seekers with special needs.
2. The Qualification Directive (recast) (Directive 2011/95/EU), strives to make asylum decisions more robust through the clarification of grounds for granting international protection and the protection of rights.
3. The Reception Conditions Directive (recast) (Directive 2013/33/EU), with the ambition to ensure humane material reception conditions, restricting the use of detention and respecting the fundamental rights of all persons concerned.
4. The Dublin Regulation (Regulation (EC) 604/2013), establishes state responsibility for examining an application and clarifies the process and rules in the relationship between states.
5. The EURODAC Regulation (recast) (Regulation (EU) No 603/2013), allows law enforcement access to an EU database of fingerprints to investigate and prevent crime.

[26] "For the purposes of defining a particular social group, issues arising from an applicant's gender, including gender identity and sexual orientation, which may be related to certain legal traditions and customs, resulting in for example genital mutilation, forced sterilization or forced abortion, should be given due consideration in so far as they are related to the applicant's well-founded fear of persecution." The Directive 2011/95/EU of the European Parliament and of the Council (Recast Qualification Directive).

conscious asylum procedures[27] as well as reception-conditions[28], the national implementation of these central principles remain a challenge, both with regard to interpretation and operationalization.

The following section presents the Women-Friendliness in Asylum-Index (WFA), a comprehensive tool to map national diversity in the asylum field and grade EU member states according to their attention to women's rights. We set out discussing the measurement of women-friendliness through similar initiatives, introducing the methodological construction the WFA. Then follows a detailed narrative on the individual dimensions of measurement and their relevance for women-friendly policymaking. Finally, within this chapter, the scores within each dimension are evaluated, and we present a compiled ranking of European states.

2.1. Measuring women-friendliness

Several prominent tools have been created to measure gender gaps and target equality issues. Some of the most well recognized are annually recurring, produced by interest organizations; the UNDP Gender Inequality Index measures inequality as an aspect of human development in 160 countries according to reproductive health, empowerment and economic status. The World Economic Forum Global Gender Gap benchmarks 149 countries along the lines of economic participation and opportunity, educational attainment, health and survival and political empowerment. The EU Gender Equality Index has constructed a gender gap measurement based on six dimensions (health, knowledge, work, time, money and power). There are also notable contributions by academia, for example The Gender Inequality Index by Forsythe et al. (2000), measuring changes in women's status in relation to economic growth, and the Relative Status of Women Index by Dijkstra and Hanmer (2000), using a measure of gender equality that extracts from levels of national development.

[27] "With a view to ensuring substantive equality between female and male applicants, examination procedures should be gender-sensitive." The Directive 2013/32/EU of the European Parliament and of the Council (Recast Asylum Procedures Directive), Section 32.

[28] "Member States shall take into consideration gender and age-specific concerns and the situation of vulnerable persons in relation to applicants within the premises and accommodation centers referred to in paragraph 1(a) and (b)." The Directive 2013/33/EU of the European Parliament and of the Council (Recast Reception Conditions), Article 18;4.

While their ambitions are similar, the conceptual and technical standardizations of measurement of above-mentioned tools are subject to continuous discussion. Permanyer (2010) criticizes the construction using indicators that compare women's and men's relative performance to absolute women-specific indicators (found for example in the approach by UNDP), deeming its usefulness limited. Hawken and Munck (2013) present a set of guidelines for the methodology of measurement in their discussion on the validity of available indices, and Domínguez-Serrano and Blancas (2011) presents an alternative to the wellbeing-indicators typically used to detect gender inequality, proposing separate measures for men and women based on composite indicators applied to the countries of the EU. Bericat (2012) also departs from the European Union in his discussion on the conceptualization and operationalization of gender equality measurements, and presents an alternative analysis based on the results from the European Gender Equality Index.

Although the works of previous scholars are very helpful in guiding our efforts, they also highlight the fact that the comparative study of women's rights is a research field in need of development. The academic discussion is still lacking an admitted methodological approach to the systematic measurement of women-friendliness. Available indices also tend to refer to more general principles of gender equality, using indicators derived from the domestic labor market or welfare situation, and a measurement of women-friendliness in asylum similar to the WFA is not yet available.

2.2. Data and sources

The availability of data has posed a challenge to the construction of the Women-Friendliness in Asylum Index. There is no shortage of documentation on the asylum situation in Europe, but available information tends to be layered in its approach, focusing either on a very broad thematic, or on a smaller group of states within the EU (see for example studies by Hatton, 2005; Thielemann, 2004 and Gest et al., 2014). The fact that there are only very few compilations including all 28 member states is a clear indication of the challenges ahead. Furthermore, much of the material is produced with a certain agenda, for example on assignment of monitoring agencies, lobbying organization or political representatives.[29] Such bias severely limits the credibility of a

[29] See for example "No Escape from Hell – EU Politics Contribute to Abuse of Migrants in Libya" (Human Rights Watch 2019); "Initial Assessment Report: Protection Risks for Women and Girls in the European Refugee and Migrant Crisis" (UNHCR, UNFPA, Women's Refugee Commission 2016); "Falling through the Cracks: Refugee Women and Girls in Germany and Sweden" (Women's Refugee Commission 2016).

large number of potential sources. In order not to jeopardize the reliability of our findings, we therefore use a smaller selection of sources from official channels, equal in content, scope and quality; databases AIDA (Asylum Information Database, mapping procedures and reception conditions in 18 member states) and EDAL (European Database of Asylum Law, containing asylum case law from 17 member states) produce a set of continuously updated national reports available in English. For each country, we have also reviewed national policy documentation and legislation related to asylum, with English translations available for almost all EU countries. In cases where we had no, or conflicting, information, we corresponded with national migration authorities and local UNHCR offices.[30] Scores are based on figures from December 2015.

2.3. Thematic construction

The Women-Friendliness in Asylum Index is structured to detect implementation and output of women-sensitive procedures in asylum. Determining the thematic scope of measurement, previous research offered some guidance: Boyd and Grieco (2003), for example, describe embedded gender-roles in the immigration laws of a receiving country as one of the reasons why women and men are classified differently and consequently receive differential treatment. They propose three stages where gender relations influence the migration process and produce differential outcomes for women: the pre-migration stage, the transition across state boundaries, and the experiences of migrants in the receiving country. The WFA focuses on the last two stages, where European policy guidelines and national asylum frameworks intersect. We target three dimensions of operation within the asylum context (application, procedure, and reception), evaluating a number of indicators within each level, thus providing an extensive overview of the procedures and practices most critical to women.

Numerous theoretical, analytical and empirical considerations have preceded the construction of the WFA. The choice of dimensions, the definition of variables, the availability of data sources, and the assigning of weights have all been carried out with conceptual coherence in mind. There have been several challenges to address in this regard: For instance, the selection of variables has been subject to a wider discussion

[30] Several important aspects of women-friendly asylum policies had to be excluded from the analysis due to the unavailability of data, in particular security upon arrival, access to child-care during assessment interview, as well as two additional grounds for gender-specific persecution as listed by the UNHCR (forced abortion and forced sterilization).

on outcomes vs. outputs of asylum policy. Gest et al. (2014) summarize these two concepts as the level of policy formation (outputs) and the results of policy implementation (outcomes). The WFA is limited to the evaluation of outputs, that is, the laws and policies constituting the national asylum framework, as we consider these to be the most tangible evidence of necessary conditions for women-friendly asylum policies. Asylum policy outcomes, although a highly interesting area of research, are very difficult to evaluate; reception statistics and acceptance rates may in fact conceal a determination process of gendered assumptions and discriminatory practices (Spijkerboer, 1999/2000). Given that the results of asylum policy implementation are influenced by a vast array of factors other than policy, a study on outputs would require a different set-up, both theoretically and methodologically. Therefore, aiming to avoid the use of blunt and narrow proxies such as reception rates, the scope and direction of this study does not allow us to make any credible claims about outcomes. Needless to say, a study focusing on the outputs of asylum policy faces extensive challenges as well, primarily in the intersection between the letter of the law and the reality on the ground. We address this challenge through careful attention to the selection of sources; The WFA is based on legal statements only, not the interpretation thereof.

Another challenge reflected in most scholarly examples related to gender is their reference to relative values, measuring the situation of women in relation to men. Explaining gender as a relational concept implies that gendered constructions of the refugee definition and its surrounding policy framework are often translated into gendered inequalities, for example through the categorization of female asylum seekers as 'vulnerable', in relation to 'threatening' male ditto (Freedman, 2015). This approach risks generalizing the experiences of both groups and may result in a narrative of women as victims and a watered-down definition of gender-related persecution focusing excessively on sexual violence. Keeping in mind that although gender may function as an important analytical variable, women do not constitute a homogenous group with identical experiences and perceptions. This dissertation strives to map the conditions for female asylum seekers in an absolute sense, with the ambition of providing a more nuanced analysis of women's experiences and open up for diversity within the analyzed community as well.

The dimensions of the WFA are informed by existing literature and international legal instruments and guidelines related to gender-specific persecution. However, it is important to note that the WFA includes all female asylum applicants, whether their

claims are gender-specific or not. From a human rights perspective, this is well motivated as equality issues are unrelated to the claim itself but refer to the process as a whole. The set of indicators evaluated by the index have been selected for their specific impact on the situation and assessment of women applicants, without revealing any contextual details of their claim. Also, as the WFA focuses on women asylum seekers, gender identity is not investigated as a separate category for asylum eligibility. Although an intersectional understanding of gender implies a more inclusive definition (including transgender and sexual orientation), the WFA evaluates 'gender' as female/male to reduce complexity both in terms of categorization and analysis.

2.4. Methodological construction

The scores for each indicator (see Table 1 for an overview of all indicators) are standardized to range from 0-1 and added up within each dimension for each state. Subsequently, we standardize the three dimensions to range from 0-1. The WFA is finally calculated as the geometric mean as follows:

$$WFA_i = \sqrt[3]{A_i * P_i * R_i}$$

where dimension A addresses gender-specific persecution and the legal context of refugee recognition (application), dimension P captures how procedures influence the position of female asylum seekers to claim their rights (procedure), and dimension R measures the conditions of a safe and gender-adequate environment upon arrival (reception). We use the geometric mean to maintain as much variation as possible.[31]

[31] We have deliberated weighting the three dimensions, particularly considering that grounds for application might have stronger implications for women-friendly experiences than the determination procedure and reception conditions. However, in the absence of weights that we can derive theoretically, we have abstained from using weights altogether. Still, our findings hold when using weights (application weight 3, procedure weight 2, and reception weight 1).

Table 1: Indicators used for the WFA

1. **Application**
   - 1.1 Recognition of gender as a defined category in asylum eligibility
   - 1.2 Recognition of private as well as state actors as persecutors
   - 1.3 Presence of national guidelines
   - 1.4 Marriage-related harm/forced marriage (recognition gender-specific persecution)
   - 1.5 Violence within the family or community (recognition gender-specific persecution)
   - 1.6 Domestic slavery (recognition gender-specific persecution)
   - 1.7 Trafficking (recognition gender-specific persecution)
   - 1.8 Female genital mutilation (recognition gender-specific persecution)
   - 1.9 Sexual violence and abuse and rape (recognition gender-specific persecution)
   - 1.10 Terms for family unification (marriage status)
   - 1.11 Application of safe country of origin
2. **Procedure**
   - 2.1 Training of case workers
   - 2.2 Access to legal advice
   - 2.3 Access to female interviewer
   - 2.4 Access to female interpreter
3. **Reception**
   - 3.1 Access to health care
   - 3.2 Housing conditions (separate housing for women)
   - 3.3 Education/training initiatives

2.5. The three dimensions of women-friendly asylum

The following section details the three dimensions and the indicators of measurement included in the WFA, presenting an overview of the national scores within each dimension.

2.5.1. First dimension: Application

This dimension centers around the concept of gender-specific persecution, addressing forms of violation specific to, or most likely to affect women. As discussed in section 1.3, an asylum application claiming gender-specific persecution rests upon the

interpretation of the Refugee Convention to determine the extent of harm and the level of state protection. Accounts of suffering from, or risking, rape or sexual violence, honor crimes, forced marriage, domestic violence or female genital mutilation are examples of gender-specific persecution primarily subjecting women (EIGE, 2013)[32]. However, gender-specific violations do not necessarily constitute persecution because of gender; for example, a woman's political or religious identity or activities may subject her to sexual violence (Rights in Exile Program)[33]. It is important to make this distinction, as not all women experience gender-related persecution even when this persecution takes a gender-specific form (as exemplified by Mulligan, 1990, p. 355-356).

Other cases, although less clear-cut, may still entail a gender-dimension; women's experiences of political activism, for example, may differ significantly from those of men, due to the social context and roles of men and women in the country of origin. Crawley (1999) argues that throughout the development of legislation, men have been considered the principal agents of political resistance. Allowing for a wider definition of political activism would unveil a gender-dimension; women also participate in community activism, providing food or shelter, hiding people or refusing to conform to particular social norms (Freedman, 2008, 2010; Kelly, 1993). Lacking knowledge of these conditions on behalf of authorities in the receiving state may cause a flawed interpretation of the concept of persecution, marginalizing women's experiences (Rights in Exile Program)[34].

Freedman (2008) discusses the "invisibilization" of victims of gender-specific persecution: With no mention of gender in the original convention, the outcome of women's asylum applications may instead be determined by a few recurring key concepts, such as 'well-founded fear' and 'particular social group'. Most European Union member states have incorporated the Qualifications Directive into their national legislation and therefore display very similar wording with regard to the refugee definition, often a direct transposition of the 1951 Convention. Yet, as discussed in previous chapter, this original definition of refugee, listing 'race', 'religion' and

[32] European Institute for Gender Equality, http://eige.europa.eu/content/the-asylum-policy-instruction-gender-issues-in-the-asylum-claim
[33] Rights in Exile Program: Gender-related Persecution and Women's Claims to Asylum, http://www.refugeelegalaidinformation.org/gender-related-persecution-and-women%E2%80%99s-claims-asylum#The_importance_of_gender_in_the_refugee_context (accessed 09.04.2015).
[34] Rights in Exile Program, ibid.

'political opinion' as grounds for persecution, without mention of gender, does create significant hurdles for female applicants. The definition of the refugee-concepts and recognition of gender-specific persecution in national legislation are therefore among the first indicators to be evaluated in the WFA.

Failing to recognize private actors as persecutors is also critical for gender-specific claims, as violence and discrimination directed towards women are often at the hands of perpetrators other than state agents (Shuman and Bohmer, 2014). Such actions, for example expressed through domestic violence, run the risk of being viewed as cultural or incidental, and thus unfounded. The asylum grounds specified by UNHCR in 2008 (marriage-related harm, violence within the family or community, domestic slavery, trafficking, female genital mutilation, sexual violence and abuse, and rape) are rated individually in the WFA, evaluated according to the ratification of the Convention on Preventing and Combating Violence Against Women and Domestic Violence from 2011 (also referred to as the Istanbul Convention), the rating of the Trafficking in Persons Report 2016, as well as the extensive mapping in EIGE's report on Female Genital Mutilation. The presence of national guidelines for caseworkers in addressing and handling gender-specific claims is also evaluated; formalizing the interpretation of gendered cases and providing a national standard for handling them is a strong indicator of women-friendliness and an active discussion on women's rights.

All European Union member states are bound by the Directive on Family Reunification (2003/86/ec) and hence there is little variation in the basic framework of family-related migration. Although some states do employ restrictions in terms of years of residency and self-support capacity, these fall outside the common policy framework and are very difficult to conceptualize and measure. Comparable across states, instead, is the inclusiveness of the 'family'-concept. It is interpreted very differently, reflecting a national approach to equality: There are European states that consider only legal spouses part of the family eligible for family reunification, while others offer a full set of rights also to cohabiting/same-sex partners (as discussed for example by Jansen and Spijkerboer, 2011).

Finally, within this first dimension, our index reviews the use of gender-mainstreamed country reports, measured through the application of the 'safe country'-concept. A safe country of origin is defined as a state where by "the application of the law within a democratic system and the general political circumstances, it can be shown that there is

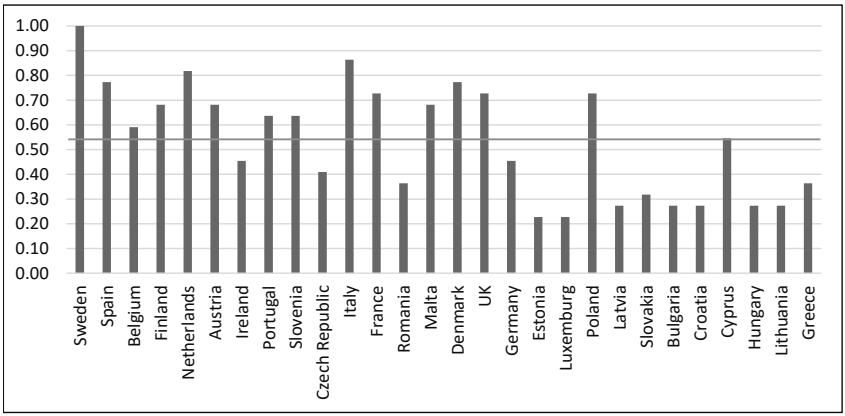
generally and consistently no persecution as defined in Article 9 of directive 2011/95/EU (The Qualification Directive), no torture or inhuman or degrading treatment or punishment and no threat by reason of indiscriminate violence in situations of international or internal armed conflict."[35] The concept is also applied to a 'third country', then constituting a procedural tool used by receiving states to transfer their obligations to examine an asylum claim to a non-EU transit country (Gil-Bazo, 2006).[36] When applied, an asylum-request from a safe country may be deemed manifestly unfounded (Article 32(2) of the Asylum Procedures Directive)[37], and become subject to an accelerated asylum procedure. The source of information on a country of origin or transit is therefore of vital importance for the outcome of an asylum application, and several NGOs conclude that the use of safe country-lists to determine the eligibility of a claim may be particularly harmful to women.[38] Such lists are often based on a male narrative and fail to recognize discriminatory practices specifically targeting women, or they may rely on obsolete data in times of rapidly escalating conflict.

2.5.2. Scores on the first dimension: Application

The first dimension of the WFA provides an extensive overview of the legal framework related to gender-specific persecution, as employed by each member state. With a total of 11 indicators, this dimension reflects great diversity among European states with a highest score of 1 (Sweden) and a lowest of 0.23 (Estonia). In general, Eastern European countries (with the exception of Slovenia and Poland) display scores much lower than the European average (0,54):

[35] Annex I, Directive 2013/32/EU on Common Procedures for Granting and Withdrawing International Protection.
[36] This practice is related to the principle of non-refoulement of the 1951 Refugee Convention, and the 1950 European Convention on Human Rights (ECHR).
[37] The Recast Asylum Procedures Directive (Directive 2013/32/EU) however recognizes the need for a gender-sensitive procedure when the safe third county concept is applied: "The complexity of gender-related claims should be properly taken into account in procedures based on the concept of safe third country, the concept of safe country of origin or the notion of subsequent applications." Section 32.
[38] See for example Asylum Aid "Safe for whom?" https://www.asylumaid.org.uk/wp-content/uploads/2013/02/Safe-for-Whom.pdf (accessed 11.02.2018), and FIDH "Safe countries: A denial of the right of asylum" https://www.fidh.org/IMG/pdf/safe_coutries_-_a_denial_of_the_right_of_asylum.pdf (accessed 11.02.2018).

Figure 2: Scores on the first dimension, states displayed in order of total index-score (high to low). European average 0.54.



Source: WFA

Sweden receives a full score on all 11 indicators, most notably by adding gender and sexual orientation to the refugee definition.[39] This is a rare update in a European context, otherwise only applied by Spain and the Czech Republic. A more moderate update refers to sexual violence as a form of persecution, and to gender in relation to the 'particular social group'-concept. Since these updates are regulated in the Qualifications Directive, most states have adopted them verbatim. Only three countries (Denmark, Austria and Lithuania) have omitted these paragraphs in their national legislation and hence make no mention of gender or of persecution directed towards women.

The scores generated on this first dimension are generally very revealing in terms of a thorough and active approach to women's rights, for example through the ratification of the Istanbul Convention (recognizing marriage-related harm, violence within the family or community, and domestic slavery as asylum-grounds). At the end of 2015, about half of EU member states had ratified the convention, and at the time of writing (2020) an additional handful. States at the top of the WFA-scale have however taken a step beyond recognition of the asylum-grounds above, by updating national policies with a specific law criminalizing Female Genital Mutilation[40] and taking active

[39] Chapter 4 §1 Utlänningslagen 2005:716.
[40] Measured through European Institute for Gender Equality Report from 2013 "Female Genital Mutilation in the EU and Croatia".

measures to combat human trafficking[41]. Sweden and Italy are prominent examples within these two areas, Sweden describing FGM as a "clear example of gender-specific persecution directed towards women" (Regeringens Proposition 2005/06:6), and Italy even mentioning 'future circumstances' to safeguard female asylum seekers who have not yet been exposed but may still be at risk (Law No. 7/2006). Both states also fully meet the minimum standards for elimination of trafficking according to the Trafficking in Persons Report 2016.

Furthermore, high-ranking states on the first dimension display extensive guidelines in the investigating and handling of gender-specific claims,[42] and a generous definition of 'family' for reunification purposes (next to spouse including for example same-sex partner, cohabiting partner and prospective partner). Estonia, with the lowest score on this dimension, does not present any national guidelines related to gender, and Estonian legislation only recognizes the legal spouse as eligible for family reunification. Also, within this first dimension, the use of safe country-lists undermines the scores of almost half of the surveyed states. Only a handful do not apply the concept at all, and the rest mention the concept as part of their asylum policy framework but without the application of any specific lists.

In general, the scores on the application-dimension reflect the overall scores of the WFA, where high-ranking states are performing generally well on all three dimensions. However, there are a few interesting exceptions, for example Poland with a score of 0.73 on application, performing much better on this dimension than on women-friendliness in total (total score 0.45). Poland has ratified the Istanbul Convention, it has certain guidelines in place and it does not apply the safe country-concept, granting an exceptionally high score on this first dimension. Ireland is an example of the opposite, scoring much lower in terms of application (0,45) than on the total (0,66). In spite of comprehensive national guidelines on gender[43], the Irish score is undermined by the use of safe country-lists, a very restrictive stance on family reunification[44] and failure to ratify the Istanbul Convention.

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[41] Measured through US Department of State "Trafficking in Persons Report" from 2016.
[42] For example the Swedish Migration Agency's "Gender-Based Persecution: Guidelines for Investigation and Evaluation of the Needs of Women for Protection", as well as the UK Border Agency "Gender issues in the asylum claim".
[43] Produced by the Irish Office of the Refugee Applications Commissioner, 2005.
[44] "If the refugee is married, he/she can apply for his/her spouse (provided the marriage is subsisting on the date the application is made and that the marriage is recognised under Irish law)." Refugee Act 1996, Art. 19, Irish Government, Department of Justice and Equality.

2.5.3. Second dimension: Procedure

Because the gender-dimension is rarely articulated in asylum legislation, but rather an implicit matter of asylum hearings and trials (Shuman and Bohmer, 2014), the second dimension of the WFA targets procedural and evidential barriers for female applicants: The recognition of gender-specific persecution matters little unless there are procedures in place to support the account of persecutory experiences.

Access to legal advice may have a particularly marginalizing effect on female asylum seekers who are more likely to suffer from illiteracy or insufficient schooling than their male counterparts.[45] Legal assistance thus becomes crucial to navigate the administrative process and to understand the possibility of making an individual claim in situations where couples may be encouraged – or even forced – to file a joint application for asylum. Presenting a claim derivative of a male family member, the woman's status becomes entirely dependent on her partner, and she risks expulsion should his claim be denied, or should their relationship status change (Kelly, 1993). Moreover, as discussed by Freedman (2008), the processing of a joint application underscores the idea that the male has legitimate asylum grounds and the female testimony is simply a mean to justify his claim. Free legal advice at all levels of the asylum procedure, not only within the appeals process, is therefore an important indication of women-friendliness, and a first indicator to be evaluated within the second dimension.

Given the hurdles associated with gender-specific recognition listed in the previous section, a woman may be additionally challenged to present a viable claim before authorities in an asylum hearing. In fact, the interview procedures facing female applicants frequently lead to a flawed characterization of their claims (Kelly, 1993). This is recognized in the common European policy framework, calling for gender-sensitive examination procedures; "In particular, personal interviews should be organized in a way which makes it possible for both female and male applicants to speak about their past experiences in cases involving gender-based persecution."[46] The interview setting is indeed of critical importance, and although there are examples of states where women are interviewed together with their children, or where police or

[45] 87% of female youth have basic literacy skills compared to 92% of males. 774 million adults cannot read or write, two-thirds (493 million) are women (UNESCO, 2016).
[46] Section 32, Directive 2013/32/EU of the European Parliament and of the Council (Recast Asylum Procedures Directive).

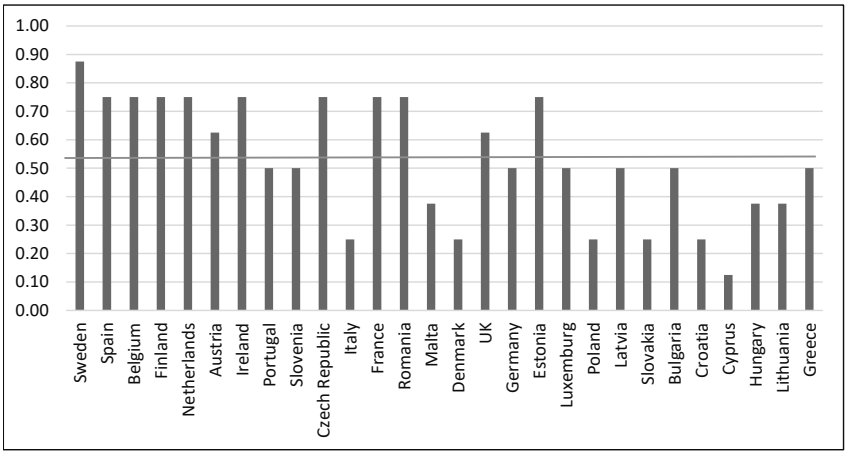
security guards are conducting the initial interview at the national point of entry, these are usually informal practices and not detectable as verifiable data. Instead, the WFA reviews access to a caseworker and an interpreter of the same sex, as gender-specific asylum grounds are often of sensitive character. The right to have a same-sex caseworker and interpreter attend your application is regulated in the gender-mainstreaming principles of the EU, but member states take a different approach to the request of such services; for a full score on the WFA, it must be offered to the applicant by the authorities at the outset of the process.

The WFA also evaluates the level of training received by caseworkers in handling gender-specific claims and attention to gender-sensitive procedures, referring to a national training scheme. Bartolomei et al. (2014) notes that service-providers are often poorly equipped to meet the situation of resettling women and lack training to recognize and acknowledge the impact of pre-arrival experiences. A training scheme in the critical "space between law and administration" (James and Killik, 2012, p. 1) reinforces national policies and guidelines, maintaining an active discussion on women's rights and securing a standard of procedure.

2.5.4. Scores on the second dimension: Procedure

The second dimension, capturing procedures related to the asylum application on behalf of national authorities, discloses a pattern similar to the first dimension in terms of divergence. However, it also reveals the interconnectedness between the two dimensions; unless the processing of the asylum application is women-friendly, the recognition of gender-specific asylum grounds is without impact. As a result, some states with a very high score on the application-dimension, for example Poland and Italy, are compromising their ranks with a mediocre performance in terms of procedure, with severe implications for female asylum seekers:

Figure 3: Scores on the second dimension, states displayed in order of total index-score (high to low). European average 0.53.



Source: WFA

With four indicators of measurement, this dimension reviews the steps of the asylum evaluation-process. Again, Sweden (score 0.88) is found at the top of the European scale, followed by a set of states with a 0.75 score (Spain, Belgium, Finland, the Netherlands, Ireland, Czech Republic, France, Romania and Estonia). A national training scheme is of critical importance to disseminate skills and experiences, and to implement the tools listed under the first dimension. In this regard, Belgium presents a most prominent structure with a 'vulnerability unit' and a specific training coordinator for gender issues to ensure that national guidelines are applied. The Belgian training scheme is supported by reference persons in charge of identifying training needs among authorities. Also in Germany, this is a prioritized area of the asylum process with specially trained officers for sensitive cases such as gender-specific persecution and human trafficking.

The importance of free legal advice throughout the asylum process is widely recognized within Europe, however not always fully implemented or accessible to asylum seekers. In Bulgaria, for example, the national policy framework was amended to introduce state-funded legal aid for asylum seekers at all stages. However, no resources were allocated for the purpose, and accessibility to legal support at the first instance of the status determination process therefore remains very low. There are also examples such

as Portugal, where the UNHCR or other NGOs are providing legal assistance, in which case the initiative is not secured through national policy and hence subject to a lower score on the WFA.

The issue of a same-sex caseworker and interpreter is somewhat difficult to evaluate objectively, as nearly all states offer this practice as an alternative upon request, having adopted the wording of the Qualification's Directive. It is possible that it is indeed being offered to the asylum seeker on a case to case basis without any specific request, or that the procedure is set up so that a same-sex case worker is assigned automatically – the data does not disclose sufficient detail on the actual implementation of this variable. Judging from policy documentation, however, only three states (Sweden, the UK and Austria) have formalized measures to ask a female applicant of her preference at the outset of the asylum procedure. In Sweden, "(t)he applicant should be asked in the beginning whether he/she prefers a male or female case worker, interpreter and public representative. The request must be documented. The purpose of the question should be explained." (Utlänningshandboken Chapter 40.1). The Austrian asylum legislation states that authorities must prove that they have informed the asylum seeker with a gender-specific claim to be interviewed by an official of the same sex (§ 20. (1) Bundesgesetz über die Gewährung von Asyl (Asylgesetz 2005 - AsylG 2005)).

On the lower end of the scale within this second dimension, we note some fluctuation compared to the scores on the first dimension. For example Greece, having displayed very poor application-scores, is found only slightly below the European average. Poland has made a reverse journey, with a mere 0.25 score in terms of procedure. In fact, this dimension is not guided by EU policy to the same extent as the application-dimension, both legal advice and caseworker training are carried out entirely at state's own discretion. A national approach to women-friendliness may therefore come through stronger on this second dimension.

2.5.5. Third dimension: Reception

Health and security issues for asylum seekers upon arrival are often of particular concern to women applicants. Past experiences of poverty and war, experiences of harassment, exploitation and violence in transit, as well as the impact of the current situation make women most seriously affected by displacement (Burnett and Peel, 2001). Reports show that female asylum seekers are more vulnerable than men to the collapse of social structures in the sending country, leaving them to carry the main

responsibility for vulnerable family members and children (WHO, 2018). The third dimension of the WFA therefore contains a set of indicators referring to reception conditions, including safe housing, health care and integration opportunities.

The specific health-situation of asylum seekers is subject to extensive interest among scholars and professionals (see for example case studies by O'Donnel et al., 2007; Norredam, Mygind and Krasnik, 2006). In their study on reproductive health, Kurth et al. (2010) note that the experience of forced migration lead to psychosocial stress, and that trauma and deprivation in the countries of origin require health services related both to physical and psychological health. The provision of such care on behalf of the receiving state may however be subject to practical barriers such as a lack of interpreters and an adequately equipped workforce in terms of cultural understanding and awareness of the health and welfare needs of asylum seekers (Murray and Skull, 2005). Furthermore, decision-makers and health-professionals may ignore, or be unaware of, cultural and social prohibitions on women travelling or living alone, facing greater risks of harassment, exploitation and violence. The WFA is not set up to measure the qualitative degrees of said health care, but evaluates access both to emergency and extended care.

Housing conditions are strongly related to security issues for female asylum seekers, and the guarantee to be housed separately from male applicants is an important indication of women-friendly policies. Freedman (2008) discusses how referral to mixed accommodation centers may be a cause of safety-concerns for women, with or without caring-responsibilities, and points to situations when accommodation is even conditional to welfare payments. A more recent study by Freedman (2016) sheds additional light on the troubling situation of poor accommodation conditions in receiving countries along the Mediterranean; the safety-situation of female asylum seekers is not only a matter of mixed housing but extends to poor lighting and shared hygiene facilities. Measuring accommodation through a single variable, however, the WFA is not able to pick up on the general level of security, but evaluates the availability of same-sex accommodation.

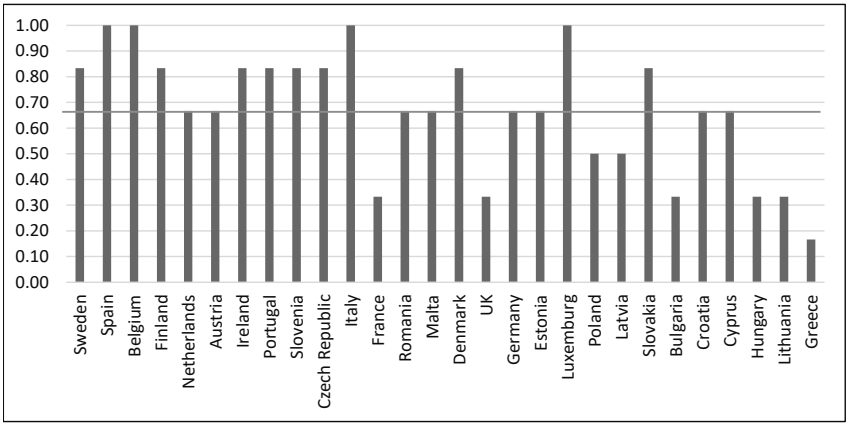
Finally, the WFA reviews access to various training initiatives offered through national reception centers. It has been found that displaced women are particularly prone to isolation, as religious ideology, socio-cultural norms and child-care responsibilities limit their interaction with the receiving society (Bloch, Galvin and Harrell-Bond,

2000). The acquisition of the host language is generally considered the first step to resettlement, and it may be argued that women benefit to a greater extent than men from vocational training and training related to literacy. Burnett and Peel (2001) note an intersection of all three variables within this dimension: Reducing isolation, providing adequate accommodation and offering a creative past-time through education may have extensive health benefits, relieving depression among asylum seekers.

2.5.6. Scores on the third dimension: Reception

The final dimension of the Women-Friendliness in Asylum Index measures reception conditions as an area of particular concern for female asylum seekers. Three indicators are evaluated to capture safety, health and participation, and we note a generally elevated European average (0,67) in comparison with previous dimensions:

Figure 4: Scores on the third dimension, states displayed in order of total index-score (high to low). European average 0.67.



Source: WFA

It shall be noted that this dimension generally does not require states to carry out an active debate on women's rights in asylum to the same extent as the first two, as the indicators related to reception are not gender-specific per se – however, as argued above, their impact for female asylum seekers is extensive. Spain, Belgium, Italy and Luxemburg receive top scores, providing reception facilities, health care and practical training with particular attention to women asylum seekers. Health care as a part of the national asylum regime is offered to varying extent across EU-states; some receiving

countries offer full medical treatment, for example Italy[47] and Bulgaria, providing asylum seekers with the same access to care as nationals. Most states, however, only offer emergency care restricted to instances of 'acute diseases or pain'[48]. For example Hungary, Germany and Sweden fall within this category, although special provisions for pregnancy and child-birth are usually added to this more restrictive framework. As previously noted, this indicator is subject to some evaluation difficulties, given that there may be both physical and administrative hurdles to the accessibility of health care in an asylum context. To the greatest extent possible, we have refrained from evaluating such circumstances and reviewed legal practice only. In one case, however, the obstacles were too grave and reduced the score to a zero: The Greek health sector has suffered extensively during the financial crisis, and in combination with an immense strain of inflow resulting in overcrowding, health care for asylum seekers has become practically inaccessible.[49]

With regard to housing, there is great polarization within Europe; while most states offer women-friendly accommodation, others present very pessimistic accounts of overcrowding and homelessness. As a consequence of limited capacity in Greece, for example, asylum seekers are frequently detained in 'identification centers' or police stations (UNHCR, 2014), to the concern of the European Parliament and monitoring organizations alike.[50] Three other states (Bulgaria, Lithuania and, quite surprisingly, the Netherlands) do not have a policy in place to regulate the accommodation of vulnerable asylum seekers, and to guarantee the security of female applicants by providing housing separate from male. In Slovakia, as an example of the opposite, the safeguarding of women is manifested in the Asylum Act of 2002, Section 39, Article 1(2): "When placing an alien in an asylum facility the Ministry shall consider his/her age, health, and relatives, religious, ethnic and national specific features. Men shall be placed separately from women, minors from adults while taking into account family ties."

The final indicator within this dimension refers to training, another area where we see a lot of NGO sponsored activity. For a full score on this indicator, the training needs to

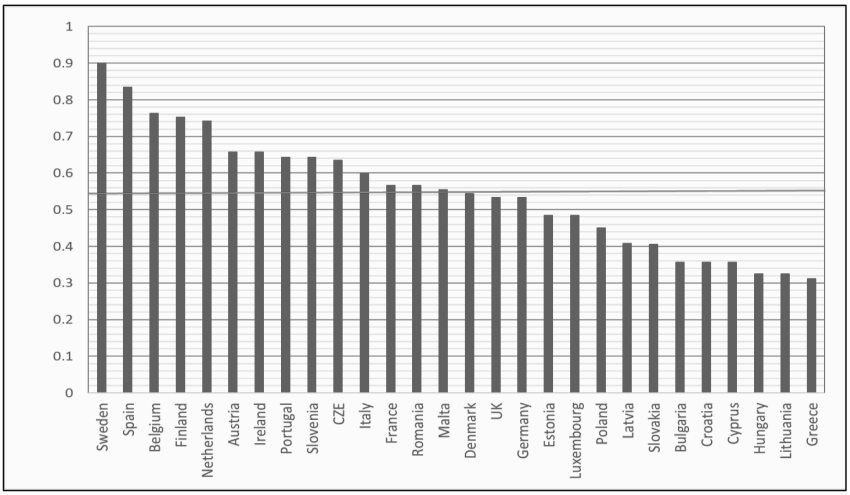
[47] Under the Consolidated Act on Immigration, asylum seekers and beneficiaries of international protection enjoy equal treatment and full equality of rights and obligations with Italian citizens regarding the mandatory contributory assistance provided by the National Health Service in Italy.
[48] See for example the Swedish Migration Agency, 2019.
[49] Asylum seekers asking for health services must obtain prior approval by a committee, and public hospitals are reluctant to treat asylum seekers. In practice, all services have been outsourced to NGO's. (source: AIDA Country Report Greece, 2015, p. 64, 87).
[50] See for example Human Rights Watch, 2017.

be part of a state-sponsored framework, as is the case in Finland: Reception centers operate under the guidance of the Immigration Service and organize work and training-activities, as well as access to day-care, enabling mothers to attend Finnish classes (UNHCR, 2011). Another example of best practice is Italy, where the Integration Services organize enrolment in training courses and professional re-training, as well as support in searching for employment (SPRAR Project). In Malta on the other hand, the majority of accommodation centers do not offer any kind of training or activities, a situation observed in a handful other states as well.

2.6. Collected results of the WFA

Summarizing the results of the three dimensions gives us a final ranking of the women-friendliness of European asylum in 2015. The highest possible score on the WFA is 1, the lowest possible score is 0. Perhaps unsurprisingly, Sweden features the highest score (0.90), while Bulgaria, Croatia, Cyprus, Hungary, Lithuania, and Greece feature the lowest scores (all below 0.40). Visual inspection of the data (Figure 5) shows that there is a large division between Eastern and Western European countries. However, beyond this East/West divide, there are no discernible geographical patterns and the expected clustering often used in comparative analytical work does not come through.

Figure 5: The Women-Friendliness in Asylum Index, collected scores status 2015

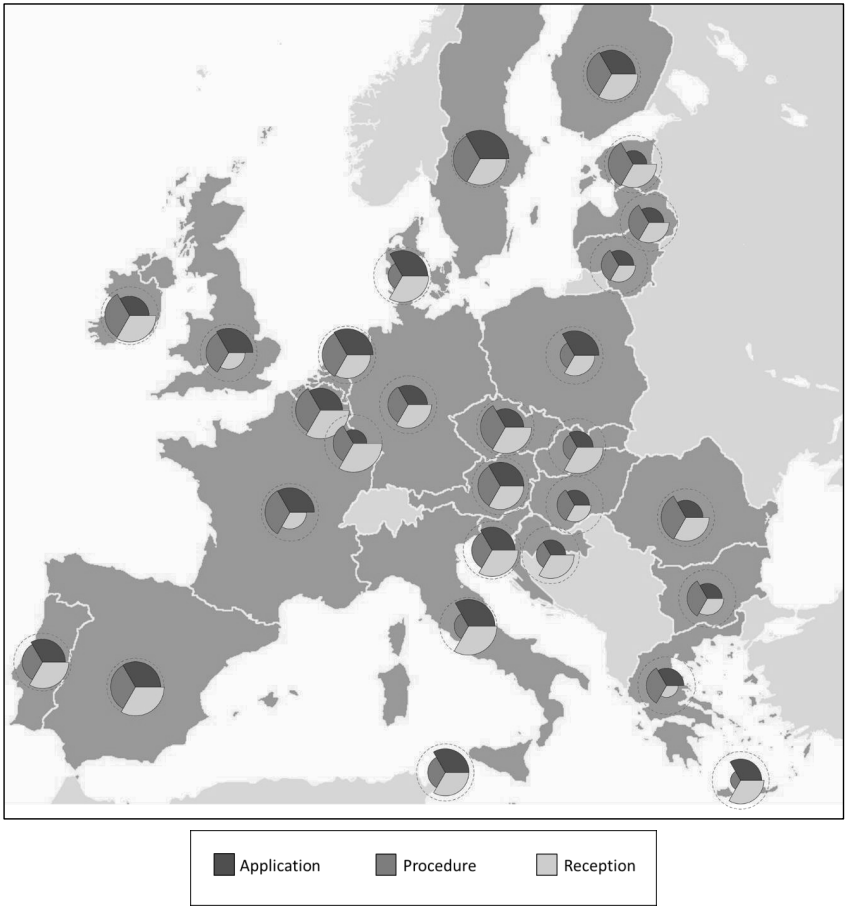


Source: WFA

In addition, countries' scores on the WFA do not seem to correspond to the usual gender regimes identified in the literature (e.g. Lister, 2009; Pascall and Lewis, 2004). For instance, we would expect to see a largely coherent score among the Nordic countries corresponding to their gender-egalitarian welfare structure, but although Finland and Sweden perform very well, Denmark achieves a mere average score on the WFA due to poor procedures in terms of lacking legal advice and insufficient interview conditions. The details of this curious divergence will be investigated in the chapter 5 case study. Mediterranean countries display even larger variation, with France and Italy receiving a score of approximately 0.6 on the WFA, while Spain's score is surpassed only by Sweden's and Greece is found at the very bottom of the scale. Finally, there is also important variation within the group of Central and Eastern European countries. Most notably, Slovenia and the Czech Republic achieve above-average scores on the WFA, with the Czech Republic even including 'gender' as a specific category in their refugee definition. Most of the Central and Eastern European countries, however, score well below the WFA average.

The three dimensions of the WFA capture different aspects of women-friendly asylum policies. As a result, the bivariate correlations between the three dimensions are in fact quite low (between r=0.13 and r=0.30). In particular, the bivariate correlation between the procedure and reception dimensions is low. While some countries perform very well (e.g. Spain and Sweden) or badly (e.g. Hungary and Lithuania) on all three dimensions, other countries display considerable variation (illustrated in Figure 6). For instance, Denmark and Italy do well with regard to the application and reception dimensions but achieve very low scores on the procedure dimension. Luxemburg provides very good reception conditions but is among the worst performers regarding application. Similarly, the otherwise good scores of France and the UK are undermined by their very poor reception of female asylum seekers.

Figure 6: Map with national scores on the three dimensions of the WFA

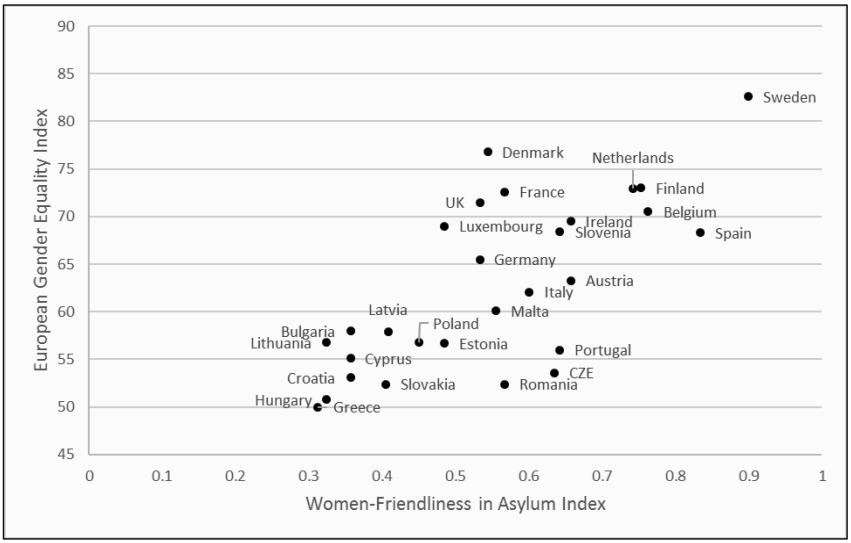


Comparing the WFA to other, more general indices of gender equality, lets us examine whether the women-friendliness of asylum policies diverges from other policy fields. In Figure 7, we use the European Union's Gender Equality Index for the year 2015. The bottom ranking states with regard to women-friendliness in asylum, Hungary and Greece, are the worst performers according to the EIGE as well.[51] Low national attention to gender equality, quite unsurprisingly, translates into low women-friendliness in asylum policy. The substantial bivariate correlation (r=0.72) comes

[51] Greece scoring 50.0, and Hungary 50.8. European average: 66.2.

across clearly in Figure 7, yet there are also important differences. For instance, Denmark performs very well on the Gender Equality Index but scores rather poorly on the WFA. In contrast, Spain achieves an average score on the Gender Equality Index but is among the best performers on the WFA. There is thus clear evidence that the WFA offers additional information on the women-friendliness of asylum policies, moving beyond more general indices of gender equality. In the next section, we forward five theoretical arguments to account for the large variation among European states identified by the WFA.

Figure 7: The European Union's Gender Equality Index and the Women-Friendliness in Asylum Index in 2015



Source: EIGE 2015 and WFA

3. Theoretical framework

Parts of this section are co-authored with Patrick Emmenegger

This chapter departs from the concept of women-friendliness and the woman-friendly state, followed by the presentation of five theoretical arguments to explain women-friendliness in European asylum policy.

As an extension of the welfare state, the national asylum regime is intimately linked to both social rights and welfare spending (Kangas, 1991). The levels of spending, as well as the channeling of provisions, encompass a measure of equality that extends to incorporate gender as well. Developing the theoretical understanding of gender-sensitive policymaking, feminist scholars often translate this principle of equality into a concept of 'women-friendliness', emphasizing either women's political agency through mobilization and representation, or the structure of a system and its institutions. (Narayan, 2002; Lipset, 1959; Inglehart, Norris and Welzel, 2002; Inglehart and Welzel, 2005). Both state and citizenship are gendered and impact women and men disproportionately, McLaren (2008) argues, and the very construction of the state reproduces the legitimization of social hierarchy and gendered power. At the foundation of women-friendly policies is therefore the 'woman-friendly state' (Hernes, 1987)[52], and the 'gender system' (Hirdman, 1989), with women's roles as policy makers and the gendered nature of state agencies in focus (McBride and Mazur, 2007). The institutionalization of gender equality is key to the woman-friendly state, in combination with broad political feminist mobilization. A woman-friendly welfare state is based upon the political culture and institutions that promote social equality (Borschorst and Siim, 2002). At the center of this scholarship we find welfare initiatives enabling a gender-sensitive balance between production and reproduction.

Policy outcomes related to women's rights have generated a complex set of theoretical directions and concepts, for example related to the dilemma of redistribution and recognition (Fraser, 1994, 2001), where the ideal of social equality is increasingly dissociated from the recognition of gender differences. This theoretical approach to women-friendly policymaking identifies a central point of criticism: the notion of

[52] "A woman-friendly state would enable women to have a natural relationship to their children, their work and public life…A woman-friendly state would not force harder choices on women than on men, or permit unjust treatment on the basis of sex." Hernes, 1987, p. 15.

collective interests of women and group identity as an object of recognition (Borchorst and Siim, 2002). Addressing the complexity of this scholarship, with the ambition to provide a nuanced and inclusive theoretical foundation, we turn to the specific literature on gender-perspectives in asylum, but also the more general literature on public policy, to propose five arguments on the determination of women-friendly asylum policies – How can we account for the large cross-national differences in recognizing and responding to women's rights in asylum?[53]

3.1. Women's political representation

Although gender inequality has been identified as a dimension of impact on social policy making, research on the ability of women to exercise political pressure, Huber and Stevens (2000) note, is often subordinate quantitative studies emphasizing the impact of policy on the status of women. However, a rich body of contemporary welfare research links gender to social policy through a positive association between descriptive and substantive representation of women in elected office, and the conclusion that female political representation promotes a more gender-egalitarian society through the passing of women-friendly policies (Fuszara, 2010; Schumacher, 2011; Reingold, 2006; Bolzendahl and Brooks, 2007; Beckwith and Cowell-Meyers, 2007).

Presenting evidence of such correlation, studies attempt to connect women's political representation with higher levels of social expenditure, for example related to childcare (Huber and Stevens, 2000). Assuming that men and women benefit and contribute differently to the welfare state, Bolzendal and Brooks (2007) present evidence of female politicians demonstrating a different set of priorities than their male counterparts, placing social issues in general – and women's issues in particular – at the top of their political agenda. Lovenduski and Karam (2002) support this conclusion, showing that women are more invested in spending related to health care, family and gender policies, and to initiatives tied to development and human rights. Confirming the gendered division in policymaking, Olsen (2019) finds similar effects with regard to EU immigration policy. Female representation, she argues, matters primarily for policies

[53] We recognize women's mobilization as key for the development of women-friendly asylum policies. However, due to limited availability of data, we are not able to include it as a single variable. Instead, we review two variables that we believe to be highly correlated with mobilization; perceptions on gender equality and women's political representation, finding the latter the most powerful predictor of women-friendly asylum policies.

related to asylum, family reunification and enforcement, mirroring the 'care work'-argument. In contrast, male representation has more prominent impact on immigration control and issues related to national security.

Strong female representation in the political line-up has also been argued to influence female voters in turn; for example Ågren, Dahlberg and Mörk (2006) find that more women in politics generates larger involvement of female voters in the policymaking process. The prominent theoretical track claiming that female politicians have different values and interests than male has however been subject to valid criticism. It is based on a notion of women acting as a group with common interests. Jónasdóttir (1993) challenges this premise, as does Skjeie (1992): Female politicians may have common interests in placing particular issues on the political agenda, such as childcare or abortion, but their preferred policy solution to these issues is rather a reflection of their political-cultural identities and their ideological affiliation than of their gender.

A prominent theoretical argument conceptualized and nuanced by among others Dahlerup (1988) revolves around a critical mass of female representatives, suggesting that as long as women are in minority, they will have no substantial impact on policy. Reaching 30% representation, women may start pushing for changes in the male-dominated political culture. This view has been very resonant in terms of advocating quotas to increase female representation. Other theoretical paths, discussed for example by Childs and Krook (2008), suggest that numbers are less important, and Carroll (2001) even finds increased proportions of women to decrease the likelihood that female representatives act on behalf of women as a community. Bratton (2005) adds nuance to these arguments, presenting evidence of female legislators viewing themselves as representing women, while being viewed by voters as better able to handle traditional women's interests. This, she argues, makes female political representatives likely to emphasize gender differences in the policymaking process and successful at bringing in a feminist perspective, which in extension makes descriptive representation of women a possible influence on the behavior of male policymakers.

In no country of the world does the share of women in national legislation exceed 50%. Explaining women's political representation often turns to social-structural, political or ideological factors: Parties and electoral systems, high levels of democracy, proportional-representation systems and the presence of a left-oriented government are often argued to increase women's political influence (Kenworthy and Malami, 1999;

Paxton, 1997). Indeed, a large number of studies connect women's representation in parliament to the level of democracy, as democracy reduces barriers to power and promotes the interests of those not in power (Beer, 2009). Access to education and partaking in the labor force also have positive effects on women's political participation (Paxton and Kunovich, 2003; Togeby, 1994), and there is little scholarly disagreement on how women's presence in a qualified workforce has contributed to female empowerment (Orloff, 2002; Alexander and Welzel, 2011). Gender-gap studies treat labor force participation as a significant reflection of both opportunities and expectations of women in relation to family values; in general, women are less likely to participate in the paid labor force, they will earn less than men for comparable work and they are more likely to live in poverty even when employed (Duflo, 2012). Nonetheless, Orloff (2002) refers to women's increasing presence in paid employment as a "key symbol of women's equality – what some call 'women-friendliness'" (p iii).

Feminist scholars have often used the women's movement as an analytical variable to understand women-friendly policy outcomes. Avdeyeva (2010), for example, attributes institutional reform to a strong women's movement and the commitment of female political representatives. Lovenduski (2005) agrees, arguing that state agencies alone are insufficient in creating legislation responsive to women unless supplemented by substantive representation of the women's movement. Htun and Weldon (2010) confirm feminist movements as drivers of change beyond agenda setting, articulating the perspectives of women as a group, and Avdeyeva (2015) assesses gender equality policy through the mobilization, autonomy and organizational capacity of the women's movement. Anker (2002), in turn, links the international women's movement to the construction of gendered asylum law. There is a symbiosis, she argues, which has helped articulate human rights norms related to gender-specific persecution, where for example sexual violence against women is not only considered a crime to physical and moral integrity, but also a form of political weapon or torture.

Along these lines, it may be expected that asylum policies are more women-friendly when women play a central role in a country's political spheres.

H1: Asylum policies are more women-friendly when there is a large share of female MPs.

3.2. Politics matter

Esping-Andersen (1990) finds the percentage of left party seats in cabinet decisively influencing the structure of social policies, and there are several studies investigating the links between the ideological preferences of political parties and social policy expenditure connected to immigration. Bradley et al. (2003) test the hypothesis that the presence of left-wing parties is associated with redistributive effects and a general expansion of the public economy, and van Oorschot (2008) connects these findings to welfare spending related to immigrants; left-wing influence, he concludes, may mitigate the negative effects of immigration on welfare, and greater presence of left-wing egalitarianism will lead to higher solidarity towards immigrants. Han (2013) also finds an 'ideological commitment' on behalf of the left (2013, p. 388), making them more likely than the right to introduce policies supporting asylum-seekers' welfare benefits.

Similar studies suggest that women's efforts to shape policy outcomes are strongly reinforced by ideology, and that female political representatives and voters are traditionally inclined to turn towards the left side of the political spectrum. Heidar and Pedersen (2006) confirm the generally more positive view of the welfare state held by women. In fact, women in most post-industrial societies have been found to favor left-oriented political representation, linked to their position as beneficiaries of welfare services related to participation in the labor force, but also as a result of a general inclination towards a more inclusive social security system (Inglehart and Norris, 2000).

There are also several studies showing that leftist parties are more likely to commit to gender equality-issues and support women's representation in parliament to a greater extent than rightist parties (Mazur, 2002; Inglehart and Norris, 2000; Kenworthy and Malami, 1999; Paxton, 1997), highlighting the left as a stronger advocate of egalitarian ideologies, with ties to women's movements and unions (Schumacher, 2011; Reingold, 2006; Bolzendahl and Brooks, 2007; Beckwith and Cowell-Meyers, 2007; Caul, 2001). Inglehart and Norris (2000) confirm the gender-gap in electoral behavior, demonstrating a clear female preference for socialist or left-leaning parties. This is a fairly recent development, however, as the political preferences of women have changed over the past half-decade, following societal modernization, increasing secularization, a diminished urban/rural cleavage and changes in gender roles (Oskarson and Demker, 2015). Edlund and Pande (2002) find the political gender gap strongly connected to the social status of women, and the break-up of traditional family units impacting women's

decision to work, but also changing the socio-economic status of women where a decline in marriage have made women poorer in relation to men. Furthermore, working women are often overrepresented in low-paid professions within the public sector or as service providers in healthcare and welfare services. This development of the political gender-gap (according to Inglehart and Norris (2000) reflected in voting behavior, as well as partisanship, attitudes and opinions, and civic engagement) thus confirms a stronger female preference for redistribution. This notion has been challenged, among others by Htun and Weldon (2010), finding that the focus on women as political agents in policy making positions and social movements is highly contextual: Although the power of the left parties have been shown to affect policy outcome in favor of gender equality, there are also times when party ideology is irrelevant, and when right-dominated contexts have shown more progress in policy-making protecting women.

Along these lines, in her study on more recent EU member states, Lipsmeyer (2000) confirms the party-ideology hypothesis, but also notes that maternity and family benefits do not seem to decrease with right-wing governments. Van Oorschot (2008) draws a similar conclusion; while the right-wing has increased their electoral share by appealing to anti-immigrant sentiments, they have generally avoided advocating anti-welfare policies as a concession to their new constituents. This does not change the fact that the ideological platform of the left and right differ significantly, and there is an increasing body of scholarship focusing on right-wing populist parties and the gender-gap in political preferences. In fact, Christian democrat and conservative parties had strong female support until the early 1970's, but increasing secularization has eroded the traditional linkage between church and political parties (Inglehart and Norris, 2000).

Today, emphasizing the anti-immigration stance (see for example Ivarsflaten, 2008; Rydgren, 2008), the political agenda of the populist right still rests on a socially conservative platform in terms of family values and gender roles, reflected in a restrictive stance on abortion rights and women's social position (Meret and Siim, 2013; Lienesch, 1982; Bornschierm, 2010; Givens, 2004; Edlund and Pande, 2002). Extensively explored within social psychology, gender-differences within the right-wing are commonly associated with social status and power traditionally held by men (Whitley, 1999), creating a system that justifies and maintains gender inequality (Sibley, Wilson and Duckitt, 2007). As a result, rightist values have not gained much ground with female voters (Mudde, 2007). Recent scholarship has added to the theoretical outline of gender and ideology, connecting anti-Islam sentiments to the

framing of gender equality on behalf of the populist right-wing; By including a women's rights-agenda in their political program, anti-immigrant parties are using gendered values to portray the notion of immigrant communities threatening the core civilization values of the West (Spierings et al., 2015).

Given the anti-immigration agenda and the traditionalist stance on gender equality of the right-wing, it may therefore be expected that asylum policies are more women-friendly in the presence of a strong political left and less women-friendly in a right-wing populist setting.

H2a: Asylum policies are more women-friendly when the political left is electorally strong.
H2b: Asylum policies are less women-friendly when the populist right electorally strong.

3.3. Public opinion

This theoretical argument encompasses two, for this study, significant directions of public opinion; towards immigration and towards gender equality. Much scholarly interest is paid analyzing public opinion towards immigration and the socio-demographic factors influencing such attitudes. Research on agenda setting shows a strong correlation between public preferences and public policies, particularly regarding issues at the top of the political agenda (Mortensen, 2010), which would indicate that negative attitudes towards immigrants do indeed shape asylum policy outcome.

Opposition to immigration, especially from outside the European Union, is well documented in the literature (e.g. Sides and Citrin, 2007; Emmenegger and Careja, 2012). Two types of opposition are usually brought forward; based on *interests* or *ideology* (Wilkes, Guppy and Farris, 2008). Interest-based opposition is linked to perceived negative effects for the labor market and the welfare state, while ideological opposition is founded in beliefs about the superiority of the native-born. These two directions may be nuanced further, as shown by Davidov and Meuleman (2012), concluding that discriminating attitudes may on the one hand derive from socio-demographic and socio-economic characteristics of individuals, but also depend on the size of the immigrant population and economic conditions in the receiving country.

Indeed, there is strong support for the explanation focusing on economic self-interest, where opposition is shaped through a calculation of how immigration will influence one's own economic stability (McDaniel, Nooruddin and Shortle, 2010). For example, immigrants are often perceived to be less deserving of assistance (Appelbaum, 2002; van Oorschot, Arts and Geliseen, 2006) and attitudes towards immigration are strongly associated with attitudes towards the welfare state; negative sentiments towards immigration may translate into lesser support for the welfare state (Senik, Stichnoth and Van der Straeten, 2009). Furthermore, when attitudes are based on the notion of perceived financial harm, they are more likely to stimulate sympathies towards extreme-right parties, primarily on behalf of financially disadvantaged individuals with lesser education. Several scholars (see for example Hayes and Dowdes, 2006; O'Rourke and Sinnot, 2006 and Hainmueller and Hiscox, 2007) find highly skilled in rich societies being more positive towards immigration, whereas the lower skilled express a more adverse standpoint, due to labor market concerns. Mayda (2006) explains that the correlation between skills and opinions on immigration policy is strengthened when appearing side by side with non-economic determinants such as security issues and cultural considerations.

Cultural factors are also frequently investigated as culprits of xenophobia, targeting immigrants as a perceived threat to national values, beliefs and morals, justified by an alleged social hierarchy. (Oyamot et al., 2012). Psychological literature has attempted to explain such tendencies through pessimism, political powerlessness and national pride, often highlighting national identity and a sense of insecurity as key determinants (Hayes and Dowdes, 2006; Yakushko, 2009; Mayda, 2006; Hjerm, 1998), and theories related to in-group identity are often brought forward as a foundation of xenophobic sentiments (Arnold, 1995). There is an embedded gender-dimension in this reasoning, as women, although native, may have experienced disadvantages and marginalization leading them to develop increased sympathy for other marginalized groups (Hayes and Dowds, 2006; Jackson et al., 2001; Fetzer, 2000). This would explain why women are less likely to agree with intolerance or support xenophobic sentiments, and sheds additional light on their preference towards left-wing voting.

Dustmann and Preston (2001) find that attitudes are more negative the larger the share of immigrants in the population. This contact hypothesis has been found to matter primarily in situations where social and linguistic segregation create physical distance and reinforce a perceived threat of competition for power and status (Ha, 2010). Berg

(2010) confirms this conclusion, and notes that, because attitudes are to a large extent shaped by socio-demographic structures, they change when the social space changes. Hatton, Richter and Faini (2004) extend the argument to differentiate between attitudes towards perceived legitimate and 'bogus' asylum seekers.

Turning to the second direction of public opinion, gender equality, there are large cross-national variations documented by e.g. Inglehart and Norris (2003). Although the past decades have seen a steady increase in equality between women and men and the global gender gap is almost closed in terms of health and educational attainment, women remain systematically marginalized in areas of economic participation and political empowerment (World Bank, 2014). Systematic inequalities related to gender are part of a broader discussion on values associated with the term 'woman-friendly' (Hernes, 1987).

Gender attitudes are shaped by a socially constructed view on gender, encompassing a set of normative conceptions related to power, emotion and symbolism that vary over time and across social situations (Whitworth, 2006; West and Zimmerman, 1987; Connell 2005). Research tends to highlight women's social and economic roles, as well as reproductive self-determination including maternal health and control over sexual relations. Whereas traditional scholarship on attitudes towards gender equality tended to portrait the patriarch state and its institution as an oppressive force marginalizing women, a more optimistic view (represented by for example Hernes (1987) and intimately linked to the concept of 'state feminism') investigate the welfare state as a bridge to overcome social and economic inequality and improve women's situation. Women-friendliness therefore does not refer to female empowerment alone, but to the options, choices and control women have over external actions that matter to their welfare (Batliwala, 1994).

Contemporary analysis frequently links gender equality with social modernization (Narayan, 2002; Lipset, 1959; Inglehart, Norris and Welzel, 2002; Welzel and Inglehart, 2005), a prerequisite for policy change to improve women's opportunities related to family, work and public life (Goertz and Mazur, 2008). Sjöberg (2004), for example, finds that attitudes on gender are related to family policy institutions, both through the reconciliation of unpaid domestic work and participation in the paid labor force, and through the reinforcing of norms related to women's social role. Also, gender

stereotypes have been shown to shape public willingness to support female political representation (Dolan, 2010; Inglehart, Norris and Welzl, 2002).

It may therefore be expected that asylum policies are more women-friendly where the population expresses more gender-egalitarian views and/or is not particularly opposed to immigration from non-EU countries.

H3a: Asylum policies are more women-friendly where the population expresses more gender-egalitarian views.
H3b: Asylum policies are more women-friendly where the population is not particularly opposed to immigration from non-EU countries.

3.4. Problem pressure

As observed above, increasing populations of ethnic minorities may generate prejudice in response to a competitive threat, but they may also open up for positive intergroup contact (Wagner et al., 2006; Allport, 1954, Tropp and Pettigrew, 2005). Intimately linked to the reasoning on xenophobic attitudes, the diverse theoretical conclusions regarding exposure to immigration can be explored on a socio-economic level as well; for example, it is less costly for a country to have liberal asylum policies if it is not particularly exposed to migration. Indeed, the costs and benefits of immigration have drawn significant scholarly interest, analyzing the costs imposed on native workers and taxpayers in terms of low-wage competition and welfare burdens (Borjas, 1994, 1995; West, 2011; Münz et al., 2006). In fact, Østergaard-Nielsen (2003) concludes, it is very difficult to combine being a country of immigration with a tax-financed universal system of social benefits upon arrival. Concerns related to welfare, housing, education and healthcare are particularly pronounced at a time of crisis for the European welfare state (Bloch and Schuster, 2002), and the uneven distribution of asylum flows between states has created very diverse implications of immigration on national welfare systems (Barrett and Maître, 2011). Common for the debates within European states, however, is the frequent targeting of particularly asylum- and family immigration in the discussion on 'costs of immigration', as asylum seekers are generally prevented from entering the labor market upon early arrival, hence more likely to participate in welfare programs and less likely to contribute financially. The figures related to costs also harbor a less explored gender-dimension; women may have greater difficulties to enter the labor market and have been found to incur higher social costs in terms of health

care. In their study from 2011, Bischoff et al. find that the health care costs for female asylum seekers is more than double that of male.[54]

Although frequently discussed, the welfare system as a 'magnet' for low-skilled migration (Borjas, 1999) has not been found to lead to any actual welfare burdens in more generous states. In fact, Sciortino (2004) shows that foreign-born populations tend to contribute to government revenue to a greater extent than to social expenditure in a number of EU-states. Bloch and Schuster (2002) also counter the argument of welfare as a pull-factor, concluding that the reduction of provisions in Northern Europe has not had any significant impact on incoming numbers, while states with a less comprehensive welfare system in Southern Europe continue to receive increasing flows of asylum seekers. Reversing the argument, Hatton (2005) notes that the increasing numbers and uneven distribution of asylum seekers are in turn catalysts of restrictive policy reforms.

Geographic location has indeed come to play a critical role in the European response and reception of asylum seekers. The volume, but also the composition, of migration flows vary greatly across the EU, with member states bordering the Mediterranean displaying much higher figures and a more homogeneous inflow. For instance, although more than half of the asylum seekers in 2015 were female or underage, only 9% of the asylum applicants arriving to Italy in 2015 were women.[55] Neumayer (2005) lists geographical proximity as an important facilitator for asylum seekers, claiming it will lower the costs of migration for the individual. Geographical distance, on the other hand, raises the costs significantly, as most refugees are lacking sufficient financial and physical means to undertake extensive travel, a conclusion particularly true for women.

The personal costs of migration have given rise to a migratory phenomenon labeled 'transit migration'[56], where asylum flows constitute a significant part. Although largely referring to countries outside EU's borders, the reception conditions, labor-market opportunities and government support of a receiving state may cause transit migration also within the Union (Lukić, 2016). In terms of problem pressure, transit migration has

[54] Women fleeing non-violent conflict incur an average cost of 959 Euro, compared to men's 313 Euro. Women from countries involved in violent conflict had an average health care cost of 1620 Euro, and men from similar conditions 812 Euro (Bischoff et al., 2011).
[55] Source: http://ec.europa.eu/eurostat/data/ (variable migr_asyappctza, accessed 02.02.2018).
[56] The term generally refers to the temporary stay of migrants in one or more countries, with the objective of reaching a further and final destination. (OHCHR, 2016).

led to externalization efforts on behalf of the EU, pushing border countries to prevent migrants from crossing. Indeed, Spain, Italy and Greece have often been referred to as the 'soft under-belly' of the EU (Düvell, 2012, p. 416).The externalization of EU migration policy is also visible in these southern member states, however, shifting their attention even further south and east to non-EU countries and generating a number of EU-supported measures to strengthen the Mediterranean border.[57] Mountz (2013) criticize the off-shore approach to enforce borders, claiming that it erodes and undermines asylum seekers rights when national security trumps human security. As a theoretical example, however, it clearly illustrates the intimate links between geographic location and the economic burden of migration, as countries closer to a conflict region are more exposed and face higher costs related to the reception and processing of asylum seekers. Moreover, many scholars conclude, the humanitarian costs are rising as migrants who are restricted from entering Europe legally will seek alternative routes. In fact, since the reversal of most formal routes for labor migration in the 70's, the remaining legal channel for entry into western Europe is asylum.

Although most studies concerned with inflow are non-gendered, our theoretical reasoning on problem pressure takes into account the costs – financial as well as humanitarian – associated with female asylum seekers as an effect of their specific situation. We therefore expect inflow of female asylum seekers to be negatively related to the women-friendliness of asylum policies. To deal with a possible reverse causality problem (women-friendly asylum policies attracting further female asylum seekers), we also look at the geographical distance to conflict zones.

H4a: Asylum policies are more women-friendly when the inflow of female asylum seekers is low.
H4b: Asylum policies are more women-friendly when the distance to conflict zones is large.

3.5. Economic and political development

It is frequently argued that economic advancement promotes gender equality and that women benefit to a greater extent than men from such economic development (e.g.

[57] The Western Mediterranean Route between Spain and Morcco was the most frequently used route into Europe in 2018 (Frontex), and national authorities are supported by the European Union in border control and surveillance (notably through operations Poseidon (Greece), Triton (Italy), Minerva, Indalo and Hera (Spain)).

Duflo, 2012; Inglehart and Norris, 2003). Duflo (2012) refers to a 'relative deprivation' (p. 3) of women related to access to education and labor market opportunities, but also legal constraints preventing women from owning land and managing property. Prosperity within a society may reduce gender inequalities in general, and the World Economic Forum confirms a correlation between gender equality and GDP per capita, stating that higher levels of economic development bring more social services to society and that increases in service (for example related to care-giving) open up for women's social participation (Global Gender Gap Report, 2015). In this sense, economic growth is argued to level the playing field for men and women. This argument may also be used in reverse; gender equality is a prerequisite to accelerate development and eliminate poverty (World Bank, 2007), and the empowerment of women reflects a more efficient use of human capital, enhancing productivity and economic growth.

In addition, it can be reasoned that wealthy countries can 'afford' more liberal asylum policies as argued in previous section.[58] The wealth of a nation has also been found strongly determinant of attitudes towards immigration, rich societies being more positive (O'rourke and Sinnot, 2006). In a similar vein, Crepaz and Damron (2009) find the stability and extension of the welfare system to regulate the level of tolerance on behalf of natives towards immigrants, arguing that competition and negative attitudes are a result of scarce resources. Indeed, Nonneman (2007) sees a strong correlation between the number of asylum seekers to EU states and the levels of payment per capita in family and child allowances and unemployment benefits[59], implying that wealthier states are both more attractive and more generous towards immigration, and that immigration is a factor of increasing economic progress.[60] It may therefore be argued that asylum policies are shaped by the country's economic situation. In particular, we hypothesize that wealthy countries are better positioned to develop liberal and women-friendly asylum policies.[61]

[58] Although it could also be argued that the attractiveness of wealthy countries for migrants might make these countries particularly 'reluctant countries of immigration' (Cornelius et al., 2004).
[59] This effect, however, is rather temporary; in the case of the Netherlands, within five years recently settled individuals were participating in the national labor market and no longer received social welfare payments (Nonneman, 2007).
[60] The countries that have admitted the most immigrants are among the wealthiest and fastest growing in the world (Nonneman, 2007).
[61] Alternatively, it might be argued that in situations of economic crisis, public attention is focused on domestic needs. Trauner (2016) examines the impact of the economic crisis on European asylum policies and concludes that increasing numbers of refugees together with financial constraints have increased the variation in asylum standards across states. Yet a separate analysis shows that the WFA is not correlated with economic problem pressure (captured by the average unemployment rate and economic growth rate in the period 2006 to 2015).

There is a clear connection between regime type and economic development, where, among others Gerring, Thacker and Alfaro, (2012) find democracy to be of significant influence on economic growth. Similarly, the level of political development may also be assumed to have a direct effect on asylum policies. Over time, democracy has been found to promote the well-being of women, providing opportunity for women to realize their interests through mobilization and elections. Beer (2009) also find democratic tradition positively linked to female life expectancy and women's labor force participation. In spite of some evidence of authoritarian settings being more favorable for the enactment of progressive gender legislation,[62] the connection between democracy and women's rights is firmly rooted in the literature with several studies confirming that democracy is linked to more egalitarian policies (Boix and Stokes, 2003; Gerring, Thacker and Alfaro, 2012). Inglehart, Norris and Welzl (2002) find attention to gender equality not just a consequence of the democratization process, but a part of cultural and institutional change, driving democratization forward. Similarly, Beer (2009) and Alexander and Welzel (2016) argue that established democracies put more emphasis on gender equality, and that in particular 'long-term democracy' (especially in combination with women's suffrage) provides an institutional design favorable for women to promote their interests through mobilization and elections.

Democratic tradition may also be reflected in the ability and will to comply with common European standards related to gender-mainstreaming. Several studies point to the performance of state institutions and related patterns of compliance, for example regarding law-making, control and enforcement (Falkner, 2010). Avdeyeva (2010) investigates national reforms on gender equality and finds governments of post-communist states responding differently to EU recommendations to adopt policies on gender equality and to establish institutions overseeing the implementation of such policies. Hence, the exposure to values, principles and regulations related to democracy may be significant for the compliance with the gendered scheme of the EU asylum framework. We thus expect political development (understood as long traditions of democracy) to be positively related to women-friendly asylum policies.

H5a: Asylum policies are more women-friendly in wealthy countries.

[62] For example, Rueschemeyer (2016) finds that the democratization of Eastern Europe has reduced many of the rights obtained by women during communism, as feminist policies were discredited as a part of the authoritarian system.

H5b: Asylum policies are more women-friendly in countries with long traditions of democracy.

3.6. Alternative theoretical directions

The theoretical landscape surrounding women's rights and asylum policy development is of course vast and multi-faceted. The final selection of nine independent variables is the careful elaboration of a much larger discussion, and the following section provides a brief overview of the alternative explanations to women-friendliness in asylum that were initially considered, empirically reviewed and subsequently dismissed from our theoretical framework. We deemed their impact on our dependent variable to be limited, and ultimately, given the number of states investigated, we had to concentrate our argument. The following, very short review of our alternatives is included to nuance the theoretical discussion above and legitimize our choices.

3.6.1. Institutional conditions

Our initial theoretical discussion reflected on institutional constraints to promote policy change and update the asylum framework in favor of women. Exploring several directions, Tsebelis (1995, 2000) reasoning on veto players as a function of political constellations was deemed less suitable, as was the measurement of institutional fluidity and ability to introduce new policies depending on veto opportunities throughout the policy process (Hammond and Miller, 1987). The concept of institutional veto points (see for example Immergut, 1992 and Bonoli, 2001) reflecting the potential of institutions to push or block reforms (based on data on federalism, bicameralism, presidentialism and direct democracy) was investigated further. The OECD Institutional Efficiency Determinants (2004), which ranks states based on the stability and commitment of political and economic institutions, was considered as well but did not provide sufficient coverage given the consecutive additions of member states to the EU. In the end, institutional veto opportunities did not influence our final results, and the theoretical direction was dropped from the analysis.

3.6.2. Fractionalization

The composition of the native population was initially considered a potential influence on women-friendliness in asylum. Alesina et al. (2003) present a fractionalization dataset based on population data which measures the degree of ethnic, linguistic and religious heterogeneity, applied to the quality of institutions and economic growth.

Fearon (2003) approaches cultural fractionalization in his discussion on the social relevancy of ethnic groups, by measurement of linguistic similarity within states. Theories on the impact of fractionalization are linked to the reasoning on the homogeneity of a population making it more prone to develop xenophobia (Campbell and Hall, 2009; Hjerm, 1998; Haas, 1986). Applied to the results of the WFA, however, the fractionalization scores of individual countries did not add to the explanation of women-friendly asylum policies.

3.6.3. Humanitarian tradition

Alongside our reflections on democracy and pollical development, we also theorized that the humanitarian outlook of a state may be a reflection of its overall commitment to refugee protection and its attention to human rights principles in policymaking, assuming a more active dialogue on women's rights as well. Riaño and Wastl-Walter (2006) discuss humanitarianism as a national value at the foundation of liberal immigration policies, and as a defining principle of the official asylum discourse. Similarly, in a case study on the Nordic states, Marklund (2016) discusses state aid and humanitarian efforts within a welfare state context and connects solidarity and humanitarian action to refugee reception. A measurement on the official development assistance in % of national gross income, however, turned out too similar in explanatory power to our hypothesis H5b on democracy, and was thus removed from the list of theoretical determinants.

3.6.4. Secularization

Religion, both in terms of affiliation and secularization, is another direction frequently explored in refugee studies. In line with modernization theory, often found at the heart of welfare state research, secularization and Protestantism are popularly argued to further welfare state development, as they provide a context where church and religious institutions are losing their dominance over the state. The contrary has been argued for Catholicism, found to inhibit economic development, as discussed by among others Granato, Inglehart and Leblang (1996). Van Kersbergen and Manows (2009), however, find an overlap in ideology between social democracy and Catholicism, stating that the generally positive attitudes of the Catholic church towards welfare for the poor, encourages government welfare spending. This, they argue, has made Christian democratic welfare states equally generous in terms of social spending as the social democratic welfare states, albeit based on a more traditional, patriarchal model of

society. Scheve and Stasavage (2006) remove denomination from the discussion on religion as a determinant of welfare spending, arguing that religious individuals (regardless of affiliation) are more likely to prefer lower levels of social spending than secular individuals. Asylum policy as a part of the national welfare regime, we initially argued, would thus in extension be affected by religion. However, this theoretical argumentation moved us too far away from the gender-dimension that we intend to investigate and was also dropped from the analysis.

In conclusion, five theoretical arguments and nine hypothetical expectations remain. The following section will examine them in relation to the WFA-scores and evaluate their impact on women-friendly asylum policies in a comparison between European states.

4. Empirical analysis

This section is co-authored with Patrick Emmenegger

The following section presents a comparative analysis of the asylum policies of the 28 EU member states in 2015. This year marks a peak in asylum flows across the Mediterranean, but also through the so-called 'Balkan route' (stretching from Greece in the East to Germany in the West). The number of asylum seekers to the EU has been steadily increasing, rising from approx. 200'000 persons in 2010 to approx. 550'000 persons in 2014. In 2015, EU member states received over 1'200'000 asylum applicants.[63] This massive inflow triggered a series of policy changes aimed at restricting the right to claim asylum,[64] yet these reforms were typically not implemented before 2016. Hence, the WFA-results from 2015 provide an analysis of cross-national variation in asylum policies before the recent wave of restrictive reforms. Based on the theoretical discussion chapter 3, the empirical analysis of the WFA considers five theoretical directions, operationalized and detailed in the following section.

Women's mobilization in the political sphere is measured as the percentage of parliamentary seats in a single or lower chamber held by women in the period 2000 to 2015. Data have been provided by the World Bank.[65]

The political strength of the left is captured by the relative power position of social democratic and other left parties in government, recorded by their seat shares in parliament (% of total parliamentary seat share of all governing parties) in the period 2000-2015. Since right-wing populist parties less often participate in governments, we focus on their electoral strength rather than government participation. Hence, we measure the political strength of the populist right as the vote share of right populist parties in the period 2000 to 2015. Data is taken from Armingeon et al. (2017).

Our first indicator of public opinion is taken from Eurobarometer 82.4 (Fall 2014). Attitudes towards gender equality are the country-specific averages of four survey

[63] Source: http://ec.europa.eu/eurostat/data/ (variable asyl_app, accessed 17.01.2018).
[64] Several European countries introduced similar reforms, e.g. Austria's exclusion of asylum seekers from basic care reception conditions upon rejection of application (FrÄG 2017), Denmark's delay of family reunification and confiscation of migrant's valuables (Bill of the Law on Amending the Aliens Act, Law No 87, 2017), and Sweden's request for photo identification upon crossing the Danish border ((EU)2016/399).
[65] https://data.worldbank.org/indicator/SG.GEN.PARL.ZS (accessed 14.09.2017).

questions.[66] Our second indicator of public opinion captures attitudes towards immigrants from non-EU countries. Respondents were asked whether immigrants from other EU member states and from non-EU member states evoke positive or negative feelings. The indicator measures the country-specific share of respondents expressing fairly and very negative feelings in the case of immigrants from outside the EU (qb4_2). Data is taken from Eurobarometer 84.3 (Fall 2015).

Exposure to asylum seekers is measured in two ways. First, we divide the inflow of female asylum applicants to a given country in 2015 by this country's population in 2015, using data from Eurostat.[67] This indicator could however suffer from endogeneity problems as women-friendly asylum policies might lead to a particularly large inflow of female asylum seekers. As an alternative indicator of exposure, we therefore use geographical information system data to measure the shortest geographical distance between a given EU member state and possible conflict zones in the Middle East and Northern Africa (Algeria, Egypt, Iraq, Lebanon, Libya, Morocco, Syria, and Tunisia).[68]

The level of economic development is measured as the GDP per capita (in current USD) in 2015. Data is taken from the World Bank.[69] Finally, based on recent literature on the relationship between democracy and human development/gender equality stating that democracy, of which women's participation is an important component, may improve social welfare over time (Gerring et al., 2012; Beer, 2009), we capture the level of political development by the number of years a country has been a democracy (without any interruption). A country is considered democratic if it achieves at least a score of 6 on the Polity IV index.[70] Since Malta is not covered by the Polity IV project, we code Malta as democratic since 1964 (the year it achieved independence from Great Britain).

[66] The four questions are: All in all family life suffers when the mother has a full time job (qb1_1); women are less willing than men to make a career for themselves (qb1_2); overall men are less competent than women to perform household tasks (qb1_4); a father must put his career ahead of looking after his young child (qb1_5). A factor analysis reveals that all four variables score on the same factor. Please note that our indicator of attitudes toward gender quality is strongly correlated with the EU's Gender Equality Index used in Figure 2 (r=0.75).
[67] Source: http://ec.europa.eu/eurostat/data/ (variable asyl_app, accessed 23.10.2017).
[68] We thank André Walter for help in calculating these numbers.
[69] Source: https://data.worldbank.org/indicator/NY.GDP.PCAP.CD (accessed 23.09.2017).
[70] Source: http://www.systemicpeace.org/polityproject.html (accessed 27.01.2018).

Table 2: Descriptives

	Obs.	Mean	Std. dev.	Min	Max
Women-Friendliness in Asylum Index	28	0.55	0.16	0.31	0.90
Share of female members of parliament	28	0.26	0.10	0.09	0.44
Political strength of the left	28	37.46	15.68	1.80	64.90
Political strength of the right-wing populists	28	5.69	5.98	0.00	21.08
Perceptions on gender equality	28	2.66	0.25	2.26	3.32
Attitudes towards immigration from non-EU countries	28	64.42	14.58	31.63	86.66
Exposure to female asylum seekers (% population)	28	0.00079	0.00116	0.00000	0.00472
Distance to conflict zones	28	1215.1	741.5	0.0	2648.7
Level of economic development (GDP per capita)	28	30365	20622	6993	101910
Level of political development (years as democracy)	28	46	21	15	69

4.1. Multivariate analysis

We start our discussion of the determinants of women-friendly asylum policies by providing some descriptive illustrations. Figure 8 displays European countries' score on the Women-Friendliness in Asylum Index relative to the share of female members of parliament (MPs). We use the share of female MPs because it features the highest bivariate correlation with the WFA (r = 0.71, see Table 4). As Figure 8 shows, it is likely that women's political representation is a key factor in explaining women-friendly asylum policies. Yet similar positive bivariate relationships can also be found between the WFA and attitudes towards non-EU immigrants (r = -0.60), the level of political development (r = 0.53), and perceptions on gender equality (r = 0.48).

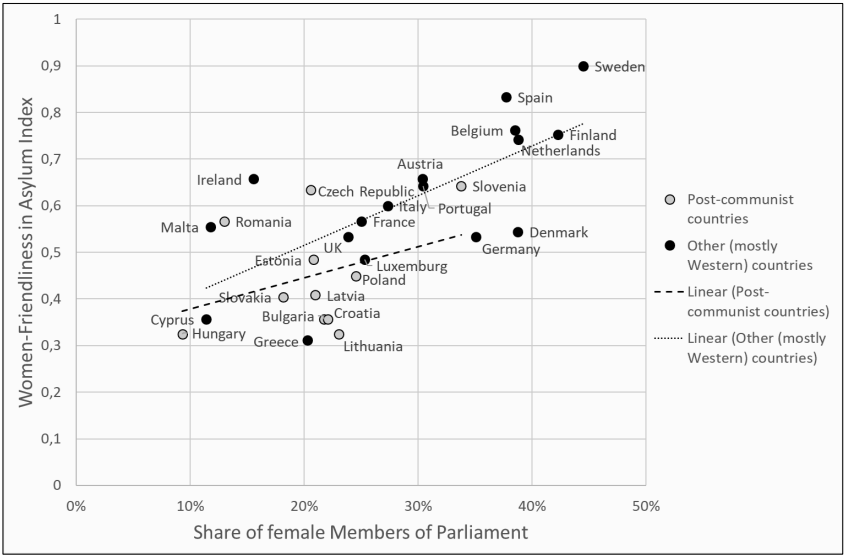
In addition, visual inspection of the data shows that there is a large divide between the post-communist countries in Central and Eastern Europe (gray dots in Figure 8) and the other, mostly Western European countries (black dots). Post-communist countries score on average 0.45 on the index compared to 0.61 for the remaining 17 EU member states. The corresponding t-test is significant at the 1% level (t-value = 3.0). Yet, the

relationship is far from perfect with several post-communist countries reaching a high score on the WFA (most notably Slovenia and the Czech Republic).[71]

Among long-term EU members (as well as in total), Greece has the lowest score on the WFA, which could suggest that the WFA score is influenced by exposure to asylum flows. However, other countries strongly exposed to asylum flows (both geographically and numerically) feature higher scores (for example Italy). In addition, the bivariate correlations between the WFA and indicators of exposure are relatively low (see Table 4).

Finally, the role of political parties seems to be of less relevance. While there is a positive, albeit very weak correlation between the WFA and the political power of the left (r = 0.09), there is no discernible bivariate relationship between the WFA and the political power of right-wing populist parties (r = 0.01).

Figure 8: Share of female members of parliament and the Women-Friendliness in Asylum Index



Source: World Bank and WFA

[71] We arrive at similar conclusions when looking at the new EU member states (entry year 2004 or later) or when creating a group of Central and Eastern European countries including Greece.

After this initial inspection of the data, we now turn to a multivariate analysis of the WFA. We use simple OLS regressions.[72] Model 1 in Table 3 displays the results of regressing the WFA on our nine independent variables. However, several of the independent variables are highly correlated, most notably the levels of economic and political development (see Table 4). As a result, the vector inflation factor reaches a critical level (mean VIF = 2.24). We therefore provide a second model without the weakest performing independent variables in Model 1 (exposure to female asylum seekers, distance to conflict zones, and political strength of right-wing populist parties) as well as without the indicator for economic development (the weaker of our two development variables in Model 1). In Model 2 in Table 3, the vector inflation factor does not reach critical levels (mean VIF = 1.60). We return to the dropped variables in the section on robustness tests.

As Table 3 shows, both models lead to identical conclusions. Significant predictors of variation of the WFA are the share of female MPs (Hypothesis 1) and attitudes towards non-EU migrants (Hypothesis 3b). In contrast, the political strength of the left and right-wing populists respectively (Hypotheses 2a and 2b), perceptions on gender equality (Hypothesis 3a), exposure to female asylum seekers as well as distance to conflict zones (Hypotheses 4a and 4b), and the levels of economic and political development (Hypotheses 5a and 5b) display no relevant co-variation with the WFA. These seven independent variables are thus dropped from the analysis. Model 3 in Table 3 shows that the removal of these variables does not affect the relationship between the remaining two independent variables and the WFA. With only two independent variables, Model 3 accounts for a large share of the cross-national variation in the WFA (as reflected in the high adjusted R^2 of 0.56).

Can these two variables account for the difference between Western and Eastern countries, as shown in Figure 8? The Eastern European effect, with recent additions to the EU scoring systematically lower on the WFA, proved challenging to explain. In a first attempt, we theorized that the relatively late democratic transition of Eastern Europe may contribute to a context of less ideological security and more reluctance towards immigration. A weak democratic tradition, we argued, may also be reflected in institutional capacity to implement policies, an idea that was based on the observation

[72] Considering the truncated dependent variable (which ranges per definition from 0 to 1) does not change our findings.

that most Eastern European states have adopted EU directives on asylum word for word and still display lower scores on the WFA. Analysis showed, however, that countries with a stronger democratic tradition were also more likely to hold a higher share of women in parliament, and the explanation had to be dismissed. Further attempting to explain the anti-immigration sentiments of Eastern Europe, clearly affecting their scores on the WFA, we reviewed the limited history of immigration and the very modest inflows.[73] The number of asylum seekers (in total as well as female only) before and after the refugee crisis shows that Eastern Europe was not very exposed at all before 2015 and that some countries hence experienced massive differences in inflow comparing 2010 to 2015. However, although the influx might have doubled or tripled, the starting figure was so low that the situation even after the conflict in Syria and the refugee crisis was unlikely to influence Eastern European attitudes towards immigration, or to influence decisionmakers in the updating of asylum policies.[74]

Table 3, however, suggests that the share of female MPs and attitudes towards non-EU migrants can indeed account for the difference between Western and Eastern countries. Model 4 adds a dummy variable for EU member states with a communist past, Model 5 adds a dummy variable for EU member states that entered in 2004 or later, and, finally, Model 6 adds a variable capturing the first year of EU membership (e.g. 2004 in the case of Hungary). In all three models, the new independent variables are far from significant, while attitudes towards non-EU immigrants and in particular the share of female MPs remain significant predictors of the cross-national variation on the WFA. The dummy variable capturing the communist past of some EU member states turns out to be the most relevant predictor of the WFA. Yet even in this case, the coefficient is not significantly different from zero (t-value of -0.77).

[73] Eastern Europe does not share the same history of immigration as their western neighbors, and reviewing the numbers of quota refugees allocated each EU state in 2015, we found that Eastern European states are only asked to accept a very small numbers, around 1-2% of the 160 000 refugees in the program (with the exception of Poland and Romania, facing somewhat larger quotas). Hungary, that had been extremely exposed through the Balkan Route, was practically exempt from the resettlement program altogether (http://www.express.co.uk/news/world/607349/Migrant-crisis-map-EU-refugee-quota (accessed 15.02.2018)).

[74] Indeed, we found exposure in 2010 positively correlated to the WFA, and growth of exposure 2010-2015 negatively correlated. However, both effects were negated once the share of women in parliament was included in the regression.

Table 3: The determinants of women-friendly asylum policies

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Share of female members of parliament	0.831**	0.874***	0.897***	0.852***	0.865***	0.904***
	(0.360)	(0.297)	(0.239)	(0.248)	(0.280)	(0.256)
Political strength of the left	-0.001	-0.000	-	-	-	-
	(0.002)	(0.001)				
Political strength of the right-wing populists	-0.000	-	-	-	-	-
	(0.005)					
Perception on gender equality	-0.051	-0.049	-	-	-	-
	(0.140)	(0.120)				
Attitudes toward immigration from non-EU countries	-0.004*	-0.004*	-0.004**	-0.003*	-0.004*	-0.004**
	(0.002)	(0.002)	(0.002)	(0.002)	(0.002)	(0.002)
Exposure to female asylum seekers (% population)	1.532	-	-	-	-	-
	(23.192)	-				
Distance to conflict zones	0.000	-	-	-	-	-
	(0.00)					
Level of economic development (GDP per capita)	-0.000	-	-	-	-	-
	(0.000)					
Level of political development (years as democracy)	0.002	0.001	-	-	-	-
	(0.002)	(0.001)				
Post-communist countries	-	-	-	-0.040	-	-
				(0.051)		
New EU member states	-	-	-	-	-0.014	-
					(0.060)	
First year of EU membership	-	-	-	-	-	0.000
						(0.001)
Constant	0.683*	0.638*	0.563***	0.552***	0.565***	0.367
	(0.381)	(0.333)	(0.145)	(0.147)	(0.148)	(2.454)
R^2	0.626	0.612	0.593	0.602	0.593	0.593
Adjusted R^2	0.440	0.524	0.560	0.553	0.543	0.542
N	28	28	28	28	28	28

* p<0.1, ** p<0.05, *** p<0.01; standard deviations in parentheses.

Substantially, the two main predictors of a country's WFA score have relevant effects. Our results indicate that with a ten percentage points increase in the share of female MPs, a country's WFA score improves by 0.09, which corresponds approximately to the difference between the Netherlands (at 0.74) and Spain (at 0.83). Similarly, a ten percentage points decrease in the share of respondents concerned about immigration from non-EU countries allows a country to improve on the WFA by 0.04.

In sum, our findings suggest that asylum policies are on average more women-friendly in countries characterized by a strong mobilization of women in the political sphere and (more) positive attitudes towards immigrants from non-EU countries. The latter variable accounts – at least to some extent – for the large East/West divide, as displayed in Figure 8. Adding dummy variables for post-communist countries or new EU members does not improve the model's explanatory power. However, it should be noted that the addition of a dummy variable for post-communist countries reduces the explanatory power of the variable capturing public opinion towards non-EU migrants (t-value declines from 2.4 to 1.8).

Table 4: Correlation matrix

	Women-Friendliness in Asylum Index	Share of female members of parliament	Political strength of the left	Political strength of the right-wing populists	Attitudes towards gender equality	Attitudes towards immigration from non-EU countries	Exposure to female asylum seekers (% population)	Distance to conflict zones	Level of economic development (GDP per capita)	Level of political development (years as democracy)
Women-Friendliness in Asylum Index	1.00									
Share of female members of parliament	0.71	1.00								
Political strength of the left	0.09	0.19	1.00							
Political strength of the right-wing populists	0.01	0.10	-0.14	1.00						
Perceptions on gender equality	0.48	0.61	0.06	-0.09	1.00					
Attitudes towards immigration from non-EU countries	-0.61	-0.47	-0.14	0.26	-0.44	1.00				
Exposure to female asylum seekers (% population)	0.24	0.24	0.13	0.19	0.28	-0.24	1.00			
Distance to conflict zones	0.08	0.25	-0.30	0.04	0.32	0.14	0.14	1.00		
Level of economic development (GDP per capita)	0.40	0.40	-0.12	-0.06	0.51	-0.51	0.31	0.21	1.00	
Level of political development (years as democracy)	0.53	0.50	-0.04	0.10	0.57	-0.46	0.37	0.06	0.80	1.00

4.2. Robustness tests

We have conducted a series of robustness tests to assess the validity of our results. First, we consider whether the inclusion of one of the other independent variables improves the explanatory power of our final model or, alternatively, whether their addition influences the other observed relationships. Our final model contains two independent

variables. If anyone of the other independent variables discussed above is added to this model, the results are not affected. Neither does any of these additional variables have a significant effect on the WFA.

Second, we assess to what extent the results are driven by the inclusion of single cases. Removing any single country from the data set does not substantively affect the results.[75]

Third, we look at the extent to which our results depend on the specific operationalization of our independent variables. For instance, it could be argued that the observed effect of opposition to immigration from non-EU member states is not so much a function of the geographical origin of migrants (non-EU member states) but rather a reflection of general anti-immigration attitudes. We therefore use the Eurobarometer 84.3 (Fall 2015) to assess the extent to which immigrants from other EU member states equally evoke negative feelings. The two indicators, which are operationalized in the same way but focus on different kinds of immigrants, are highly correlated ($r = 0.66$). Yet the inclusion of this new variable does not substantively affect our findings.

More controversially, it might be argued that political development is better captured by a country's humanitarian tradition rather than years as democracy. We measure humanitarian tradition as public spending on official development assistance as a share of gross national income in 2015.[76] Adding this variable to Model 3 in Table 3, we observe no relevant changes, as humanitarian tradition fails to have a significant effect on the WFA.

Furthermore, we reviewed alternative measures of exposure to asylum seekers. In particular, we have looked at exposure to both male and female asylum seekers in 2015 (rather than female only), the difference between absolute and relative exposure (the latter taking resident population size into account), the exposure to asylum seekers in 2010 to account for possible time lags, and, finally, the increase in asylum requests between 2010 and 2015 to control for changes in numbers rather than levels. None of these variables has any significant effect on the WFA.

[75] Although removing Ireland from the sample turns the coefficient of the variable capturing attitudes toward non-EU immigration narrowly insignificant (with a t-value of 1.63).
[76] Data is taken from Eurostat: http://ec.europa.eu/eurostat/data/ (accessed 22.09.2017).

Fourth, we have also controlled for non-independence of observations and possible geographical clustering effects by inserting a variable capturing the neighboring countries' average WFA score.[77] However, the variable has no significant effect on the WFA. Geographical clusters and common borders can therefore not account for the observed cross-national differences.

Finally, we have also looked at the three dimensions (application, procedure, and reception) of the WFA separately. As mentioned above, the bivariate correlations between the three dimensions are in fact quite low. Yet the three models lead to identical conclusions with the share of female MPs and positive attitudes towards immigrants from non-EU countries having positive effects on the women-friendliness of asylum policies. However, it must be emphasized that in these three models with the three dimensions analyzed separately, the coefficients do not always achieve the conventional levels of significance, but with t-values between 1.15 and 2.77, these models support the interpretation that our main findings are robust.

4.3. Reflections on the results

The WFA reveals significant variation in the extent to which national policies consider women's needs in the application, credibility assessment, and reception of asylum seekers. The top-scoring countries are generally performing well on all three dimensions, while states at the bottom all display poor results on the application dimension, with insufficient recognition of gender-specific asylum grounds. Visualizing the data, it becomes clear that female asylum seekers are facing extensive judicial, administrative, and procedural barriers, and that the response among European states is far from uniform. Based on the rich literature on gender gaps and comparative public policies, we have forwarded and tested several arguments to explain this divergence in national performance, showing that asylum policies are on average more women-friendly in countries characterized by a large share of female members of parliament and positive attitudes towards immigrants from non-EU countries.

[77] We use common land borders to identify neighboring countries. Due to the presence of a bridge connecting Copenhagen and Malmö, we consider Denmark and Sweden to be neighboring countries. In addition, for historical reasons, we code Cyprus and Greece as neighboring countries. Finally, we consider Italy to be a neighboring country of Malta, but not vice versa. Malta shares no land border with any other state, but Italy is the geographically closest country. Hence, Italy is likely to influence Malta.

In contrast, the electoral strength of right-wing populist or left-wing parties, popular attitudes on gender equality, exposure to the inflow of female asylum seekers, and economic and political development cannot account for the cross-national variation on the WFA. This is not to say that these variables are without any effect. For instance, it is quite likely that popular attitudes on gender equality and the level of political development have a positive effect on women's political representation (see Table 4), which in turn has a positive effect on the women-friendliness of asylum policies. Yet these variables' effect is clearly more remote. Once we add variables capturing popular attitudes towards immigrants from non-EU countries and, in particular, women's political representation to the statistical model, their effects disappear. Similarly, the widespread concerns about immigration from non-EU countries (in some countries, more than 80 percent of the respondents expressed such concerns in fall 2015) may have pushed political parties from all ideological specters to harden their position on asylum seekers, which could explain why we find no party effects on the women-friendliness of asylum policies.

The gap between asylum policies of Western and Eastern European countries was challenging to explain. A closer look at the determinants, however, reveals Eastern Europe displaying a below EU average with regard to women's political mobilization[78], with Hungary, Romania and the Slovak Republic at the bottom with 9%, 13% respectively 18% women in parliament. The corresponding figures for the highest scoring countries are 44% (Sweden), 38% (Spain) and 39% (Belgium).

The second determinant, attitudes towards immigration, fits within the same cluster; In Sweden 32% of citizens have a negative view on non-EU immigration, compared to 87% in Slovakia and Latvia.[79] Indeed, sentiments related to non-EU immigration generated a very stable regression, and the two outliers outside the expected range of values (Luxembourg and Croatia) could be justified as well.[80] The lower scores of Eastern Europe in terms of women-friendliness in asylum are hence well explained. Notably, there are also remarkable, and somewhat unexpected, differences between

[78] Within the European Union, an average of 26% of members of parliament are women.
[79] All Eastern European countries, except Romania (56%), display attitudes much more pessimistic than the European average of 64%.
[80] The most recent addition to the European Union, Croatia's low score may be explained a weak democratic tradition and lacking institutional support to implement EU-policy. In the case of Luxemburg, the score is somewhat difficult to interpret: Very good reception conditions are paired with one of Europe's lowest scores on the application dimension. This is most likely a result of a situation where there is no official refugee program in place and resettlements are arranged case by case.

Western European countries. For instance, while Sweden reaches an almost maximum score on the WFA, the score of neighboring Denmark is considerably lower. Attempting to validate and strengthen the explanatory power of our findings, the next chapter presents an in-depth comparative case study investigating the divergence between the two Scandinavian countries further.

5. Case study: The women-friendliness of asylum policies in Sweden and Denmark

Sweden and Denmark are frequently used as leading examples of gender-equal societies, often found at the top of gender equality ratings. They display a largely shared history, similar socio-cultural context and equal financial prominence. And yet, while Sweden features the most women-friendly asylum policies in Europe according to the WFA, Denmark receives a most average ranking, found at the middle of the European scale. The national scores are no surprise per se, both countries are well explained by the empirical analysis in chapter 4. However, the stark divergence between the two Scandinavian neighbors is puzzling, given their shared prerequisites as social democratic countries with extensive social safety nets and a common history of labor- and family-related immigration.

Indeed, Sweden and Denmark have approached the increasing asylum immigration of the past few decades very differently. A stricter policy framework in Denmark has kept numbers of asylum applications very low, with corresponding restrictive measures visible in welfare assistance and reception status of new arrivals. Sweden, on the other hand, has profiled itself as a country of immigration, embracing multiculturalism in both public opinion and policymaking.

Departing from the two determinants, women's political mobilization (measured through shares of female MPs) and attitudes towards immigration, this case study attempts to review and confirm the conditions likely to promote women-friendliness in asylum-policies. Exploring both historical and contemporary context, I will investigate the impact and interaction of the two determinants with the ambition to understand and explain the diverging paths in asylum policymaking in Sweden and Denmark. Reviewing policy-documentation, political manifestos and national surveys reveals two very different political landscapes: In Denmark we see immigration being pursued as a matter of public and political distrust, with several decades of partisan mobilization to restrict inflow. Negative Danish attitudes towards immigration have fueled political strategy, and vice versa, generating an asylum regime where ambitions to constrain and deter inflows have ultimately prevented Danish decision-makers from updating their policy format to acknowledge and protect women's rights. The emerging political discourse in Denmark eventually came to include feminist advocates and institutions as

well, framing the debate on gender equality as a challenge related to the immigrant community. On the other side of Oresund, in Sweden, the immigration issue became politically salient surprisingly late, despite a much greater inflow of asylum seekers. Public opinion towards immigration remained comparatively positive, and the political landscape maintained their partisan line-up and traditional socio-economic agenda. In addition, the political debate on immigration in Sweden carefully separated gender and ethnicity, and although we see a late shift towards restrictiveness and greater stringency in Swedish asylum policy, policy-makers persisted a humanitarian obligation and continuously updated policies in line with the feminist agenda that had come to characterize the Swedish political landscape of the new millennium.

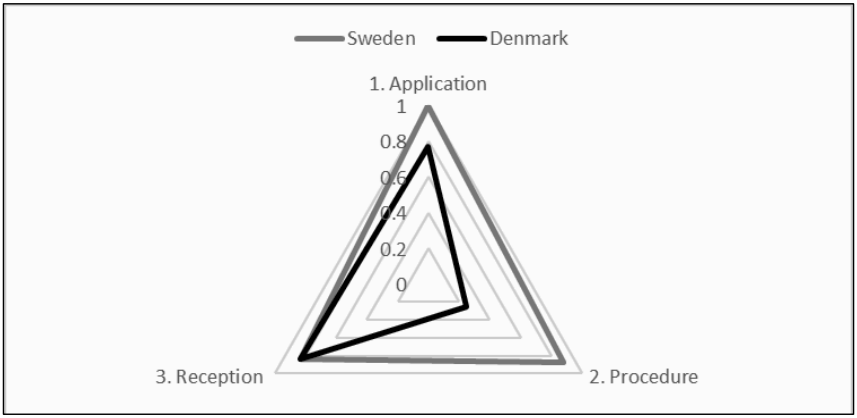
This case study is structured as follows: I introduce the two countries under investigation by detailing their scores on the WFA, before presenting the empirical puzzle and an elaboration of the methodology. The following section discusses and nuances the two independent variables, women's political mobilization and attitudes towards immigration, adding to the theoretical framework in chapter 3. Next, my empirical narrative introduces the change in attitudes in the two countries over time, followed by a review of the political landscape and the emerging salience of the immigration issue. Discussing policy-development related to asylum, I then zoom in on women's rights and the policy issues particularly relevant for female asylum seekers. I continue my empirical review with a look at the institutionalization of gender equality and women's rights, and the impact of female representation within the right-wing. A discussion sums up and elaborates on my findings.

5.1. The state of women-friendly asylum policies

The relationship between gender equality and ethnic diversity has gained increasing interest both in the public and academic discussion on immigration. In this context, the Nordic states have received much attention, displaying a shared heritage of gender equality ideals but substantial differences in their approach to female asylum seekers. As a country of immigration, Sweden has maintained high asylum inflows following the Balkan crisis in the early 90's. In 2015, Sweden was the third largest receiver in Europe. Denmark, on the other hand, took an opposite turn after the Balkan-situation, accepting fewer and fewer asylum seekers every year.

According to the Women-Friendliness in Asylum Index, Sweden receives a near perfect score on all three dimensions. A total of 0.90 places Sweden at the top of the European scale, in contrast to Denmark which is situated towards the middle with a total score of 0.54. A closer look at these results reveals good reception conditions and an adequate recognition of gender-specific asylum grounds in both countries, but insufficient Danish procedures in terms of interview conditions and access to legal assistance. The following section briefly details and contrasts Swedish and Danish performances on the three dimensions – application, procedure and reception – for a better understanding of national policy development in the asylum field.

Figure 9: Swedish and Danish scores on the Women-Friendliness in Asylum Index, 2015



Source: WFA

5.1.1. Application

Both countries position themselves well above the European average in terms of application, with generous recognition of gender-specific asylum grounds. Sweden's top score reveals policy updates beyond the levels prescribed by the European Union, most notably through the Swedish Alien's Act (Utlänningslagen chapter 4 §1) adding 'gender' as a specific category next to 'religion', 'race' and 'political opinion' in the refugee definition from 1951. Danish asylum legislation (Udlændingeloven Section 7 (1)) still rests on the basic definition of the Convention, without any mention of

gender.[81] Overall, Denmark has taken a much different stance on the European asylum framework than other member states in its opt-out of the Qualifications Directive (2011/95/EU) and the choice not to implement the Family Reunification Directive (2003/86/EC). As a result, the specific traits of national policy come through more clearly in the Danish case. In terms of family reunification, however, this does not account for any actual deviance; both Sweden and Denmark receive top scores, offering the same rights to co-habiting partners as to spouses.

Sweden and Denmark have also both ratified the Istanbul Convention, thereby recognizing sexual violence, forced marriage and domestic slavery as grounds for persecution. In addition, Sweden has extended this recognition to include a specific section of the Swedish Alien's Handbook ("Utlänningshandboken" Chapter 40.1) dedicated to the need for protection on the basis of gender, outlining for example how rape and sexual assault may be used systematically and strategically in warfare, and as such constitute a means of persecution of both the woman and her family. Here, Female Genital Mutilation is also stated as a "clear example of gender-based persecution"[82], while in Denmark, although criminalized, FGM is mentioned as one of many "reasonable risk(s) of inhuman and degrading treatment" (Udlændingeloven, section 7 (2)). Further contributing to the slight variance in national scores on the application-dimension, the Swedish Migration Agency has developed a body of material on gender-specific persecution, elaborating on the issue and guiding practitioners, courts and authorities in the investigation and decision-making of gender-related cases.[83] The Swedish material is complemented by an extensive training scheme with courses for case workers and a general code of conduct for interpreters (Kammarkollegiet, 2011). Denmark does not employ similar material to the same extent, although the Danish Refugee Appeals Board publish a non-binding annual report addressing practices of specific claims, including gender-specific persecution (Flygtningenævnet, 2018).

[81] "Efter ansøgning gives der opholdstilladelse til en udlænding, hvis udlændingen er omfattet af flygtningekonventionen af 28. juli 1951." (After application, residence permit will be granted to the alien, if the alien is encompassed by the Refugee Convention of July 28, 1951).

[82] http://www.regeringen.se/contentassets/4cf94806a6db4542998033554afe89f3/flyktingskap-och-forfoljelse-pa-grund-av-kon-eller-sexuell-laggning (last accessed 04.05.2019).

[83] Guidelines for Investigation and Evaluation of the Needs of Women for Protection (Revised in 2001, 2006, 2009 and 2010).

5.1.2. Procedure

The greatest divergence in Swedish and Danish national scores is found on the dimension referring to procedure. Although not displaying a perfect score, Sweden is again found at the top of the European scale, while Denmark presents shortcomings that are comparable to the lower ranked half of EU member states. This dimension reviews policies securing administrative and legal support throughout the application procedure, and the tools for women-friendly evaluation of individual claims. Here, Swedish immigration authorities are bound by a comparatively generous framework, offering free legal assistance throughout the regular procedure asylum application and at all appeals levels, funded by state budget (AIDA, 2015). Danish authorities, on the other hand, only offer the support of an attorney in the case of appeal once the first application has been rejected (w2eu.info, 2017). This systematic lack of support at the outset of the application process has particular implications for female applicants, who may not be aware of the possibility to file an independent claim, nor possess sufficient schooling to navigate such claim.

The strong divergence between the Swedish and Danish scores on behalf of the asylum procedure is also reflected in the tools applied to evaluate the credibility of individual cases. For female asylum seekers with a gender-based claim, it may be of critical importance to have a same-sex caseworker, as well as an interpreter of the same sex attend their case. In Sweden, the Swedish Migration Agency's Manual for Migration Cases (Utlänningshandboken chapter 40.1) states that this opportunity must be offered to the applicant, and that the request must be documented,[84] while in Denmark a same-sex case worker must be actively requested by the applicant herself (w2eu.info, 2017).

5.1.3. Reception

Reception conditions in the two countries are very similar, with identical scores for the two Nordic countries. A few EU member states receive a better score in terms of health care, which is subject to restrictions in both Sweden and Denmark; asylum seekers are only granted access to 'necessary and urgent' medical attention. Care related to motherhood and childbirth (including abortion and contraceptive care) are however offered without restrictions and free of charge in both countries. Also in terms of

[84] "The applicant should be asked in the beginning whether he/she prefers a male or female case worker, interpreter and public representative. The request must be documented. The purpose of the question should be explained." Skyddsbehov p.g.a. kön, utdrag ur Utlänningshandboken kap 40.1: http://www.sprakservice.se/media/9563/Skyddsbehov_Kon.pdf (last accessed on 08 06 2018).

housing, both Sweden and Denmark guarantee that female asylum seekers are housed separately from male applicants, and reception centers in both countries offer a range of training initiatives with opportunities to learn the new language or acquire skills that may facilitate integration.

5.1.4. Reflections on the national scores

The WFA scores indicate that Sweden and Denmark are entirely on par regarding reception conditions, and almost at the same level in terms of the asylum application. The greatest divergence is found within the procedure-dimension. However, women-friendliness is not a matter of asylum procedures alone: Although part of national policy, all three dimensions are founded in the Common European Asylum System. The CEAS-principles are binding, and most member states have adopted them word for word, creating a minimum standard across countries. As a result, there is fairly little cross-country variation for example with regard to the recognition of non-state actors as persecutors. Denmark and Sweden are no exceptions to this observation and both states adhere to the minimum standard. However, while Sweden has made additions to further strengthen the gender-perspective in national asylum legislation (as proposed in the recast Qualification Directive[85]), the Danish opt-out (although not a result of asylum-political considerations per se) may indeed be a reflection of a more limited commitment to the European asylum-agenda; for example, the Qualification Directive elaborates on the gender-dimension of the 'particular social group'-concept, and encourages states to consider that asylum seekers may be more vulnerable to multiple discrimination on the grounds of gender.[86] Consequently, the two weaker-scoring dimensions in the Danish case are most likely a reflection of Danish national policy at the expense of European minimum standards. This conclusion is confirmed by a senior official within UNHCR Copenhagen, discussing how case workers will always look for an additional asylum ground besides gender to strengthen the validity of a claim, and

[85] Qualifications Directive, Article 9, Acts of persecution: "Member States should also take necessary measures to ensure that gender-based violence against women may be recognized as a form of persecution within the meaning of the refugee definition."

[86] Article 3: "… Member States shall take into account the specific situation of vulnerable persons such as minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of human trafficking, persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence."

how the use of gendered country information may be disadvantageous for female asylum applicants in Denmark.[87]

In spite of its superior ranking, Sweden is not immune to procedural challenges facing female asylum seekers. The Swedish Migration Agency is self-critical of the common procedure to usher families through the asylum process as a single unit; a woman may have a good chance of receiving asylum in Sweden, but her claim is not always treated individually. Thus, the outcome of her application may be positive in spite of a discriminatory process.[88] This kind of procedure is very difficult to detect and is not directly visible in the index-scores. Women-friendliness in asylum is, however, not a matter of isolated policies or initiatives. Rather, it is a matter of collective observation, and, consequently, this case study will keep focus on the overall picture, and not on the individual dimensions of the index. The next section will develop this standpoint into a research question and methodological direction.

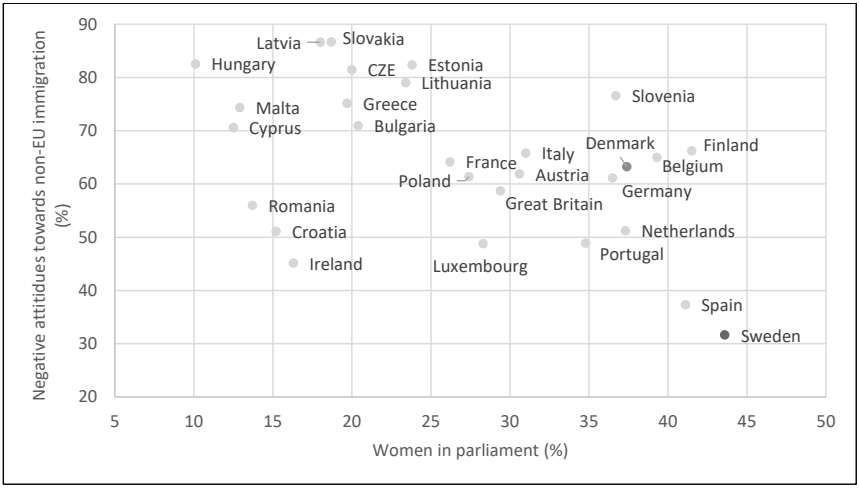
5.2. Empirical puzzle

The empirical analysis of the Women-Friendliness in Asylum Index explains the prerequisites for a society to create women-friendly asylum policies. It identifies women's political mobilization[89] as a key determinant of success, while critical attitudes towards immigrants from non-EU countries[90] are shown to have an impeding effect on the gendered revision of asylum policies. Sweden and Denmark have followed along a similar path to women's rights and opportunities, with similarly high and very stable figures of women in the labor force and in positions of political power. As for the second determinant, however, the two countries display significant divergence; Danish attitudes towards non-European immigration are much more pessimistic than Swedish. Visualizing these determinants in relation to asylum policies in Sweden and Denmark (Figure 10), we therefore expectedly note very little variation on behalf of women's political mobilization, but a significant gap in immigration attitudes. Further visual inspection of Figure 10 positions the two countries in their European context, and

[87] For example, a new legal practice in Somalia bans female genital mutilation, and Danish authorities will rely on this ban when settling an asylum claim. In practice, however, the tradition remains a threat to women and girls fleeing Somalia. (Interview UNHCR Copenhagen, 22.02.2019).
[88] In a family constellation, the man is often registered as main applicant, and although each family member is always heard, the man becomes the contact person. All material related to the procedure will then be addressed to him. Consequently, the account for financial aid, vouchers for public transportation etc are then made out with him as the beneficiary. (Interview Swedish Migration Agency, 07.12.2018).
[89] Captured through women's political representation (World Bank, 2015).
[90] Measured through Standard Eurobarometer 84.3 (qb4.2 Fall 2015).

clearly illustrates the empirical reflections of the WFA-scores from chapter 4; Eastern Europe are generally displaying very negative attitudes towards immigration, paired with low female political representation. Northern Europe are scoring much better when it comes to female MPs, and position themselves in the middle of the European scale in terms of immigration attitudes. Spain and Sweden stand out as the clearly most optimistic countries in the union. Yet, this case study is not attempting to discuss Sweden as a European outlier, but rather to contrast Sweden and Denmark, two otherwise most similar states, both labelled as women-friendly in the academic literature. My ambition is to understand and explain their diverging asylum-political journeys.

Figure 10: Female parliamentary representation and negative attitudes towards immigration in EU member states



Source: Eurobarometer 84.3 and World Bank, 2015

Interestingly, the visualization in Figure 10 reflects a fairly recent development. In fact, the two selected cases were most similar with regard to both determinants leading up to the 1980's. These similarities were rooted in a shared history of social-democratically driven welfare policies and strong attention to equality values both in the private and the public domain. Furthermore, Sweden and Denmark have a parallel history of labor immigration and related family reunification, creating a similar foundation for immigration policies in the two countries (see accounts by for example Pettersen and

Ostby (2013) for a statistical comparison, and Togeby (2003) for examples of both countries adopting similar reforms[91] in the beginning of the 1980's).

The pattern of covariation in Figure 10 convincingly suggests that, by 2015, negative attitudes towards immigration had created very different outcomes in Swedish and Danish asylum policies, with evident implications for women. Although, at a first glance, women's political mobilization does not seem to account for the differences in women-friendliness in the particular case of Sweden and Denmark, the convincing explanatory power of this first determinant in our empirical model makes it very likely that it does indeed generate significant impact. This case study provides an opportunity to qualify this determinant further, and to investigate the effects of strong female representation in a political setting dominated by pessimistic attitudes towards immigration. Reviewing and contrasting two neighboring countries frequently grouped together in academic literature, with the ambition to add historic context to the empirical model in chapter 4, I formulate my research question in line with their quite remarkable divergence in contemporary asylum policy:

> *Despite shared socio-cultural heritage, similar historic exposure to immigration and a traditionally similar stance on gender equality, Sweden produces more women-friendly asylum policies than Denmark. Divergence has increased over the past decades, parallel to a more pessimistic development in Danish attitudes towards non-EU immigration. How do these attitudes interact with women's political mobilization to influence the women-friendliness in national asylum policies?*

5.3. Methodological considerations

Having conducted a large-N analysis in the first part of my research, Sweden stands out as the most women-friendly country in Europe, while Denmark scores closer to a European average. Testing a series of independent variables for their impact on women-friendly asylum policies, two determinants have emerged as convincing explanations of women-friendly asylum policies. A most similar systems design, according to Ragin, Berg-Schlosser and de Meur (1996), assumes that the two theoretical determinants will differ between the states under investigation, and that the difference accounts for the

[91] Modelled on Swedish policy, a Danish law from 1981 gave resident foreign citizens the right to vote and run as candidates in local elections (Folketingets forhandlinger,2.samling.sp.14, quoted in Togeby, 2003).

explanation of women-friendly asylum policies. In the particular cases of Sweden and Denmark, a most-similar set-up implies that it is the second determinant (attitudes towards immigration) that may account for the divergence in women-friendliness of national asylum policies: Sweden presents a stable score and optimistic attitudes towards immigration, in contrast to Denmark, having experienced a negative shift in public opinion and in the political landscape related to immigration. However, given the very convincing results generated by female political representation in our empirical model, it is reasonable to assume that this determinant does have significant effects as well, and that it interacts with attitudes towards immigration to generate the surprising divergence between the two cases.

This case study is an opportunity to address the causal inference related to the mechanisms of national policy making in the asylum field, with the two determinants in focus. In doing so, I will employ causal process observation. Causal process observation is a very suitable approach for a case study such as this one, where my aim is explanatory and I may use description of change and causation to construct a causal sequence of both independent, dependent and intervening variables (Collier, 2011; Mahoney, 2010). Events and situations leading up to the current status of women-friendliness in national asylum policy – my dependent variable – reflect a process over time; causal process observation allows for the systematic characterization and evaluation of key steps in Danish and Swedish asylum policy-making across four decades. The chosen method is also particularly attentive to rival explanations (Collier, 2011), and appropriate to address several parallel trajectories related to the inflow of asylum seekers, shifts in the political landscape, the direction of the equality debate and attention to EU directives.

Against these premises, the set-up of a comparative study requires careful consideration. As discussed by Carmel (1999), I recognize the challenges related to the simplification and transfer of theoretical explanations, connecting them to a specific national context. Attempting to nuance and condense my theoretical framework from chapter 3, I will present three theoretical expectations for this case-study, with the ambition to guide my research process and add theoretical predictability to my analysis (Moumoutzis and Zartaloudis, 2016). A small-N comparative analysis is well suited to enhance the robustness of theoretical conclusions, Landman (2016) argues, and as I have so far only been able to make very limited causal claims about the relationship between the two determinants, I follow Lieberman's (2005) example of a mixed-

methods approach; my small-N comparative case study is intended as a complement to the large-N statistical analysis, to increase the overall confidence in the initial results. Sommer Harrits (2011) also encourages the use of mixed methods and recommends strengthening the causal inference of a large-N model using confirmatory small-N, arguing this method suitable to trace historical specificities and deepen contextual understanding, thereby address challenges such as causal sequence, heterogeneity of cases and measurement quality.

Having opted for a comparative research design based on two similar cases with a polar outcome, I need to address the argument that Sweden and Denmark may not qualify for a most-similar systems design, and that my set-up of key explanatory factors may generate conclusions without sufficient elimination of rival explanations. Debating the relative likeness of states, however, it must be kept in mind that similarity is a subjective concept, ascribed different meaning by different researchers – what one researcher considers a similarity, another may view as a difference (Landman 2003). Nevertheless, Landman argues, a most similar design is very suitable for area-studies due to the inherent similarities of countries set in a particular geographical region, based on shared history, language, religion or culture. For this case-study, I therefore maintain the notion similarity; there are evident parallels in institutional arrangements, the shape of governments and the structure of welfare systems, all central to my analysis.

However similar and well explained by the empirical model in chapter 4, it is certainly debateable whether my cases of choice are typical. Using the definition of Seawright and Gerring (2008), a typical case is described as representative, given a specified cross-case relationship. Denmark would, in this sense, be considered a more representative case than Sweden, due to its position on the regression line close to the European average. However, Sweden's location on the graph also fits within theoretical expectations, albeit displaying exceptional figures in a European context. However, according to Small (2009), statistical representativeness is less relevant to determine typicality. Instead, he suggests to focus on the validity of the analysis rather than the representativeness of the phenomenon. Along these lines, the case selection for this study moves beyond statistical relevance and aims to understand and explain a wider set of conditions, necessary or sufficient, for a state to produce women-friendly asylum policies. To this endeavor, both the typical and the atypical are of value.

Furthermore, having chosen to include only two countries in my analysis, I must also address the matter of generalizability. Naturally, I recognize that attempts to draw general conclusions from the comparison between indexed states suffer from many shortcomings, as noted by Lieberman (2005); for example related to selection bias, lack of systematic procedures and inattention to rival explanations. Ragin, Berg-Schlosser and de Meur (1996) even speak of systematic comparative analysis of political systems as facing "bewildering complexity" (p. 749). Indeed, all case-studies are subject to inherent limitations with regard to generalizability. Meyer (2001) concludes that the linking of certain methodological considerations to a specific context or phenomenon is both a strength and a weakness; the questions raised by one case-study may well be applicable to another, but the answers are likely to vary. Indeed, as different kinds of qualitative research aims to produce different kinds of knowledge, there is no established procedure to increase generalizability across the whole spectrum of analysis (Moumoutzus and Zartaloudis, 2016). Well aware of the challenges posed by assumptions and compromises, I follow Meyer (2001) and make an active choice to aim for applicability rather than generalizability, in a case-study set up to provide depth over breadth. That said, however, limitations to generalizability do not imply that my case-study is not reliable; it is my ambition that the process analyzed remains consistent also when investigated using a different set of methods, and also when generating a different set of conclusions.

5.4. Documentary evidence

The documentary evidence at the foundation of this case study is selected with both temporal and thematic scope in mind, combining primary and secondary source material. I have found archival material most useful to establish chronology and trace the development of events over time, and a subsequent set of in-depth interviews were helpful to validate and reflect upon the historical narrative. Data collection has been facilitated by the similar traditions in Sweden and Denmark to produce official statistics and provide extensive and highly accessible administrative records. Since I understand both Danish and Swedish no translations have been necessary.

I have used political manifestos (table 5) to trace and analyse the partisan discourse and its institutional context over three decades, constructing a historical storyline of national policymaking within the asylum field. In critical discourse analysis, Carmel (1999) distinguishes between two approaches to historical comparison, differentiating between

understanding events (interpretive) and explaining their causal regularity (analytical). A mere interpretation, she argues, relies too heavily on details to provide useful explanatory theories. I have therefore taken an analytical approach to the material, organizing the manifestos chronologically as well as thematically to review content related specifically to asylum, immigration and gender equality. In doing so, I have attempted to trace the position of selected parties with regard to a certain topic, rather than to observe their general stance in the partisan line-up.

Adding to the contextual analysis, I have also included testimonials related to the preferences and perceptions shaping policy outcome in my two selected cases, made public through national surveys (table 6). Eurobarometer compiles regular measurements with detailed accounts for each country, providing highly comparable data. Analysis of media coverage[92] has been helpful to illustrate or emphasize certain developments further, but as I do not have the means, nor the intention, to make a full media coverage analysis, I have chosen to include data from major newspapers and television-broadcasts as a complement to the secondary narrative. Similarly, monitoring reports (table 7) add an important voice to both public opinion and decision making, providing a fuller picture of the asylum-political landscape, but they are very difficult to compare over time and across national contexts. In the compilation of documentary evidence, I have therefore used monitoring reports cautiously, including them as a complement. I have also reviewed legislative documentation[93] related to changes and updates in asylum policy. Next to admitted legislation, draft proposals and motions by political parties and decision-makers were very helpful to better understand the national debates and discussions behind the development of national asylum legislation.

The relative focus on secondary sources is of course not without limitations. Both the quality and purpose of data may impact its validity and its comparability. Adding personal interviews to my source material therefore provides a necessary complement. Seven in-depth expert interviews were conducted to complete the empirical foundation, adding the perspectives of case workers and decision makers within the fields of women's rights and asylum in Denmark and Sweden. Interviewees were selected based

[92] Public archives for Dagens Nyheter, Hufvudstadsbladet, Göteborgsposten and Aftonbladet.

[93] Legislative proposals related to updates of the asylum law: 203 proposals to amend the Danish Udlændingeloven between 1985 – 2019, and 127 proposals related to updates on asylum within the Swedish Utlänningslagen between 1989-2019.

on their functions in government organizations or NGO's closely affiliated with asylum policy and gender equality/women's rights. It has been my ambition to collect personal accounts from different areas of the asylum policy field, including reflections from decision-makers as well as activists and scholars, and the interviews were set up to include similar representation from Sweden and Denmark. The direct contact with asylum-professionals was very helpful to guide the research process, and the semi-structured discussion-format opened up for longer in-depth conversations. Since I was able to ask each respondent the same question and collect parallel narratives, the interviews were important to facilitate comparability of my study. Adding further credibility to the comparation, there is extensive cooperation between institutions in Sweden and Denmark, and caseworkers are often well-informed of conditions across the border. Interviews were conducted between December 2018 and April 2019 (please see Table 8 for details).

Table 5: Political manifestos (years collected and total number of publications)

Party	**Years**	**Total**
Sweden		
Social Democrats	1982-2014	18
Sweden Democrats	1987-2014	8
Moderate Party	1984-2013	10
Liberals	1982-2014	14
Denmark		
Social Democrats	1980-2015	20
Liberal Party	1980-2011	16
Conservative People's Party	1980-2014	15
Danish People's Party	1997-2015	8

Table 6: National/ Regional surveys

Publication	**Years**
National	
Danish Election Database (*Den danske valgdatabase*)	1980-2018
Danish Radio Opinion survey (*DR Meningsmaling*)	2008-2018
National survey on Society, Opinion and Mass media (*Nationella SOM undersökningarna*)	1986-2015
Swedish Broadcast Election Poll (*SVT vallokalundersökningar*)	1991-2019
Regional	
Eurobarometer	1997-2017

Table 7: Monitoring reports (years collected and total number of publications)

Publication	Years	Total
Delmi	2015-2018	6
Swedish Network of Refugee Support Groups	2018	1
Swedish Red Cross	2016	2
Swedish National Taskforce on Asylum	2007	1
Swedish Refugee Law Center	2018	1
Danish Red Cross	2015	1
Danish Red Cross/ Amnesty International	2008	1
Danish Refugee Council	1995-2017	4
Danish Human Rights Institute	2018	1

Table 8: Expert interviews

Institution	Function	Date
Swedish Migration Agency, *Unit of Equality*	Senior official	07.12.2018
FARR, *Swedish Network of Refugee Support Groups*	Board member	22.01.2019
Kvinfo, *Danish center for study of gender, equality and diversity*	Senior official	22.01.2019
Danish Human Rights Institute	Scholar	29.01.2019
Swedish Ministry of Justice, *Unit for Migration and Asylum*	Senior official	01.02.2019
UNHCR Copenhagen	Senior official	22.02.2019
Swedish Ministry of Social Affairs	Senior official	15.04.2019

The investigated time frame of this case-study ranges from 1980 until 2015 with the beginning of the selected interval marking the end of labor-related immigration to Scandinavia and the shift towards asylum-related inflows. The study ends with a year of unprecedented influx, 2015 indicating the beginning of more restrictive asylum policies in almost all EU member states.

5.4.1. Methodological challenge: Derivation

Public policy is often determined by goals with a high degree of ambiguity, and with a strong ideological dimension (Lipsky, 1980), making it a challenging area to approach analytically. This case study consequently faces several methodological challenges: Firstly, the complexity of the policy making process makes it difficult to identify central actors, something that may be particularly true for decision-making related to asylum

policies. Gill (2009) has noted a frequent shift in responsibility, where intermediary actors such as local government employees, asylum case workers, immigration judges and security staff are made responsible for the political risks associated with asylum migration control. Conducting my interviews, it became clear that difficulties to pinpoint policy initiatives and derive them to specific units of operation were a challenge not only to me, but to the experts within the field as well. Although, as a result, I have not been able to create a clean time-line of central actors and decisions, the method of choice is very suitable to address this complexity as it allows for the identification and description of events and situations at specific moments in time (Collier, 2011). In that sense, the expert interviews have been very helpful to highlight preceding debates and the general setting of political decisions.

5.4.2. Methodological Challenge: Time

The expert interviews also help me highlight the significance of time; Although Sweden and Denmark both present very well-documented policy processes and a detailed statistical foundation for asylum reception, a study over time poses great challenges. Moving away from the snap-shot-character of the initial WFA analysis, I need to review my cases in light of a continuous process and stretch the analysis far enough over time to capture shifts in both context, policy and sentiments. The data is sufficient, and I believe that my choice with regard to starting point is well motivated. More challenging is the endpoint of my study, December 2015. This was a time when immigration authorities in both Sweden and Denmark were under a lot of pressure, and a number of political decisions were drafted to suppress the inflow of asylum seekers. The actual impact of these decisions was however not visible until sometime later, and are hence not a part of my case study. Choosing to conclude my investigation before this major shift in policy was well motivated for the compilation of the index as it provided me with stable data – the following months and years after 2015 were very turbulent in terms of asylum policy development and it would have been extremely difficult to deal with the multitude of temporary policy measures. However, since I decide to conclude my case study on the same date as the index and the initial analysis, a wider discussion becomes necessary; the expert interviews all convey a very clear message of ‘before’ and ‘after’ that I will address in the final section of this study, discussing the evolution of asylum policies in Sweden and Denmark after the refugee crisis.

5.4.3. Methodological Challenge: Causality

My large-N analysis eliminated a set of variables in favor of two (women's political mobilization and attitudes towards immigration) that stand out as decisive for women-friendly asylum policies. Pursuing these two in a case study, I am facing the challenge of all social science research; the identification of rival explanations in my attempts to establish causality. Adcock and Collier (2001) describe the need to adapt concepts and measurements to account for the varying contexts in which they occur. Such context, in the definition of Falleti and Lynch (2009) is the setting in which a variety of conditions lead to an outcome via causal mechanisms. Establishing causation is hence only possible with great attention to the interaction between causal mechanisms and context. Certain mechanisms will interact differently within a Swedish and a Danish context, thereby generating varying causal effects. My selection of data therefore pays particular attention to the comparability across contexts.

In terms of causality, it is also necessary to address the intuitive assumption standing in the way of any further theoretical exploration: Are women-friendliness in national asylum merely an effect of generally liberal policies? Although figures naturally fluctuate over time, the average acceptance rate in Sweden for all applicants between 2008 and 2015 is 46%. Corresponding figure for Denmark is 51%. Adding gender to the data, Sweden is slightly more generous towards women asylum seekers (average acceptance rate for women in the same time-period is 50%). In Denmark, results of women's asylum applications are tendentially slightly less likely to be positive (48%). Although a rather blunt measurement[94], these figures indicate that Sweden is slightly more restrictive overall than Denmark, but slightly more generous towards women asylum seekers. The total numbers would therefore reject the claim that women-friendliness is an effect of an overall generous national asylum framework.

5.5. Theoretical foundation

The two independent variables (women's political mobilization and attitudes towards immigration), presented in our empirical model as determinants of women-friendly asylum policies, are both powerful in explaining the outcome and direction of women's rights in national asylum frameworks. They also provide a solid foundation for comparisons within the EU as a common area of policy making. However, the empirical

[94] Gender-segregated reception figures must be viewed with certain caution, as they do not reveal any information about the composition of inflow in terms of type of immigration, or the origin of refugee flows.

analysis of the Women-friendliness in Asylum-Index is limited to quantifiable data only, and, as a result, the two determinants offer little qualitative nuance. Pursuing this in-depth study, I will now add to the theoretical framework in chapter 3 and explore each determinant in the particular context in which it operates.

In fact, Sweden and Denmark present a somewhat curious image of these two determinants: Female political representation is equally high at about 40%, and attitudes towards gender equality are very similar in these two of the most gender-equal societies in Europe. A superficial analysis of the data therefore virtually eliminates the explanatory power of women's political mobilization as a determinant of women-friendly asylum policies in Sweden and Denmark. Attitudes towards immigration, on the other hand, come across very strongly, and seem to solely account for the observed divergence in women-friendliness between the two countries. However, the results of or empirical model clearly imply that no one determinant provides sufficient explanation on its own. The theoretical framework of this case study therefore sets out to explore the contextual interaction and mutual dependence if the two determinants, nuancing the discussion on women's political mobilization into two theoretical directions that I deem particularly important for women-friendliness in asylum: the level of institutionalization of women's rights/gender equality, and the prominence of female representation within the right-wing.

This following chapter will hence forward three arguments, formulated as theoretical expectations, to explain the divergence in women-friendliness of asylum policies in Sweden and Denmark: First, I will discuss the catalysts and political consequences of negative attitudes towards non-EU immigration, presenting a contextual breeding ground for the politization and framing of xenophobic sentiments into a political agenda. Second, I will present a theoretical argument on the efforts of the women's movement and female political representatives in institutionalizing gender equality and women's rights, discussing the importance of a strong institutional setting for women-friendly policymaking. Finally, I will introduce a theoretical perspective on female political representation within a right-wing context, revealing an intersection between women's political mobilization and anti-immigration sentiments.

5.5.1. First theoretical expectation: The impact of negative attitudes towards immigration

According to the empirical model in chapter 4, pessimistic attitudes towards non-EU immigration is a strong determinant of women-friendly asylum policies and accounts for the most obvious difference between Sweden and Denmark. Understanding the occurrence of prejudice and negative sentiments towards immigrants, scholars frequently turn to contextual factors; perceived negative effects for the labor market and the welfare state, size of the immigrant population and economic conditions of the receiving country are often subject to particular interest (Davidov and Meuleman, 2012; Hayes and Dowds, 2006). For example, xenophobia stemming from economic self-interest has been shown to breed right-wing sympathies, an effect that comes across stronger with financial disadvantage and low education (McDaniel, Nooruddin and Shortle, 2010). In the cases of Sweden and Denmark, however, the economic prerequisites as well as the composition of skill among the population are highly similar, with very similar levels of income[95] and very high scores on the Education Index 2015[96] in both countries. Economic interest is therefore an unlikely catalyst of the negative shift observed in Denmark.

Siim (2007), instead, ascribes divergence between the Nordic states to national history and geopolitical positions. Sweden's and Denmark's varying ability and willingness to embrace diversity, she argues, is a result of different forms of nation-building over the past 150 years. Campbell and Hall (2009) discuss the geopolitical and economic vulnerability of smaller states; fearing the loss of territory or independence shapes a society of unity and cooperation, with its strength and focus directed outwards. Denmark is often brought forward as an example of the success of small states, having created institutions that facilitate cooperation and flexibility in the face of external vulnerability (Campbell and Pedersen, 2007). Strong sentiments of national identity and nationalist cultural pride is a phenomenon found to intensify xenophobic tendencies (Hjerm, 1998), and are more likely to arise in a smaller, culturally homogenous country with a shared set of values based on ethnicity, linguistics and religion (Campbell and Hall, 2009). This argument, related to group threat theory, is developed by Hjerm and Nagayoshi (2011), concluding that the size of the minority population matters when the

[95] In 2015, GDP per capita in Denmark averaged 53 012 USD, and in Sweden 50 812 USD (World Bank: https://data.worldbank.org/indicator/NY.GDP.PCAP.CD accessed 24.11.2019)
[96] The Education Index 2015, released by the Human Development Report 2016: Denmark ranks second in the world with a score of 0.923, while Sweden scores 0.855, ranking 19th.

threat is perceived to be cultural (of linguistic or religious character). Repeatedly associating immigrants with erosion of cultural values reinforces a sense of insecurity that may cause individuals to develop prejudice (Yakushko, 2009; Triandafyllidou, 1998). A scholar at the Danish Human Rights Institute points to the geographic position of Denmark as crucial in shaping asylum policies and regulating inflow: As a part of northern Europe but also of southern Scandinavia, the identification with a certain geographic region has been challenging, and to some extent clashing with a strong sense of Danish sovereignty. The country's small size and feelings of exposure and vulnerability, he concludes, have added to the sense of Denmark being "entitled to protect its borders" (interview 29.01.2019). As an explanation of xenophobic sentiments, it might therefore be concluded that the larger, more heterogenous Sweden has been theoretically better equipped to resist xenophobic tendencies.

Politization of immigration

The mere presence of xenophobic attitudes does not have an impact on policy, however. Attitudes have a political effect first when the issue at stake has become politicized, that is "translated into political terms and affecting the political behavior of politicians and voters" (Rydgren, 2010 p. 66). In that sense, public opinion dictates which issues receive political attention, because parties are attentive to issues with electoral support and will aim for issue ownership (Green-Pedersen and Krogstrup, 2008). When public opinion turns against immigration and the political response is weak, it may be exploited by a right-wing party, motivated to own and define the content of the immigration debate. Indeed, the politization of immigration is often related to the populist right gaining political foothold, typically combining anti-immigration views with a welfare chauvinist agenda, restricted to the native population (de Koster, Achterberg and van der Waal, 2013).

Causality between the politization of immigration and political populist movements is however not undisputed. For example, Demker (2012) explains the salience of immigration and the electoral strength of the right-wing through a grid of political cleavages where Sweden and Denmark display significant differences. The Swedish system, she argues, is characterized by a left-right cleavage, while the Danish one is structured around several regional, urban/rural and religious cleavages. The more pluralized political landscape in Denmark has left room for xenophobia as a political issue in its own right, while in Sweden the topic is subordinate the right-left cleavage, creating an unfavorable political opportunity structure for Swedish right-wing parties.

Rydgren (2010) follows a similar path of reasoning, ascribing western European democracies two major cleavage dimensions – one concerned with state involvement in the economy and the other revolving around sociocultural conflicts. He describes a "shield" (Rydgren, 2010 p. 59) in Swedish politics, keeping focus on socioeconomical issues rather than shifting to the sociocultural cleavage dimension and thus preventing the mobilization of right-wing populist parties. Consequently, shifting the Danish agenda from socioeconomic towards more sociocultural interests, opened a window of opportunity for the political right.

Green-Pedersen and Odmalm (2008), as well as Boréus (2010), add nuance to the discussion on politization by arguing that salience of the immigration issue has less to do with the character of the right-wing parties, but more with the policy positions of center-right parties. Bale's party incentive argument (2003) explains that established parties on the center-right will lean towards the anti-immigration party's agenda in order to defend issue ownership. In a similar vein, Green-Pedersen and Krogstrup (2008) ascribe differences in mobilization of the right populist flank to coalition considerations, as right-wing parties to various degrees have been dependent on support from social liberal center parties to access government power. This process is linked to party relevance, defined by Sartori (2005) as a matter of the party having coalition potential. Small anti-system parties, redundant to form a government, may be deemed largely irrelevant and thus not significant for the politization of an issue. This is well reflected in Denmark, where the strong coalition potential of the Danish People's Party made it highly relevant, while the opposite was true for the right-wing Sweden Democrats. According to this line of thought, the success of an emerging right-wing party depends on their ability to force other parties to pay attention to the immigration issue as well.

Setting a nationalist agenda

Because no policy-issue is inherently strategic or important to policymakers, but, as established above, a result of the public's claims of what matters (Dutton et al., 2001), the shaping of the political agenda is of fundamental importance to right-wing advocates. Agenda-setting as a mean of directing the attention of both political actors and the public refers to the relative salience of issues (Weaver, 2007), related to the underlying psychology of attitudes, opinions and behavior (McCombs, 2001). Theories on domestic policy agenda setting mostly rely on problem perception, issue definition and the mobilization of interests, and Birkland (1998) adds the importance of sudden events in advancing issues on the political agenda and as potential triggers for policy

change. Such events, for example an armed conflict generating a surge in asylum-seekers, may lead interest groups, decision-makers, the media and members of the public to identify a new problem, in this case immigration. Greater attention to such new problems often leads to a more negative assessment of the current policy framework and creates pressure on the existing policy community (Birkland, 1998), in this case the mainstream parties facing a new policy issue framed by the right-wing.

Framing is a critical step to increase public awareness and political interest in a specific issue. It is defined as the influencing of opinion by emphasizing specific values, and selecting words to describe a situation that may invoke a certain interpretation by the receiving audience (Scheufele, 2000). Central to framing is selection, organization and emphasis of certain aspects of reality, at the expense of other aspects (De Vreese, Peter and Semetko, 2001). A prominent theoretical direction in communication research, this practice is often linked to the media as a way to steer journalists' information and influence the attitudes of media consumers (Matthes, 2012). Theories related to framing have indeed been frequently applied to the performance of right-wing parties in both Sweden and Denmark and their interpretation of the immigration issue, presenting a very selective view to increase its salience. This, according to Matthes (2012), is efficient to promote a particular problem definition and invoke a moral evaluation among voters, and when the public pays greater attention to an emerging policy-issue, policymakers are bound to do the same, seeking voter approval (Wood and Peake 1998). Public perception, in turn, is largely determined by news media to interpret issues and give them significance through the type and amount of coverage. Hopmann et al. (2010) argue that political parties have substantial influence over which issues the news media cover during election campaigns, and that the media in turn has substantial influence on which policy issues the public perceives as important. Hence, there is a clear link between political agendas, the media and the public in elevating the salience of an issue. Agenda-setting and framing have been applied to the success of the Danish right-wing (Rydgren, 2004), and I expect both to constitute important building blocks in the narrative on Danish asylum policy.

Having reviewed the theoretical culprit of nationalist sentiments and negative attitudes towards immigration, as well as the potential of xenophobia to shape and influence political agendas through framing, I will now turn to the determinant with weaker explanatory power in the comparison of Sweden and Denmark; women's political mobilization. This case study offers an opportunity to qualify and nuance the

understanding of this determinant, and I will explore two directions starting with a discussion on the women's movement and its efforts to institutionalize gender equality, and the importance of such institutions for women-friendly policy making.

5.5.2. Second theoretical expectation: Women's political mobilization; the women's movement and the institutionalization of gender equality

Contrary to immigration, which is a fairly recent priority on national political agendas, gender equality has been a very salient issue in the two Scandinavian countries since the 1960's, voiced primarily by the women's movement. Much like the classic social movement agenda as defined by McAdam, McCarthy and Zald (1996), the women's movement opened up for political opportunities and new channels of communication and coordination among female stakeholders to voice their claims. Paxton and Hughes (2006) uses female suffrage as an example of the intensification of movement demands, shifting the notion of women's right to vote from "tolerable" to "encouraged" to an "absolute requirement". This development in the direction of increased gender equality, Bergqvist (2016) notes, has been a central feature to the advancement of the welfare state – and similarly, the arrangements and institutional design of the welfare state have been equally important to increase gender equality.

Since the beginning of the women's movement, equality rhetoric has been used to frame the demands for women's rights and bring egalitarian concerns to the national agenda (Cornwall and Rivas, 2015). With the integration into the labor market, women successfully demanded that the state take over some responsibility for the care of children and the elderly. In the 1970's, women's political representation increased dramatically, due to heavy pressure from the women's movement (Dahlerup and Freidenvall, 2005), and at the same time, the efforts of the Scandinavian women's movement became increasingly institutionalized. Both Sweden and Denmark established an official equality policy through legislation and the creation of new institutions, a process that has been deemed fundamental to the establishment of the modern Scandinavian welfare state (Borchorst and Siim, 1987).

Institutionalizing feminist claims

Weitzer (2007) applies a social constructionist perspective to institutionalization, intimately related to political framing: Social conditions may be framed into issues or problems by interested parties. Once these claims have become salient enough, they may be institutionalized through a series of steps that we see clearly reflected within the

institutionalization process related to gender equality; representatives of the women's movement are included in the policy making process, the feminist ideology is recognized and endorsed, resources are mobilized and agencies and legislation are created and adjusted to address the problem (Weitzer, 2007). Once these institutions are in place, Bulmer and Padgett (2004) argue, they will continue to shape actor preferences and structure the process of policymaking in a setting that Hernes (1987) refers to as 'state feminism'.

The role of the state is central to this scholarship, taking the form of an institutionalized representation of women. Hence, it is the state that must lead the development towards gender equality (Goetz, 2018). Sainsbury and Bergqvist (2009), as well as Htun and Weldon (2010), further investigate the contextual factors behind the institutionalization of gender equality, finding state capacity to intervene and the efficiency of institutions of particular importance for gendered policy development. Leaning on feminist institutional scholarship, Waylen (2014) confirms the impact of institutions in shaping political life, both through formal mechanisms – rules and enforcement – but also through informal channels such as norms and practices. Bulmer and Padgett (2004) show that the potential for policy transfer is much stronger in a highly institutionalized setting, than in a setting of informal rules and a soft compliance machinery. Lloren (2015) finds women's policy agencies highly influential in feminist policymaking in their ability to influence policy processes in favor of women and transfer their stand on legislative issues to female MPs through consultations and recommendations. Liinasson (2018) reflects upon how the institutionalization of gender equality has added weight and content to women's rights, both as an instrument in the continued struggle for liberation, but also as an important measure in national governance strategies – something that may be observed very clearly in the case of Sweden.

Borchorst and Siim (2008) describe Sweden as a feminist state characterized by a strong institutional model, with a political set-up that combines old feminist concerns with new inquiries and strengthens the feminist movement outside parliament as well as the gender equality machinery within the government. The Swedish strategy for gender equality was introduced at a time of favorable economic and political opportunity structures. The Danish context was less favorable and resulted in weaker institutions and fewer measures of regulation (Borchorst and Teigen, 2010). Even though both countries featured strong women's movements at the time, feminist influence in Denmark never gained ground in parliament to the same extent as in Sweden, and

Borchorst and Siim (2008) call Denmark a "failure of state feminism" (p. 218), lacking efficient gender equality legislation and a system promoting equal opportunities.

Although containing several examples of successfully institutionalized gender equality, Scandinavian state feminism is challenged by the lack of integration of immigrant women. The intersection of gender inequality with other kinds of inequalities, for example related to ethnicity, is an emerging topic of concern in feminist scholarship (see for example Spierings et al., 2015; Svensson, 2006 and Siim and Borchorst, 2016). Emerging multiculturalism has, as we will see, created a new direction of the political debate on gender equality in Scandinavia. The traditional approach has been to address different groups and dimensions separately, with welfare-policies, immigration policies and policies related to gender equality as separate policy discourses (Borchorst and Teigen, 2010). Intersectionality has however spurred revisions of national institutional landscapes, and the treatment of multiple discrimination within national judicial contexts, for example regarding the hijab, is a marker of the contemporary equality discourse (Halrynjo and Jonker, 2016). This has come to play a central role in Danish policymaking on gender equality, producing set of new discursive frames merging gender and ethnicity. An example of the contrary, Sweden has maintained a unitary approach, keeping ethnicity separate from the gender equality-debate (Borchorst and Teigen, 2010; Langvasbråten, 2008).

Concluding my review on the institutionalization of gender equality and the importance of feminist institutions for women-friendly policy making, I will continue my discussion on women's political mobilization in the formulation of a third theoretical expectation related to female representation within a right-wing context.

5.5.3. Third theoretical expectation: Women's political mobilization; female representation within the right wing

As concluded in the previous section, the feminist movement has been significant for the shaping of political discourse, according to Borchorst and Teigen (2010) a result of an alliance between the movement and state agencies. Further noted in chapter 3, this alliance has been traditionally found at the left side of the political spectrum: Left parties are concluded more likely to support women's candidacies for political office than right parties, due to a stronger egalitarian ideological core (Caul, 1999). Inglehart and Norris (2000) find the tendency of women to lean left a result of cultural differences in the value orientation of men and women, related to postmaterialist attitudes, but also to the

women's movement. The effects of the women's movement are developed in Carroll's (1988) conclusion, considering the political gender-gap an effect of women's employment: The transition into the paid labor-market has made women more supportive of the welfare policies enabling their autonomy. Iversen and Rosenbluth (2006), Armingeon (2006) as well as Heidar and Pedersen (2006) also note that women tend to have a more positive view of the welfare state and that this is reflected in an inclination to vote for socialist or left-oriented parties. The emerging 'new generation' of leftist parties, for example related to the environment and minority rights, confirm the notion of the political left being more inclusive of underrepresented groups (Lovenduski and Norris, 1993; Caul, 1999). The affiliation between the women's movement and the left-wing is significant to policymaking within the asylum field as well, with immigration-policy intimately linked to the welfare regime. Departing from the notion of women being more supportive of social policies feeds into the theoretical assumption that female decision-makers pay greater attention to issues of particular concern to women. Hence, it may be concluded that the political outlook of women, whether representatives or voters, matters for the creation of women-friendly policies. In this sense, Sweden (with a 43.6% share of female MPs) and Denmark (with an equivalent of 37.4%) (World Bank, figures from 2015) are both well positioned to produce women-friendly policies.

The voter gender-gap

The other side of the political spectrum, the populist right, implies its own construction of gender related to nationalist ideas. The populist right-movement tends to divide civil society into a public and a private domain, placing women and family in the second, politically marginalized category (Haas, 1986). This reduces women's roles in right-wing ideologies, where they become significant mainly for the reproduction of the nation, and as symbols of cultural values related to the nationalist spirit (Yuval-Davis, 1993). Traditionally, these values have resonated poorly with female voters, and populist right parties have therefore tended to be "Männerpartien" (men's parties) (Mudde, 2007, p. 90). Inglehart and Norris (2000) note that gender-differences in electoral behavior indeed do place women to the left of men in most industrial societies. Voter preference for populist right parties across Europe mirrors their observation with on average only about 1/3 female voters (Harteveld and Ivarsflaten, 2018).

Great scholarly interest has been paid to this gender gap in the composition of electorates and representatives of populist right-wing parties, often turning to socio-

economic factors as a primary explanation, or investigating behavioral responses between men and women with regard to immigration or welfare (Meret, 2015). Gendered party preferences, with men being more likely to vote for a right-wing populist party and women expressing stronger sympathies for the left, has broad scholarly support (Fontana, Sidler and Hardmeiers, 2011; Edlund and Pande, 2002; Inglehart and Norris, 2000; Bonoli, 2005; Mudde, 2007; Studlar, McAllister and Hayes, 1998). As a theoretical assumption, it is a notion well applied to the Swedish case, with a mere 7,7% of the women expressing preference for the right-wing Sweden Democrats in 2017 (Nyheter 24, 08.12.2017). For Denmark, however, as well as for several other European countries (notably Italy and Hungary), we see a shift towards the right on behalf of female voters (Chrisafis, Connolly and Giuffrida, 2019). There are several theoretical arguments to explain this shift, pursued in the following section.

Feminist preferences shifting right

One popular explanation of women's voting preferences relates to the complex relationship between xenophobia and redistribution, with redistribution being a policy-area traditionally favored by women and clearly linked to asylum policy. Alesina and Glaeser (2004) find negative views on immigration to undermine the support for redistribution in a rather pessimistic conclusion on the difficulties to reconciliate ethnic fractionalization and a comprehensive welfare state. Finseraas (2008) discusses preferences related to welfare in terms of anti-solidarity; xenophobia will reduce the preferred levels of redistribution because voters are critical towards the people perceived to be on the receiving end. An opposite effect, he argues, will come from perceived economic insecurity, where the fear of income loss increases the preferred level of redistribution as compensation.

Along these lines, a discussion on party positions is helpful to understand gender-roles in voting and political preferences. Finseraas (2009) and Vernby and Finseraas (2010) argue that a growing community of voters with a leftist view on redistribution but a rightist approach to immigration will have the same effect on welfare policies as the anti-solidarity of the outspokenly xenophobic. This effect is usually referred to as 'policy-bundling': When immigration and the public sector are intertwined in the political debate and the public mind, parties that advocate a smaller public sector may be more electorally successful thanks to the immigration issue (Roemer and Van der Straeten, 2006). If the salience of the immigration issue has the potential to distract voters from voting according to their traditional left-right preferences, the political

consequences are of course significant. De Vries, Hakhverdian and Lancee (2013) find that a new policy issue which remains high on the political agenda will motivate parties to integrate it into their existing ideological profile to minimize electoral risk. Voters will, in turn, update their political identification and move left or right, based on the content of the new policy-issue. This implies that a new controversy, for example the issue of immigration, when made salient will not only redefine the issue along the lines of the left-right-dimension, but impact other issues traditionally associated with the left/right identification such as redistribution and gender equality. Policy-bundling may therefore lead to new policy issues crowding out existing determinants of the left/right identification when anti-immigration attitudes become the dominant factor of voter preference (de Vries, Hakhverdian and Lancee, 2013).

These findings indicate that, if voters have preferences on both immigration and redistribution, an economic agenda becomes subordinate a cultural ditto at the ballot box. Political competition may therefore tempt left-leaning parties to adopt a more conservative position on immigration. It is reasonable to assume that a shift in the ideological direction of female voters reflects a situation where immigration concerns are becoming super-ordinated the traditional gender equality-debate. Increasing support of women, both in the political line-up and the electorate, turns the right-wing increasingly mainstream. The divergent approach to women's rights in asylum in Sweden and Denmark may therefore be related to an intersection of women's political mobilization and anti-immigration attitudes, with stronger representation of women in a right-wing context.

5.5.4. How do attitudes towards immigration and women's political mobilization impact women-friendly asylum policies?

As I conclude my theory-section, I do so with the conviction that these three theoretical expectations all matter for the women-friendliness of asylum policies. My first expectation concerns Denmark being geopolitically and historically more prone to xenophobic sentiments, which have been easier exploited by the right-wing and thus gained political salience. The culturally framed immigration debate has influenced the public agenda to a greater extent than the traditional socio-economic discussion, causing a shift towards the right among both parties and voters. With restriction rather than humanitarian obligation at the core of immigration policies, there have been less incentive to update policies to provide additional protection and recognition of the specific needs of female asylum seekers.

Second, I expect that the efforts of the women's movement in the two countries have resulted in different institutional settings, with different prerequisites to promote gender equality and safeguard women's rights. A result of feminist demands, an extensive institutional framework has the potential to influence political representatives and call for updates of the policy framework. Strong national gender equality-institutions may therefore steer the policy-making process in favor of asylum-seeking women.

And third, I expect that when the political landscape shifts right to accommodate the salience of the immigration issue, xenophobic sentiments will make female political actors – MPs and constituents – less concerned with the rights of asylum-seeking women and more inclined to accept a right-wing narrative on immigration as a challenge to national gender equality values. Hence, the political preferences traditionally associated with women will change and the women-friendliness of asylum-policies will suffer.

Applied in a most-similar context, it becomes clear how these expectations are interrelated and how they influence and reinforce each other – for example, stronger female voices promoting anti-immigration policies will give xenophobic ideas a more mainstream face, and hence impact a broader segment of the public to adopt pessimistic attitudes. The following chapter will explore the interconnectedness of these theoretical expectations, reviewing them in their particular national context and evaluating their impact on the women-friendliness of Danish and Swedish asylum policies. I will set out to briefly introduce the Scandinavian context related to gender equality and immigration. Next, I investigate the development of attitudes towards immigration across four decades, followed by a review of the political climate throughout the same time-period. I proceed to detail policymaking related to asylum and gender in the two countries as well as the institutional setting of these policies, before discussing the presence of female political representation within the right-wing.

5.6. Empirical narrative

Introducing the empirical setting of this case study, the Nordic equality model stands out as a very popular analytical paradigm within feminist scholarship (Lister, 2009). The Nordic states are continuously referred to as the most gender-equal societies in the world (World Economic Forum, 2017), and are often used as role models for gender equality policies (Nordic Co-operation, 2010) with top scores in most surveys on gender

equality (see for example EIGE, 2017). Literature is laden with emotional values portraying Scandinavia as "the best of all possible thinkable worlds" (Kangas and Palme, 2005, p. 2), and a paradise for women (Fougner and Asp-Larsen, 1994) highlighting principles of inclusion, solidarity and universalism (Vidje, 2013). Hernes (1987) has categorized Sweden, Norway, Denmark and Finland as truly women-friendly states and Nordic gender equality is often used as a benchmark both in theoretical work and in policymaking. Siaroff (2000) even refers to a "Scandinavian effect" (p. 199) of women's political representation. With the political support for gender equality being historically strong in all the Nordic countries, the feminist debate has been shaped along similar historic, socioeconomic, cultural and linguistic paths (Bergman, 1992), with a prominent place on political agendas in both Sweden and Denmark.

The status of gender equality as a core value is reflected also in terms of asylum policy. The Scandinavian countries have all been among the most generous in Europe, generally displaying legal frameworks with high attention to women's rights. Historically, the region has been equally exposed to immigration through labor agreements in the 1960's and 70's[97] and both Sweden and Denmark experienced subsequent decades characterized by immigration related to family reunification, as well as increasing exposure to asylum seekers from former Yugoslavia, Afghanistan, Iraq and Somalia. Up until the new millennium, immigration policy in the two countries remained somewhat comparable (Jakobsen, Korpi and Lorentzen, 2019), but since then, as illustrated in Figure 15, inflow has diverged greatly with Sweden receiving the most asylum seekers per capita in Europe in 2015. Denmark has disclosed much more modest figures, introducing restrictions of both asylum and family reunification policies already in the early 2000's.

The empirical narrative of this case study explores the evolution of asylum policies within the gender equality framework of Sweden and Denmark, starting with the shifting attitudes towards immigration – my first theoretical expectation.

[97] Sweden received immigrant workers primarily from Finland, Italy, the former Yugoslavia, Greece and Turkey. Denmark recruited from former Yugoslavia, Turkey, Pakistan and Morocco (Nordic statistical yearbook 2012).

5.6.1. Attitudes towards immigration

Reviewing the evolution of xenophobic sentiments in Sweden and Denmark, I rely mainly on the quantitative findings of the Eurobarometer from seven surveys between 1997 and 2015.[98] Although there are earlier editions, they are not applicable for this study since Sweden only joined the EU in 1995, and since the early surveys tend to focus more on the financial and administrative operations of the Union with no specific mention of immigration. The empirical analysis of the Women-Friendliness in Asylum Index uses figures from the Standard Eurobarometer of Fall 2015 to measure attitudes towards non-EU immigration (as described in chapter 4). In 1997 (Special Eurobarometer 113) and 2000 (Special Eurobarometer 138) special issues of the European survey institution were issued, with focus on racism and xenophobia and the ambition to measure European attitudes towards immigration. These surveys have a more extensive scope than both previous and consecutive barometers and are comparable along certain variables. The most recent barometer with the same focus from 2017 (Special Eurobarometer 469), is not included within the time frame of this case study, but I rely on it briefly to illustrate direction over time.

In general, the surveys show considerably more optimism in Sweden than in Denmark, with most divergence from 2000 onwards. Although there are issues where the two countries remain fairly close together and well above the European average, for example in terms of an optimistic outlook on the cultural contribution of immigrants, these issues tend to be of more specific character. Questions that have a more general focus, for example related to national security, invoke a more polarized response. We also note that fluctuations in opinion tend to follow along the European average; both countries are sensitive to the general mood of the union and reactive to common policies.

At the outset of the new millennium attitudes were generally optimistic in both Sweden and Denmark. The two countries took a similar stance on several issues related to immigration, for example revealing positive attitudes towards minorities and the cultural enrichment of society through minority groups,[99] and showing the highest

[98] 1997 (Special Eurobarometer 113), 2000 (Standard Eurobarometer 53 and Special Eurobarometer 138), 2006 (Standard Eurobarometer 65), 2009 (Standard Eurobarometer 71), 2012 (Standard Eurobarometer 78) and 2015 (Standard Eurobarometer 83).

[99] Multicultural optimism (Special Eurobarometer 138, 2000): "People from these minority groups are enriching the cultural life of (COUNTRY)". 75% of Swedes agree, as do 54% of Danes (European average 50%).

acceptance in Europe of immigrants fleeing conflict.[100] These sentiments of relative inclusion and optimism actually marked a softening of attitudes compared to three years earlier: In 1997, 37% of Danes felt that immigrants needed to give up their own culture to adapt to their new society, a figure that had dropped to 25% in 2000. In Sweden, attitudes had slightly softened as well, with 23% agreeing to the same statement in 1997, compared to 19% in 2000.[101] Expert interviews confirm this temporarily more generous outlook as a result of an inflow of refugees fleeing unrest in the Balkans in the end of the 90s.[102] There is, however, a lingering negative effect of these inflows as well, for example with both countries expressing common ground on fears related to the impact of an increasingly multicultural society on public welfare.[103] The picture of relative unity in the late 90's is also challenged by another, more fundamental question: Both countries do indeed display similar figures with regard to tolerance and non-racism in 1997, but while only a smaller fraction of Swedes were perceiving themselves as "very racist" (2 %) or "quite racist" (16%), the percentage of Danes agreeing to the same statement was an alarming 12 % resp. 31%.[104] Being an issue of identity rather than of opinion, we can see this question remaining at the core of attitudinal development in the decades to follow.

5.6.2. Emerging intolerance

Although fluctuating slightly in line with European values in general, surveys from 2000 onward (Standard Eurobarometers 53, 65, 71 and 83), reveal increasing divergence in attitudes towards immigration in Sweden and Denmark, with Denmark generally following, or falling slightly below, a European average – on certain issues even displaying the most xenophobic attitudes in the union. The visualization in Figure 12 positions Sweden and Denmark in a European setting according to their general

[100] Restrictive acceptance of immigrants (Special Eurobarometer 138, 2000): "Acceptance of people fleeing from countries where there is a serious internal conflict". 47% of Swedes agree to acceptance without restrictions, 42% of Danes (European average 28%).

[101] The same tendency is noticeable throughout the EU (25% of EU citizens ascribing to assimilation in 1997 compared to 22% in 2000): Options for Integration or Assimilation, Eurobarometer 47.1, Spring 1997: "In order to be fully accepted members of society, people belonging to these minority groups must give up their own culture".

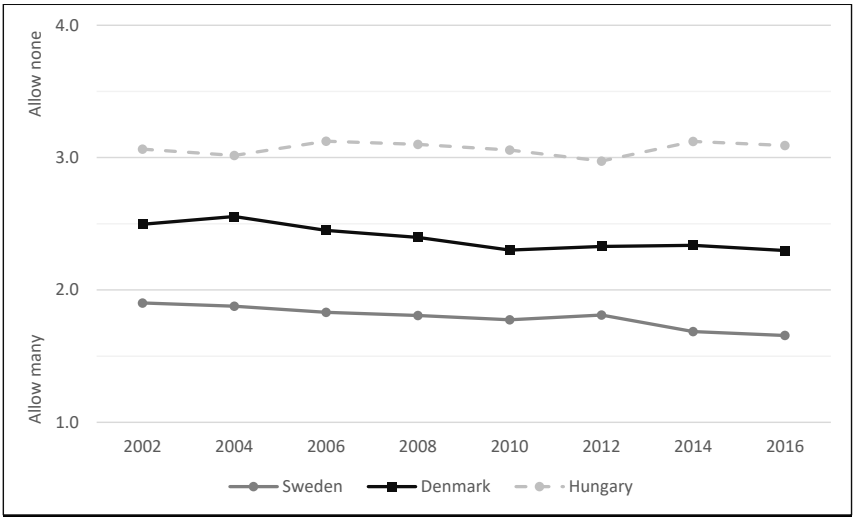
[102] Senior official UNHCR Copenhagen: "…in Denmark, at that time, we wanted to help the people fleeing war. And we more or less drove busses down to collect them and drive them back to Denmark, we paid for their train trips, we welcomed them in Denmark with flags waving in the streets... That was the narrative at the time, of course we want to help people in distress, in a war situation." (Interview 22.02.2019).

[103] Blaming minorities (Special Eurobarometer 138, 2000): "In schools where there are too many children from these minority groups, the quality of education suffers". 78% of Danes agree, along with 71% of Swedes (European average 52%).

[104] Degree of expressed racism (Special Eurobarometer 113, 1997): Very racist (7-10 in scale), quite racist (4-6 in scale). European average: 9 % very racist, 24% quite racist.

openness towards allowing immigration of other ethnic groups. Both countries show slightly increasing openness, but the pronounced gap remains consistent: Denmark is found at the middle of the scale, with Swedes being the most open. Hungary, the least open country in Europe, is included to illustrate the scope of attitudes within the EU:

Figure 11: Openness to allowing immigration of other ethnic groups (lower score = more open)[105]



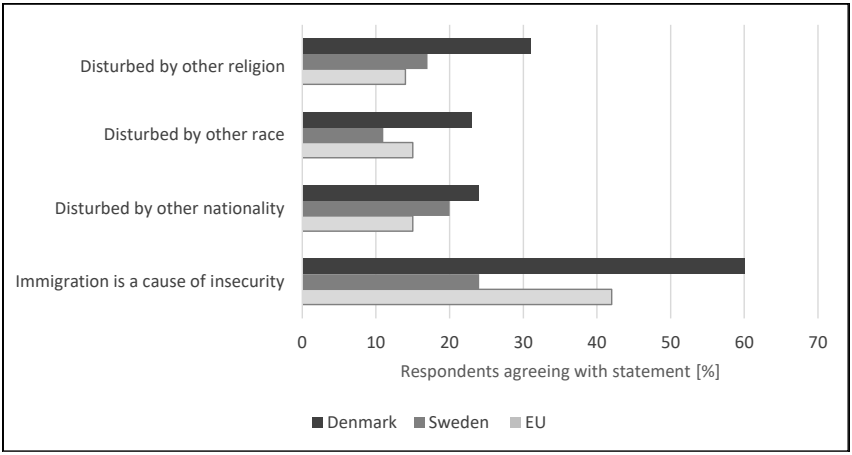
Source: The Migration Studies Delegation, 2012

As can be observed in Figure 11, from the outset of the new millennium, the gap between the two countries is consistent and explicit. The figure does not only reveal divergence, it also confirms levels of salience of the immigration issue, and the direction of the national political debate: At this time, immigration already had a firm grip of the political agenda in Denmark, impacting national elections from 2001 onwards. In 2005, the survey (Eurobarometer 63) reveals 31% of Danes considering immigration the most important problem currently facing their country. A mere 8% of Swedes agree,[106] indicating the still very modest impact of immigration on the Swedish public agenda.

[105] "To what extent do you think [country] should allow people of a different race or ethnic group as most [country] people to come and live here? (1: Allow many to come and live here, 2: Allow some, 3: Allow a few, 4: Allow none), (ESS Round 7, B30 illustrated in The Migration Studies Delegation, 2012 http://www.delmi.se/migration-i-siffror#!/attityder-till-invandring-i-europeiska-lander-2002-2012 (accessed 07.08.2019).
[106] European average 16%.

The intensified political debate is increasingly reflected in Danish attitudes, and surveys reveal a turn towards a cultural dimension of immigration rather than an economic. For example, Danes strongly perceived immigration as a security concern, and had more negative perceptions of individuals with a different ethnicity or religion:

Figure 12: Attitudes in 2000[107]



Source: Special Eurobarometer 138

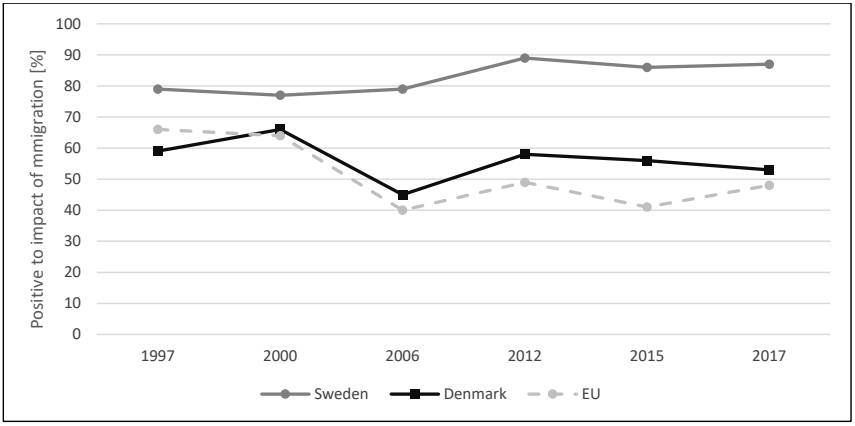
Further strengthening the notion of a shift towards a cultural value-dimension in the Danish public debate, only 45% of Danes felt that immigrants contribute to their receiving country in 2006 (compared to 79% of Swedes and 40% of Europeans), while both Sweden and Denmark score well below the European average when asked about people from other ethnic groups increasing unemployment in 2009 (31% of Swedes agree, 38% of Danes, European average 49%). These figures indicate that negative attitudes in Denmark had little to do with economic insecurity and more with a socio-cultural agenda.

[107] Special Eurobarometer 138: Disturbance: "Do you personally find the presence of people of another NATIONALITY disturbing in your daily life?", "Do you personally find the presence of people of another RACE disturbing in your daily life?", "Do you personally find the presence of people of another RELIGION disturbing in your daily life?". Blaming minorities: "The presence of people from these minority groups is a cause of insecurity."

5.6.3. Facing a crisis

In 2015, the issue of immigration had become much more salient also in Swedish politics. Having been ranked the fifth most important issue a year prior, Swedes now considered immigration the most important question both for Sweden and for the EU.[108] However, a large majority of Swedes remained positive to immigration from outside the EU,[109] and only a small percentage disagreed with the statement that immigration contributes to improving Sweden (see Figure 13). The Swedish political debate at this time, although intensified, generally mirrors public optimism, and the welcoming spirit that marked the beginning of the refugee crisis.[110] At the same time, the political narrative in Denmark reveals an increasingly restrictive stance on immigration on behalf of parties across the entire political spectrum, reflecting strong public pessimism. A comparison over time is helpful to confirm the direction of national sentiments, and the deepening divide between the two countries:

Figure 13: Attitudes on immigration's positive impact on society over time[111]



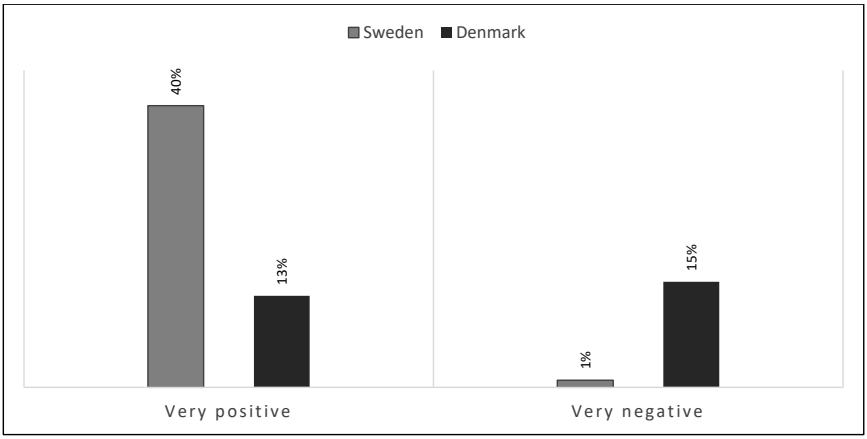
Sources: Standard Eurobarometers 65 and 78, Special Eurobarometers 113, 138 and 469.

[108] Standard Eurobarometer 83, spring 2015.
[109] Immigration in the EU (Standard Eurobarometer 83, Spring 2015): QA10.2 "Immigration of people from outside the EU", 66% of Swedes are positive, compared to 33% of Danes and 34% of Europeans.
[110] Senior official Swedish Migration Agency: "When we think about the refugee inflow in 2015, everybody was suddenly very pro-refugees, there was some kind of image: "We help the refugees that come, we have to help each other in the world", it was such a sense of community, it became the official picture." (interview 07.12.2018).
[111] 1997: "It is a good thing for any society to be made up of people from different races, religions and cultures", 2000: "It's a good thing for any society to be made up of people from difference races, religions and cultures.", 2006: "Immigrants contribute a lot to our country.", 2012: "Immigrants contribute a lot to our country.", 2015: Immigrants contribute a lot to our country.", 2017: "Immigrants contribute a lot to our country."

The relative unity visible at the turn of the millennium disappeared with a sharp drop in both Danish and European figures over the next half decade. In Sweden, on the other hand, optimism continued to rise. The Danish generosity associated with the Balkan influx was wearing off, and, as we will see in section 5.7, Denmark had already introduced several restrictive measures resulting in a very modest inflow of asylum seekers from 2001 onwards. At the time of the refugee crisis, we see optimism dropping further in Denmark, with figures constituting a stark contrast to the most positive country of the EU, Sweden. The years following the crisis see a similar trend, with the gap between the two countries widening even further (Figure 13).

A closer look at the numbers from 2015 reveal even stronger divergence on the two outer poles of the surveyed population similar to the results in 1997: In Figure 14, we see that 40% of Swedes are very positive about the impact of immigration on society, with only 1% feeling very negatively on the issue. In Denmark, the share of individuals expressing very negative views is larger than the share perceiving immigration as something very positive.

Figure 14: Share of population feeling very positive/very negative towards immigration[112]



Source: Special Eurobarometer 469

[112] Special Eurobarometer 469 (2015), QA9T: Perception regarding impact of immigration on society. EU average: 13% very positive, 9% very negative.

These figures are confirmed by Gallup; in 2017 Denmark received a 7,09 on the Migrant Acceptance Index, which is above European average (5.92), but well below the Swedish score of 7,92 as one of the most accepting countries in the world.[113]

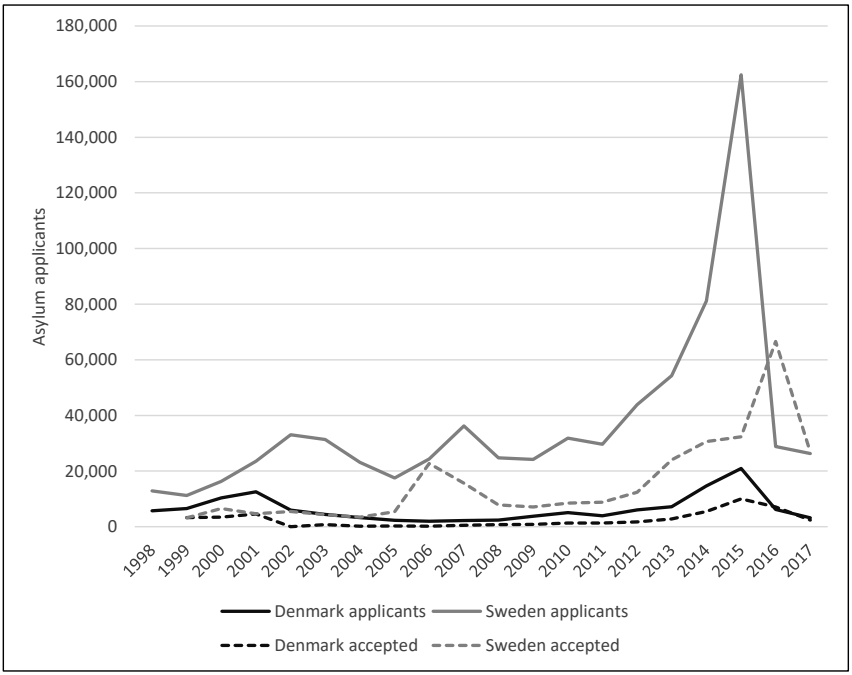
5.7. National circumstances

Adhering to the importance of context in a causal process observation, the figures in the previous section need to be understood in light of the asylum situation in each respective country. The empirical analysis in chapter 4 ruled out 'exposure' as a determinant of women-friendly asylum policies, but a review of inflow and acceptance rates is still helpful when mapping the shifts in attitudes towards immigration, and the emerging salience of immigration as a political issue. This section presents a brief overview of the Swedish and Danish national contexts in terms of demographics and exposure to asylum seekers, setting the stage for the upcoming discussion on political landscape and policymaking environment.

The two countries in focus of this study display very different demographic compositions, with 86.9% of Denmark's population being of Danish descent (at least one parent born in Denmark, figure from 2017 (Statistics Denmark)). The same figure for Sweden is 75.9%, indicating a much more heterogenous society. Furthermore, although Denmark is home to a few minority groups[114], only limited steps have been taken to ensure their official recognition as minority people and languages, compared to several active measures in Sweden[115]. Following the theoretical reasoning of Haas (1986), a homogenous population has been found linked to a less open attitude towards immigration, and homogeneity in demographics facilitating the spread of nationalist ideologies. Although not an undisputed view, such tendencies are certainly visible in the attitudes towards immigration presented in the previous section, and the asylum inflow of each respective country represents a similar dynamic of openness:

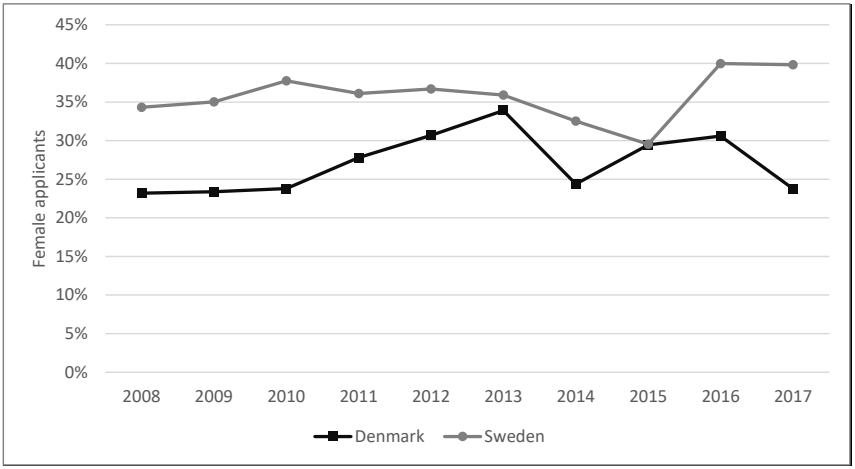
[113] Acceptance of "Immigrants living in your country", "Immigrants as neighbors", "Immigrant marrying a close family member" (https://news.gallup.com/poll/216377/new-index-shows-least-accepting-countries-migrants.aspx accessed on 24 06 2019).
[114] Germans (15 000), Faroese (19 000), Greenlandic (23 000).
[115] Since 1999, Sweden recognizes five official minority languages: Finish, Sami, Romani chib, Yiddish and Meänkieli.

Figure 15: Inflow and acceptance rates of asylum seekers to Sweden and Denmark 1998-2017



Source: Eurostat 2019

Figure 16: Inflow of female asylum seekers to Sweden and Denmark 2008-2017[116]



Source: Eurostat 2019

In the 1990's both countries experienced a surge in asylum applications, primarily related to armed conflict in the Balkans. After two years of elevated figures, however, Denmark displayed lower numbers than before the surge. Sweden, on the other hand, continued to receive higher numbers of asylum seekers, and by the time of the refugee crisis in 2015, Sweden received 162 450 applications, the highest figure per capita in Europe, compared to Denmark's 20 935 (ranking European ninth per capita) (Figure 15). Adding demographic detail to these figures, among those applying for asylum to the Scandinavian countries, the share of female asylum seekers was continuously higher in Sweden (Figure 16).

5.8. The political landscape

Having reviewed the changes in attitudes towards immigration and attempted to contextualize them against the background of national reception figures, I will now turn to the policy-making environment in each country. This section is based on expert interview statements, as well as a review of secondary sources: Election surveys, political manifestos and statements made by politicians in public media. Aiming to detect shifts in the political agenda that may influence the direction of asylum policy, I

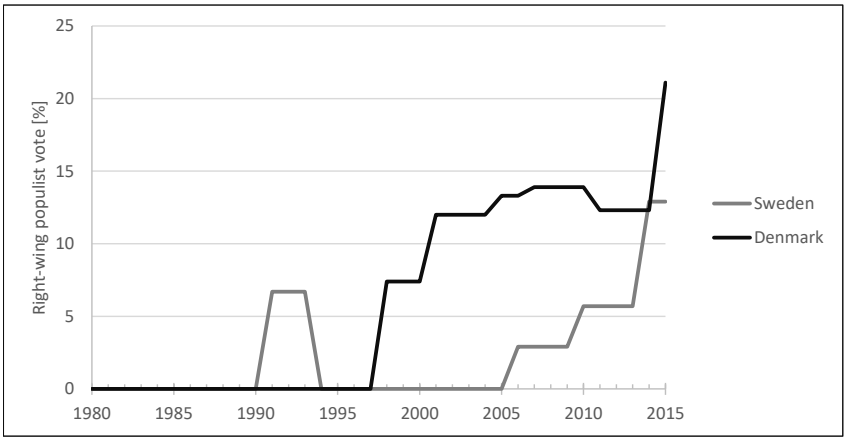
[116] No comparable data differentiating between male and female asylum seekers before 2007.

will focus on the political bloc where immigration is most likely to become a salient issue: the populist right-wing (the Sweden Democrats (Sverigedemokraterna) and the Danish People's Party (Dansk Folkeparti)), together with the mainstream right-wing parties (the Liberals (Liberalerna) and the Moderate Party (Moderaterna)) in Sweden, and the Liberal party (Venstre) and the Conservative People's Party (Det Konservative Folkeparti) in Denmark. These parties can all be expected to advocate a more restrictive approach to immigration, hence I will also include the Swedish and Danish Social Democrats in my analysis – as the traditionally liberal strong-holds of power, I deem any shift in the social-democratic agenda related to immigration to be a particularly strong indicator of the direction of national asylum policies in the two countries.

5.8.1. Immigration on the political agenda

Although a gap in Swedish and Danish attitudes on immigration emerge around the turn of the millennium, their divergent paths in asylum policy had become evident already the decade before. Scholars agree (see for example Rydgren, 2019 and Cursach Perona, 2018), that during the 1990s, immigration became politicized to a much larger extent in Denmark than in Sweden, and while immigration emerged as one of the most salient issues in Danish politics already in the election 1996, Sweden would take almost three decades to take the same turn. Translated into electoral behavior, Figure 17 makes this clearly visible:

Figure 17: Electoral support for populist right-wing parties in Sweden and Denmark 1980-2015



Source: Valmyndigheten[117] and Danske Valgdatabasen[118]

However, election outcomes are an illustration, not an explanation. The discursive construction of the immigration debate in Scandinavia and the political climate surrounding it are well researched, and the rise of the populist right-wing has been subject to an array of theoretical explanations (see for example Gerdes and Wadensjö, 2008; Arzheimer and Carter, 2006; Ivarsflaten, 2008). Comparisons between Denmark and Sweden are both frequent and thorough (see for example Green-Pedersen and Odmalm, 2008; Green-Pedersen and Krogstrup, 2005; Rydgren, 2010) and several studies confirm the findings of the WFA, identifying the two countries as polar opposites in terms of asylum policy (see for example Brekke, 2004 and Cochran Bech, Borevi and Mouritsen, 2017). However, these studies also highlight aspects related to political opportunity that are not picked up by the index, but necessary to explain how shifts in public opinion have come to impact policies in the asylum field over time.

5.8.2. The politization process in Sweden

1980-1990 Political non-salience

Throughout the 1980s, issues related to immigration were not a central part of the Swedish political debate. In the four elections between 1982-1991, the Social

[117] https://www.val.se/ (accessed 01.04.2017).
[118] https://valgdatabase.dst.dk/ (accessed 01.04.2017).

Democrats remained firmly in power, having received well over 40% of votes since the 1930's (in 1940 and 1968 even over 50%). Unemployment was low, averaging 2% throughout the decade[119] and asylum immigration was moderate. Stability and growth were reflected in the Social Democratic election manifesto 1985, "An invitation to all voters", with economy, employment and development of the welfare state in focus and no mention of immigration. The Moderate Party follows a similar rhetorical path in their manifesto from the same year "Future in freedom", both parties reflecting the political non-salience of the immigration issue in the Swedish 1980's.

1990-2000 Introduction of a Swedish refugee policy

A newly formed, right-wing populist party, New Democracy (Ny Demokrati), made an unconventional entry into the Swedish parliament in 1991 with 6.7% of the votes, placing immigration briefly on the political agenda during its one mandate period. As illustrated in previous section, Swedish attitudes towards immigration grew increasingly negative in the mid-1990's, at a time when Sweden was recovering from recession, coinciding with an increase in asylum applicants due to unrest in the Balkans. Contrary to Bale's (2003) party incentive argument, however, in the 1994 election, established parties unanimously denounced the newcomer on the right, calling the policy proposals of New Democracy "shameful" (Bengt Westerberg, party leader Liberals, debate quoted in Dahlström, 2004, p. 77). This dismissive line of argumentation was reflected in TV-interviews and debates related to the 1994 campaign, where only 5% of the time focused on issues related to immigration (Boréus, 2010). Although the electoral success of New Democracy proved short-lived, their presence did spur public debate. In 1993, 25% of Swedes mentioned immigration as one of the three most important issues (Petersson et al., 2006).

The increased interest in immigration-issues in Sweden is also visible in political programs from the beginning of the decade, with Social Democrats dedicating a paragraph of its 1991 program to immigration, calling for "Swedish refugee policy (to) be generous and based on a humanitarian ground", strongly promoting the social rights of immigrants by proposing municipal voting rights and bilingual education in schools. The conservative flank of the government also showed increased interest in the issue, with isolated examples of influence from the right-wing populist rhetoric. The Moderate Party's manifesto "Land for hopeful" from 1997 aims to "capture the frustration created

[119] https://www.indexmundi.com/sweden/unemployment_rate.html (accessed on 13.04.2018).

by the immigration issue, when challenging our 'normal'". Claiming that "we have extensive problems that we did not have 10 years ago" the manifesto represents a somewhat unusual move in the Swedish political landscape and was unanimously criticized, both by other parties and within the Moderate Party themselves. The review of political documentation from this time makes it clear that this kind of rhetoric went against partisan consensus on the immigration issue and the Liberal Party countered "Land for hopeful" with a much more conciliatory tone in 1999 ("Firm values in a changing time"); "The consequences of a hardening refugee politics has been devastating to a lot of people, not the least refugee children.". The slight stir caused by brief right-wing presence in the political line-up was ebbing out towards the end of the decade, and when the Social Democrats regained power in 1998 they returned to their socio-economic agenda, only briefly mentioning immigration in the context of work and enterprise (Socialdemokraterna, 1998 "Caring for the future").

Although the right-wing populist movement was no longer represented in parliament, there were attempts to capture the emotions that had brought New Democracy to the Swedish Parliament. The newly emerging Sweden Democrats had presented their manifesto already in 1989, with "unsolvable immigration problems" at the center, calling the stance of established parties "suicide politics" that would lead Sweden to its "dissolution and doom" (Sweden Democrats' party program 1989). The Sweden Democrats were founded in 1988, with roots in an organization called "Keep Sweden Swedish" (Bevara Sverige Svenskt) (Widfeldt, 2008). Their path to political acceptance was problematic, with strong ideological ties to the BSS-movement and several members of the executive committee with Nazi-connections,[120] and at this time their political moves had no impact on the fact that at the end of the 1990's immigration was found far down on the Swedish political agenda. The social democratic government ruled with a strong majority, and the established parties had no political incitement to pay attention to the Sweden Democrats – indeed, ignoring them was the only politically viable path, considering their toxic past.

[120] These connections were much observed in public media, for example by Gustafson (Aftonbladet 02.12.1999) "The threat to democracy" (Hotet mot demokratin), Schüllerqvist (Dagens Nyheter 16.02.1992) "Difficult stop racism through laws" (Svart att hindra rasism med lagar) and Bratt (Dagens Nyheter 06.12.1992) "The misfits" (De missananpassade).

2000-2010 Dismissing the right-wing

Nonetheless, the new millennium saw a continued increase in public interest in immigration, in 2002 becoming the fourth most important political issue according to voters (Rydgren, 2010). This increase was reflected in 10% of interviews and debates on TV dedicated to the immigration issue (Boréus, 2010). Indeed, the beginning of the 00's also noted a moderate, but steady, increase in immigration flows to Sweden, mainly related to asylum and family reunification.[121] By now the inflow from the Balkans was settling into a more active discussion on integration. A reformulation of the integration policy in 1997 had highlighted challenges related to labor-market integration and residential segregation, a debate spurred by the perceived failure of the Million Homes Program (1965-1974), and the 'free choice'-clause[122] characterizing earlier integration initiatives in Sweden; ethnic segregation and a persistent and widening gap in employment rates between natives and foreign-born (Wiesbrock, 2011) were discussed in terms of growing urban poverty, social marginalization and exclusion (Schönwälder, 2007). At a time when Swedish economy was doing well and general unemployment was down to 6% (SCB, 2019), established political parties, however, continued to pay only marginal, yet positive, attention to the issue. The Moderate Party ("Freedom for Sweden" 2002) mentions immigration in terms of strengthened opportunities to contribute to the Swedish society through good reception and a fair chance at integration. The Social Democrats ("Together for security and development" 2002-2006) follow a similar path, claiming that diversity is enriching and listing a number of labor market measures to strengthen the rights of immigrants to education and employment assistance. Both parties mention the Swedish language as key to success, the Social Democrats claiming it to be a "self-evident right for everyone" and "crucial to enter working life" (Election manifesto 2002-06).

Notably, at this time, the increased interest in the immigration issue still follows largely along the lines of the socio-economic dimension, and the political discussion does not pick up on any values or sentiments. The right-wing populist movement in Sweden remained a marginalized and mostly ignored political player, and none of the established parties would engage in debate with the Sweden Democrats. This dismissive strategy has been theoretically framed by Meguid (2005), presenting it as one of three

[121] During the time period 1980-2002 the share of asylum seekers among immigration flows to Sweden were 33,3% and family reunification 51% (Swedish Migration Agency, 2019).
[122] Since the abandonment of the "All of Sweden"-strategy in 1994, refugees are entitled to arrange housing in their preferred area (Migrationsinfo, 2016).

main strategies for mainstream parties confronted by an emerging niche party: dismissive, accommodative or adversarial. Denmark, as we will see, represents a case of accommodation.

In 2006 under the subsequent bourgeois government – the first since 1994 – the interest in immigration declined again. The same year election was dominated by issues related to the labor market and signaled continued partisan consensus on the immigration issue. TV-time devoted to immigration was reduced to 4% (Boréus, 2010), in favor of the successful common manifesto presented by the bourgeois block as the new "Alliance for Sweden". With a detailed plan for work, education and welfare, the Alliance ignored the controversial proposal by the Liberals to introduce language tests for immigrants, instead mentioning immigration along the parameters of work, with improved integration into the labor market in focus, and a call for anti-discrimination laws and an anonymous work application-process to facilitate for foreign-born. Although immigration does receive its own, detailed paragraph in the Alliance manifesto, it shares priority with issues of care, gender equality and environment.

In spite of the clear focus on an economic agenda and reduced interest in the immigration issue both on behalf of the public and established parties at this time, a subtle shift in the political rhetoric may be noticed; parties on both flanks mention immigration not only in sweeping terms of 'humanitarian obligation' and 'opportunity', but with increasing focus on social consequences and a continuation of the integration-debate. This is an expected development, considering the contemporary European debate. Although immigration to the European union was comparatively modest in 2006[123], a number of legislative measures had been adopted between 1999 and 2005 with the purpose of harmonizing minimum standards across the Union. The intensified discussion was picked up also in Sweden. The election manifesto of the Social Democrats 2006 ("All aboard"), for example, mention a personal contract of establishment for all newcomers, based on rights and obligations. The social-democratic loss of government power to the Alliance, however, was probably less an issue of content, but rather of form: The Alliance presented a strong, unified alternative, while the left-oriented coalition had difficulties agreeing on how to govern and which parties to include. As a result, the Social Democrats found themselves in opposition entering the new decade.

[123] Under 200 000, compared to 425 000 in 2001 (Eurostat, 2019).

2010-2015 Increased salience with a humanitarian pretext

The electoral loss did not change the Social Democrats' political strategy, they remained firmly rooted in their socio-economic agenda. Their manifesto from 2010, "More jobs and new opportunities", lists four areas of priority; work, education, health care and reduced social gaps, none of these mentioning immigration. The bourgeois block, however, was more receptive to the growing public interest of the early 10's, at a time when immigration to Europe was on the rise,[124] and Sweden increasingly recognized as one of the largest receivers.[125] Liberals ("Challenges following the election victory" 2010) placed noticeably larger focus on migration and integration, further pushing for Swedish language skills as a criterion for citizenship and proposing a course in basic values for new arrivals, teaching democracy, human rights and equality. The optimism and the positive tone permeating the immigration rhetoric from previous decades remained, however, and the point of departure for the Liberal's demands is an "open Sweden", vowing to "safeguard the right to asylum", "strengthen legal security for asylum seekers" and to "provide health care and schooling for undocumented immigrants".

Although Swedish attitudes towards immigration remain comparatively positive throughout the investigated time period, there were certainly public sentiments and concerns that established parties did not address (see for example Fogelklou, referring to "unmanageable flows of asylum" in Dagens Nyheter (08.07.1992), or Boström's editorial in Göteborgsposten (07.07.2015) discussing "rapidly escalating segregation, overcrowding, social unrest and deteriorating school results"). Exploiting the gap between public interest and political attention, the Sweden Democrats now seized the opportunity by toning down its anti-immigration stance and removing the racial purity ideals from their ideological platform. The shift in rhetoric helped create a looser, more diverse ideological frame to attract a broader electoral base (Widfeld, 2008). The mainstream political strategy of previous decades – partisan consensus and a rather toned-down stance on immigration – became an efficient political weapon for the Sweden Democrats. Portraying themselves as the defenders of the Swedish People's Home (Hellström, Nilsson and Stoltzgoop, 2012), a traditionally Social Democratic idea, and even referring to Per-Albin Hanson (Social Democratic prime minister 1932-1946) as a key inspiration for their own political agenda they efficiently argued that the

[124] The EU 28 received 335 290 asylum seekers in 2012 (Eurostat, 2019).
[125] Sweden received 43 855 asylum seekers in 2012 (Eurostat, 2019).

Social Democratic party had betrayed their ideological roots and turned their back on the voters (Holmström, 2008). During the second half of the 00's they increased their voter share, from 2.9% in 2006, to almost double (5.7%) in 2010, gaining them 20 seats upon entering the Swedish parliament for the first time.

The established parties, however, maintained a dismissive line of argumentation in relation to the Sweden Democrats. In 2014, the Social Democrat's again mention immigration only in a few sweeping phrases referring to Sweden as a "refuge" and to asylum as a "solidaristic responsibility" ("Dear future" 2014). The Social Democrats' strategy has been questioned, considering that, at this time, the refugee crisis was already noticeable in Sweden with 81 180 new arrivals, the highest figure of incoming asylum seekers yet – the issue was becoming impossible to ignore. This political "apathy" (Granestrand, 2018) has been much criticized and scholars and journalists have blamed the political establishment for their failure to act with regard to the immigration issue and hence opening the door to the Sweden Democrats. The election 2014 manifests an emerging split in the partisan consensus, with the center-right block displaying a clear shift in their immigration rhetoric: in 2013, the Moderate Party had claimed to "safeguard the right to asylum" and called for Sweden to "take pride in aiding those in need" ("Responsibility for all of Sweden" 2013), however drastically changing their tone in the end of 2015, then referring to an "untenable situation" and demanding that those who have entered the EU through another country without applying for asylum should be turned away at the Swedish border (The Moderate Party leader Anna Kinberg Batra, 09.11.2015 (quoted in Albinsson, 2015)).

5.8.3. Reflections on the politization of immigration in Sweden

Reflecting on the political response to Sweden's consistent and generally positive outlook on immigration, established parties did not have any actual reason to turn away from their economic agenda until the very end of the investigated time period. Given the steady increase in asylum seekers since the early 90's, the issue was always politically present and viable, but framed as a part of the economic dimension and hence never politicized beyond the common welfare-debate. Concerns related to the perceived failure of integration policies did not seem to have any negative impact on the public openness to receive immigrants. In spite of rather gloomy figures of ethnic segregation

and social marginalization,[126] Swedes remained positive to immigration throughout the four decades under investigation. The political landscape largely reflected this optimism: Firmly rooted in their traditional agendas, established parties had no incitement to include the Sweden Democrats or even respond to their demands.

5.8.4. The politization process in Denmark

1980-1990 A liberal approach to immigration

The Social Democrats enjoyed both the highest popular support and parliamentary representation in Denmark between 1924-1998. In the election of 1973, however, the right-wing Danish Progress Party made a surprising entry into Danish politics with 15.9% of the vote (Pedersen and Ringmose, 2004). Their neoliberal populist agenda initially profiled the party as counter-elitism with the abolition of income tax as its core issue, but a new conflict dimension focusing on immigration emerged in the 1980s (Andersen, 2003). When a new liberal immigration law was passed in 1983, coinciding with an increase in asylum immigration from the Middle East[127], it quickly became subject to public debate and calls for restrictions from both liberals and conservatives. At this time, however, immigration was still a minor issue, and, as in Sweden, Danish election manifestos from the 1990's tend to focus on industry. There are some examples indicating that immigration did receive more political attention in Denmark already at the outset of the investigated time period: The Social Democrats ("Our working program" 1981) mention welfare, economy and industry as top priorities, but also mention immigration in very generous terms of "respect for the individual", "tolerance and openmindedness", and the strive to create "equal opportunities for all". They also present details regarding language training and the provision of bilingual staff in day care institutions. Moreover, the Social Democrats call for special efforts to engage immigrant women in language training and also present a generous approach to civil and political rights: "After 3 years of residence in the country, immigrants shall receive the right to vote and to candidate in elections." ("Our Working Program" 1981). The Conservative People's Party at this time focus on security, defense and the EU, without mention of immigration ("A future in freedom" 1981).

[126] In a specific housing estate in Malmö the share of foreign-born increased from 75% to 95% between 1990-1995. At the same time, the share of employed residents decreased from 48% to 8% (Schönwälder, 2007).
[127] Liberal immigration laws saw an increase in asylum seekers from Iraq, Iran, Lebanon and Palestine (Ministry of Immigration and Integration, 2017).

1990-2000 Setting a right-wing agenda

A change in government in 1993 saw a new coalition with immigration as a growing campaign issue. With the center-right parties switching sides to join the Social Democrats in a majority government, placing liberals and conservatives in opposition, incentives changed: Increasingly promoting immigration as a political issue resulted in a visible shift in rhetoric on behalf of both the Liberal Party and the Conservative People's Party. The Conservative People's Party program from 1992 proposed stricter family reunification principles with requirements of spouses residing at least five years in Denmark to be eligible, and concluded that with increasing flows there are "fewer and fewer with actual rights to asylum" ("New roads in refugee- and immigration politics" 1992). This new tone on immigration does not seem to be a response to public opinion, as there was still general optimism among Danes with regard to immigration. Instead, the intensified debate arises at a time when parties tried to position themselves within the new government coalition, together with an increased inflow from the Balkans creating a breeding ground for issues such as labor market integration and family reunification.

Indeed, party programs and election manifestos from the early- and mid 90's indicate that all established parties now started paying increasing attention to immigration, the parties left of the Social Democrats distancing themselves from the right. The Social Democrats, however, had difficulties producing a coherent policy position in response to the calls for restrictions. Instead, they maintained a fairly general and open line of policy with "inclusion and equality" and "joint action for cultural coexistence" ("The new century" 1992). They did also, however, offer a premonition of the crossroads ahead by referring to the "unpleasant choice between closing the borders for millions of people on the run from need and starvation, or helping them in our own country." In the same manifesto from 1992 the Social Democrats call for full integration of refugees into the Danish society, a policy request that is repeated in their working program 1992-1996 ("On the individual's terms"): "Immigrants shall be motivated to learn Danish as a prerequisite for integration into society". 9% of TV-time in Denmark was devoted to immigration issues in 1994, to be compared to 4% in Sweden (Boréus, 2010).

From this point onward, the Danish political rhetoric starts playing more on nationalistic sentiments. In 1996, the Conservative People's Party asks "In a new world order, to what extent shall we support the rights of ethnic minorities?", referring to ethnic "atomization" and it's effects on the "concept of nation" ("Stance and visions" 1996).

There are also clear indications that the socio-economic dimension was losing its hold in Danish politics altogether; in 1998, only 9 % of Danes considered "economic policy" among the most important political issues. Instead, 25% of the respondents ranked immigration as most important, making it the single most important issue, compared to a mere 4% a decade earlier (Rydgren, 2010).

Contributing to the stir among established parties, a new, right-wing party entered Danish politics at this time. As the issue of immigration became increasingly central to the political discussion, the Danish People's Party (Danske Folkeparti) emerged as a break away-strand of the Danish Progress Party. Although less controversial than the Sweden Democrats, their political history represents a fundamentally nationalist agenda with ties to the Danish Association (Den Danske Forening), and ambitions to secure Danish culture, language and way of life. The Danish People's Party entered the political campaign of 1998 with a message of preserving Danish ethnic identity, a "Denmark for Danes"-agenda and an anti-EU stance (Skidmore-Hess, 2003), winning 7.4% of the votes (Dansk Folkeparti, 2018). Skidmore-Hess (2003) understands these events as a reaction to globalization and national anxieties, with the Danish People's Party emerging as a catch-all party. Rydgren (2004) ascribes their success to political framing; by using rhetoric with proven success across Europe, they managed to frame nationalism as a Danish core value by maintaining that "Denmark is not a country of immigration and has never been one" (DPP, 2019)[128]. An expert at Kvinfo adds 'consistency' to the formula for right-wing success in Denmark. When other political forces have been inconsistent and reactive *"they have been consistent in their messages, not going an inch off…17 years I listen to the same narrative, bit by bit, every time one of their leaders come on television or on the radio or they give a public speech."* (interview 22.1.2019). The entry of the DPP did have significant effect on the Danish political landscape: Profiling themselves with immigration as their priority issue, they were able to show the electorate that, in contrast to their political opponents, this new party recognized their problems and had a plan to solve them.

2000-2010 Hardened rhetoric across the political spectrum

Between the elections 1993 and 2001 a "striking" (Green-Pedersen and Odmalm, 2008, p. 373) change in position on the immigration issue is visible in Danish politics. Denmark had experienced a sudden surge in asylum applications primarily due to the

[128] Excerpt from the Danish People's Party party program, 2019.

Kosovo war, in 2000 receiving almost double from the previous year and increasing further in 2001.[129] The same effect was visible in Sweden, experiencing a similar inflow.[130] Against this backdrop, the issue of immigration dominated the 2001 election, with 51% of the population mentioning immigration among the most important political issue in 2001 (Andersen, 2003). The new coalition of conservatives and liberals were ruling with the support of the Danish People's Party. From this point onward, a clearly restrictive stance on immigration is visible in manifestos across the entire political spectrum, bringing mainstream parties closer to the position of the Danish People's Party: The Liberal Party, having lost a significant share of votes to the DPP, vowed to toughen their stance on asylum seekers and to adopt an agenda matching the Eurosceptic outlook of the DPP (The Local, 2015). Consequently, in 2001, they presented their party program "The Liberal party says no more talk – checkout on the law on immigration" with a detailed and very critical account of immigration; a number of restrictive measures were laid out, concerning permanent residence (granted to successful asylum applicants first after seven years of temporary residence), reduced rights to appeal and tightened requirements on family reunification. They also proposed that "Refugees appeal to travel home on vacation shall lead to renewed review of their asylum claim." and called for "rock hard" demands to learn Danish as quickly as possible. Moreover, they criticized the government for the "uncontrolled immigration", calling it a result of "jungle law and injustice".

This turn to the right in Denmark was also true for the Social Democrats, in 2003 referring to "clear rules of the game instead of quotas", the rules of the game concerning who may reside, but also how to live in Denmark. They stated a necessity to "limit immigration" and claimed that "criminality is higher and more severe among ethnic minorities than among Danes in general" ("Integration politics of the Social Democrats 2003: Rights and duties of active citizenship"). This new direction appears as a critical strategic choice in competing with the DPP for the working- and middle-class Danish voters. The sharp turn of the Social Democratic immigration policy emerges clearly when contrasted to a famous quote of Social Democratic prime minister Poul Nyrup Rasmussens in 1999, merely four years earlier: *"Hence, I say to the Danish People's Party, regardless of your efforts – in my eyes, you will never be "housetrained" (stuerein)*!" (opening debate of Folketinget quoted in Bang Thomsen, 2017). A scholar

[129] Having received 6530 asylum applications in 1999, Denmark received 10 345 in 2000 and 12 510 in 2001 (Danish Immigration Service, 2019).
[130] In 2001, Sweden received 23 500 asylum applications (Swedish Migration Agency, 2019).

at the Danish Institute for Human Rights confirms this shift: "*Some positions that would have been unthinkable 5 or 10 years ago, especially on the center-left, Social Democrats for example, are now part of their political platform.*" (interview 29.1.2019) A senior official at UNHCR Copenhagen notices a similar tendency also in terms of public attitudes to controversial policy decisions: "*...usually people are very shocked when they [DPP] say something, but then 6 months later, part of it becomes law*." (interview 22.2.2019).

2010-2015 An emotional nationalist approach

In 2007, 22 % of TV time was spent discussing immigration, and the restrictive line was no longer controversial but unquestioned and taken for granted (Boréus, 2010). The Social Democrats did not campaign on immigration, but, given their previous electoral losses, were forced to express continued agreement with the anti-immigration flank. In their manifesto from 2011 ("Hand on your heart") they talk about criminality across borders and "immigration causing us to question the fundamental values of the Danish community". To strengthen the account, they list Danish symbols such as "smorrebrod" (sandwiches), "hygge" (comfort) and "landsbykirker" (country churches), calling it "the best country in the world". An interesting direction of their manifesto lies not only in the emotional nationalist account, but in the introduction of a gender-dimension linked to immigration, stressing the importance to "combat views that limit the opportunities of women in relation to men, as a result of their gender or cultural upbringing." The Liberal Party at this time presents a less expressive, yet equally restrictive, stance: "Refugees who are allowed to stay in Denmark shall not be turned into immigrants, but receive temporary residence permits with focus on return." ("To the point about Venstre" 2011). By now, the Danish debate on immigration had moved so far to the right that the more generous parties called for complete assimilation to Danishness, while the more restrictive ones did not want any immigration at all. In 2015, the DPP received 21.1% of the votes, emerging as the second largest party in Denmark (Danmarks Statistik, 2015).

5.8.5. Reflections on the politization of immigration in Denmark

With clear issue ownership, the DPP has been able to position itself at the center of Danish politics without participating in any governing coalitions. Both Social Democrats and Liberals found themselves competing with DPP for votes, the Social Democrats losing an estimated 5-10% of their electorates to the right-wing party in the

2000's (Haugbolle, 2019). Interestingly, the right-wing influences in Danish politics seem to emerge before the shift in public sentiments, reflecting the intricate interplay and difficulties to establish causation between right-wing advancement and public xenophobia. Reflecting on de Vries, Hakhverdian and Lancee's (2013) findings on agenda setting, the political agenda is as likely to influence the public, as the other way around. A window of political opportunity in Danish politics, exploited by a relevant party with strong and consistent rhetorical frames and issue ownership, allowed the DPP to turn the immigration debate onto a highly salient course where other parties followed towards the adoption of one of the most restrictive immigration policy frameworks in Europe.

Reviewed side by side, it becomes clear that the political landscapes in Sweden and Denmark mirror national attitudes towards immigration – and that attitudes in turn are reinforced by the political debate. Clearly, both matter for the salience of the immigration issue; in Denmark, we see the political agenda shaped entirely along the lines of immigration with mainstream parties responding to the demands of the Danish People's Party. Eventually both media coverage and the public debate came to reflect the critical and restrictive views of the issue-owning right-wing. A process over time, the introduction of immigration as a highly salient political issue already in the 90's resulted in restrictive policies being introduced at an earlier point in time than in Sweden. Although external events may have helped reinforce the issue and spur the debate, the Danish inflow of asylum seekers was never large enough to explain sudden shifts in neither public opinion, nor political direction – in fact, it has always been much lower than the inflow to Sweden. In Sweden, on the other hand, public optimism and partisan consensus kept the salience of the immigration issue low on the political agenda and policymakers remained focused on socio-economic issues. The next section explores policymaking related to asylum and gender equality in both countries, and, as we will see, this policy-process is highly reflective of national political debates.

5.9. Policymaking related to gender and asylum

The link between public opinion and the political agenda comes through strongly in the previous sections. It is, however, more challenging to establish an absolute correlation between attitudes towards immigration, right-wing shifts in the political context and policymaking affecting female asylum seekers. Boréus (2010) does note a link between political rhetoric and policymaking, and this section aims to confirm a similar

connection in the case of Sweden and Denmark. I will have a closer look at signature policies introduced within the investigated time frame, outlining development in policymaking related to immigration and gender equality with the purpose of showing how shifts in partisan composition and political rhetoric have affected the women-friendliness of asylum policies. To provide sufficient context for analysis, I first present an overview of general developments within asylum policy in each country, before addressing policies particularly related to gender according to the three dimensions evaluated in the WFA-index.

5.9.1. Policymaking in Sweden

Sweden's immigration policy is shaped by the unanimous adoption of a new immigrant and minority policy in 1975, endorsing "equality, freedom of choice, and partnership" (Westin, 2006), safeguarding ethnic and religious diversity and state-sponsored multiculturalism (Wickström, 2015). Today, it consists of two key legal bodies: The Aliens Act, 2005:716 and the Law on Reception of Asylum Seekers and Others, 1994:137. Swedish immigration policy has been considered among the most generous in the world (Nelson, 2015), but the refugee crisis in 2015 prompted extensive restrictions, most of them implemented in 2016 onwards. For the time period encompassed by this case study, however, most restrictive adjustments have been comparatively moderate.

In 1985 the "Across Sweden"-strategy was introduced as an official policy with the purpose to break the concentration of immigrants to major cities. New arrivals were placed in pre-selected municipalities but were allowed to move once they received residence permits. Furthermore, the strategy entailed an 18-month introduction period and a generous social assistance scheme that was criticized to induce welfare dependency (Gustafsson 2013). "Across Sweden" was subsequently abolished and replaced in 1994. At this time, decisions regarding immigration policy were decentralized to receiving municipalities, encouraged to substitute social assistance with an allowance conditional upon participating in the introduction program (Breidahl, 2011). The decentralized reception framework was revised again in 2009 and replaced by a universal scheme with fix-rate benefits equivalent to regular social assistance (SOU 2009:19).

Until the end of 1989, Sweden had a more liberal policy approach to asylum applications than the rest of Europe and extended grounds for asylum also to 'de-facto'

refugees (Ålund and Schierup, 1991). In response to the increasing family migration resulting from labor recruitment in the 70's, the Social Democratic government initiated a set of restrictions through the Lucia Agreement in December of 1989, allowing political asylum only for convention refugees and people with a "particular need for protection". Humanitarian grounds for asylum were abolished. The policy was short-lived and abandoned in 1991, but it coincided with the collapse of the former Soviet Union and the wars in the Balkans, and marked a reaction at a time when asylum immigration to Scandinavia was increasing rapidly. Despite the temporary tightening of eligibility criteria, between 1989 and 1993 almost all asylum applications to Sweden were approved (Westin, 2006), granting over 200 000 residence permits (Eurostat, 2019). Aiming to slow the surge, visa requirements for persons from former Yugoslavia were introduced in 1993, but public support remained strong and almost 50 000 asylum seekers from Bosnia-Herzegovina were granted temporary residence without an individual trial of their case (Swedish Migration Agency, 2020).

In the mid-90's, the focus of the policy debate turned more restrictive, scrutinizing protection status and naturalization criteria. The Moderate Party proposed stricter family reunification in 1994, with an adjustment of age limits together with Swedish language skills as a condition for Swedish citizenship (Motion 1994/95:Sf602): *"...demands for receiving Swedish citizenship should be streamlined to a greater extent and harmonize with what is customary in our European neighbor countries. For that reason, we conclude that a person who is to receive Swedish citizenship shall have knowledge of the Swedish language."* These demands were partly implemented in 1997, when rules for family reunification were restricted (prop. 1996/97:25), lowering the age limit of children to 18, instead of previously 20. It also narrowed the circles of eligible family members, which previously included for example elderly parents or adult siblings. The new law (prop. 1996/97:25, p. 113) granted residence permit only to core family and family members that had shared a household together in the sending country.

Restrictive measures in European asylum policy are often related to assimilation requirements, for example by, as above, connecting social assistance and residence status to the acquirement of the new language. The debate preceding the 2001 Swedish citizenship law ((Lag 2001:82 om Svenskt Medborgarskap), making it possible to hold double citizenship), did indeed center around language skills as documented proof of integration, but the Swedish naturalization policy has never made any such

requirements. Nor does the acquisition of Swedish citizenship entail any demand on documented knowledge in terms of national values or occurrences (Rooth and Strömblad, 2008). Swedish integration policy of the new millennium did however include informal attempts to strengthen the commitment and involvement of new arrivals with issues such as democracy and human rights, for example in the strategy from 2008 "Dialogue on Common Basic Values" (Ministry of Integration and Gender Equality, 2009). The goal of integration policy in Sweden was voiced as "equal rights, obligations and opportunities for all, regardless of ethnic or cultural background", and integration was to be achieved through a set of specific measures, among others "common basic values in a society characterized by increasing diversity".

Although policy measures throughout the investigated time period have been mainly of restrictive character, there have been a few noticeable, albeit temporary, blanket measures to facilitate for asylum seekers in Sweden. In the end of 2005, the government implemented a temporary law, in force between November 15th 2005 and March 31st 2006 (2005/06:SfU5), where people whose asylum application had once been rejected and who had remained undocumented in Sweden became eligible for a second trial. 30 552 people reapplied and 59% had their application approved (SVT Nyheter, 04.10.2006). Measures to protect undocumented immigrants were also taken in 2013 (Lag 2013:407), allowing un-documented individuals access to the same emergency healthcare as asylum seekers (undocumented children have the right to complete health care including dental care). In 2013 the war in Syria started impacting Swedish immigration policy, introducing immediate permanent residence (with the associated right to family reunification) to all Syrian asylum applicants and stateless individuals arriving from Syria. This was an extension of the revision from previous year, granting Syrian refugees a three-year residence permit (Sveriges Radio, 03.11.2013).

A chronological review of Swedish policy development within the asylum field reveals the introduction of a new phase in the end of 2015, symbolically set off with the implementation of temporary border controls on November 12th**.** The initial measure was limited to 10 days, but at the point of writing, the policy is still in effect. These measures were argued to be in line with the practice of other Schengen-members, in response to "serious threats against the general order and the inner security." (Regeringskansliet, 2018). At the same time, the government proposed a set of measures to provide "breathing space for Swedish refugee reception", with the ambition to adjust

national asylum regulations to the minimum level of the EU (Regeringskansliet, 2015). A more detailed review of the situation after 2015 is presented in section 5.11.1.

5.9.2. Policymaking in Denmark

There are two main bodies of Danish legislation regulating immigration; The Aliens Act (Udlaendingeloven), accepted with a small majority in 1983, and the Integration Act (Integrationsloven) from 1999. Denmark had been the first country to join the Geneva Convention in 1951, and the original Aliens Act was one of the most generous in Europe, opening up for asylum seekers also when their asylum grounds were not in line with the convention and offering generous terms for family reunification. Upon its implementation in 1984, the law was already heavily debated, and it has since been amended extensively: Between 2002 to 2016 the Act was amended 93 times, a remarkable reflection of the increasing politization of the immigration issue during this time (Gammeltoft-Hansen, 2017). The Danish Alien's Act is now one of the most restrictive in Europe (Mellis and Sund, 2004).

In the beginning of the 90's, however, there was a strong welcoming spirit towards refugees fleeing unrest in the Balkans. The narrative at the time was to help people in distress and Folketinget introduced a special law ("saerlov") in 1992 securing that refugees from former Yugoslavia were eligible to stay in Denmark for at least 6 months, with possible extension. The law was followed by a second one, granting former Yugoslavians residence permit. At the same time, the guest-workers residing in Denmark in the 60's and 70's had settled down and brought their families. Discussions on temporary vs. permanent residence and repatriation intensified, along with integration-concerns, primarily related to unemployment and strains on the welfare state (Mouritsen and Hovmark Jensen, 2014). When the new integration law was introduced in 1999, it extended the introduction program preceding permanent residency from 18 months to three years and assigned successful applicants to municipalities where the number of immigrants was low, in order to avoid ghettos. Around the same time, restrictions were applied to the aid system connected to the Danish reception of asylum seekers. A bill introduced in 1998 contained an introduction allowance considerably lower than regular social assistance, and a subsequent amendment in 2002 replaced social assistance with an allowance that was indeed 35-50% lower (Integration Act § 25-31, Breidahl and Nielsen, 2011).

Before 2001, policymaking related to immigration and integration had remained largely centered around labor market participation and self-support. After the terrorist attacks on September 11th, further intensified by the cartoon crisis in 2005[131], terrorism and Islam came to play an important role in the Danish debate, framed as a threat to Christianity and 'Western values' (Fenger-Grøndahl, 2013). The value-dimension that had been introduced into the political debate on ghettoization in the 90's was now increasingly cemented and visible in legislation, and integration and residency were discussed in terms of religion and culture: *"A number of integration problems can be tracked to the circumstances that many people with foreign background for obvious reasons have other conceptions of right and wrong than the conceptions prevalent in Denmark."* ("The Government's Vision and Strategies for Better Integration", 2003, quoted in Gudrun Jensen, Weibel and Vitus, 2017, p. 64).

A new set of restrictions followed the election in 2001, with the ambition to limit immigration and improve integration of those already residing in Denmark. Law 365 (June 6th, 2002) tightened immigration legislation considerably on several accounts, for example through §7:2 abolishing the "de-facto" refugee concept and introducing "protection status", making only asylum seekers with actual convention status eligible for asylum in Denmark. Stricter demands for family reunification were also introduced, with a minimum age of 24 for spouses and proven financial self-support. The wait to receive permanent residence was also extended, now being made possible after seven years of residence instead of previously three.

Throughout the beginning of the new millennium, integration remained a central topic in Danish policy making related to immigration, reflecting a general suspicion of cultural diversity and the fear that it may jeopardize social cohesion (Mouritsen and Hovmark Jensen, 2014). After the introduction of an integration contract (2006) and an integration exam (2007), the Integration Act was further revised in 2010, making permanent residency conditional upon successful integration, with emphasis on the responsibility of the newcomer. It introduced a system of points related to language skills and economic self-support, making it possible for successful applicants to obtain permanent status after four years instead of seven. If demands were not met, however, there were penalties such as welfare payment reductions (Law on Changes of the Aliens

[131] In 2005, the Danish newspaper Jyllandsposten published a set of controversial editorial cartoons depicting Muhammed, sparking protest among Muslim groups and violent demonstrations in several countries (Hundevadt, 2008).

Act, no 572). In a subsequent amendment to the Integration Act of July 1st 2013, newcomers were obligated to sign a declaration on integration and active citizenship, encompassing a set of criteria for successful integration and an agreement on how to achieve them (§§ 19-20). At this time, Danish policymaking equated integration with assimilation (Mouritsen and Hovmark Jensen, 2014) and although the rhetoric softened slightly with the change in government 2011, further restrictions in the right to asylum were introduced in 2014, granting war refugees a time-limited residence permit with the prospect of being sent back if conditions in the sending country had improved only slightly. In 2019, these ambitions were manifested in a new law called the "paradigm shift", replacing the concept of "integration" with "self-support and return" (Udlændinge- og Integrationsministeriet, 2019; European Commission, 2019).

Reflecting upon the asylum policy frameworks in the two countries, the significant differences that emerge are rather unsurprising given the political contexts in which they are shaped. So far, however, I have only discussed general policy measures in order to provide a sufficient foundation for the issue at the core of my research question; the following section will apply a gender perspective, focusing on the development of policy initiatives most likely to affect women.

5.9.3. Swedish asylum policy and gender

The Swedish policy framework related to asylum remained among the most generous and inclusive in Europe in the decades leading up to the refugee crisis. The characteristic 'obligation to protect' also comes across when applying a gender perspective; we see a strong political commitment to continuous updating in line with international recommendations, and the women-friendliness in asylum seems to have benefitted extensively from an active debate on gender equality in other policy areas as well. A very tangible outcome of this debate is the gender-mainstreaming strategy used in Swedish gender equality policy since 1994, integrating gender equality work into all operations of the state (Swedish Gender Equality Agency, 2019), translated into political functions dedicated to the monitoring and safeguarding of gender equality and women's rights.[132] This strategy is manifested in Swedish asylum policy through a set of key updates particularly impacting the first dimension of the WFA, generating a European high score for Sweden in terms of the asylum application and recognition of gender-specific asylum grounds.

[132] See for example the National Center for Knowledge on Men's Violence against Women.

A notable example of such updates is the 2006 inclusion of "gender" in the Swedish refugee definition. This was a result of an extensive inquiry by the government in 2002 (dir. 2002:49), assigned to amend legislation to include persons with a well-documented fear of persecution related to gender or sexual orientation in the refugee concept. Previously, the Swedish refugee definition (Aliens Act, chapter 3, §2) had been worded almost identically to Article 1 (A) 2 of the Geneva Convention, only considering asylum seekers with a gender-related claim eligible as "otherwise in need of protection" (övriga skyddsbehövande). The investigation in 2002 found that "*in Sweden's application of the Geneva Convention too, it should be possible to regard groups defined by gender or sexual orientation as examples of social groups falling within the scope of the protection to be extended to refugees.*" (SOU 2004:31, p. 18).

Including gender in the refugee definition sets Sweden apart from most European states in terms of women-friendliness, and the legal amendment came into power with the revised Alien's Act (2005:716), at a time when Sweden was responding to an intensified European debate to harmonize minimum standards. Also, the preceding discussions were carried out in a political context paying increasing attention to women's rights: The Social Democrats called for "forceful measures to make the labor market gender equal" ("All Aboard" 2006) and a new party, Feminist Initiative (Feministiskt Initiativ), introduced "anti-racist feminism" as their ideological platform. Indeed, the first half decade of the millennium saw a very active debate on women's rights, with notable imprints on Swedish asylum policy: A 2005 reform strengthened legislation related to sexual crime, further reinforced by the 2006 International Policy on Sexual and Reproductive Health and Rights and the Action Plan Against Prostitution and Human Trafficking for Sexual Purposes in 2007. In 2008, the Swedish Discrimination Act (2008:567) came into effect, together with an Equality Ombudsman (in 2009 merged with the Swedish Ombudsman for Ethnic Discrimination).

In the beginning of the 10's, an increasing interest in immigration issues could be measured both in media coverage and public focus on the Sweden Democrats (Demker, 2013). The debate concerned the social consequences of immigration rather than incoming numbers, and we see several reports and initiatives related to integration at

this time.[133] Women remain present in these publications, and detailed statistical overviews were clearly gender disaggregated. Moreover, public optimism towards immigration was rising, and the sense of humanitarian obligation was reflected in blanket pardon measures related to asylum seekers, such as the temporary law from 2005, providing undocumented immigrants with an opportunity to have their application retried.

Two formative Swedish debates at this time – on gender equality and the obligation to protect – directed the spotlight towards women in the asylum process. There were several tone-giving publications aiming to increase awareness of gendered challenges and women's specific situation in the Swedish asylum regime: In 2008, the Swedish Refugee Law Center published the book "Asylum Law, Gender and Politics – A Handbook for Equality and Women's Rights" (Bexelius, 2008), and "Recommendations for an Equal Asylum Process"[134]. These publications emerged in the wake of the UNHCR Handbook for the Protection of Women and Girls from 2008, and coincided with the legal updates to Swedish legislation mentioned above, giving asylum seeking women both a platform and a voice. The extensive system of manuals and guidelines available for caseworkers and professionals within Swedish asylum, contributing to Sweden's prominent ranking on the application dimension of the WFA, are being continuously revised and updated with women's rights in mind.[135]

Other policy measures directly benefitting female asylum seekers are updates related to Female Genital Mutilation, criminalized in Sweden since 1982, and reinforced through the implementation of the EU Commission's Communication on Female Genital Mutilation from 2013 (COM(2013)833final), and the ratification of the Istanbul Convention. Forced marriage became recognized as a specific crime under Swedish law in 2014, with a section of particular importance for asylum seeking women; it became unlawful to "mislead a person to travel to undertake forced marriage"[136]. Reflecting on

[133] See for example "Integration – A Description of the Situation in Sweden 2008", and "Integration – Foreign-born Persons and the Labor Market 2009" (Statistics Sweden, Population and Welfare Department), The national thematic group on asylum and integration (NTG-Asyl & Integration), initiated by the European Social Fund, Labor Market Board, Integration Agency, the Swedish Migration Agency as well as Swedish municipalities and county councils.
[134] Published as part of the project "Women's Right to Protection – A Handbook for Equality in the Asylum Process", supported by the Delegation for Distribution of State Funds for Women's Organization and Equality Projects (Delegationen för fördelning av statsbidrag för kvinnors organisering och jämställdhetsprojekt).
[135] See for example "Handlingsplan for Jämställdshetsintegrering pa Migrationsverket" 2016-2018.
[136] Chapter 4, Section 4c and 4d of the Swedish Criminal Code (1962:700).

the WFA-scores on reception, Sweden, like Denmark, has adopted a somewhat restrictive format for asylum seeker health care (Law 2008:344 on Healthcare for Asylum Seekers Among Others), contributing to a lower Swedish score on the third dimension of the WFA. As previously mentioned, care needs of particular importance to female asylum seekers (maternity care, care related to childbirth, contraceptive care and advice, and abortions) are however free of charge.

5.9.4. Danish asylum policy and gender

Reflecting the salience of the immigration issue in Denmark, asylum was a much-debated topic already in the decade leading up to the new millennium. In fact, between 1986-2000, the Danish alien's act was amended 25 times, most changes being of restrictive character (Gammeltoft-Hansen, 2017). During this time, only one of the updates concretely contributed to the increased well-being of women (changes to Udlændingeloven on Battered Women, law 380 of 22 May 1996[137]). Most revisions of Danish asylum legislation were carried out after the change in government 2001, however, in a period of intense politization of issues related to immigration. Similar to Sweden, this was also a time of increasing interest in gender equality issues, with debates on for example quotation. Denmark strengthened its protection of gender equality through the 2007 Equality law[138], obliging authorities to promote and integrate gender equality in all state activities. In the beginning of the 10's, an intensified debate on sexual violence also resulted in updates to the Danish Criminal Code[139].

As noticed in the Swedish case, general measures to promote gender equality and safeguard women's rights can be observed to spill over to asylum policy, increasing overall women-friendliness. This effect seems weaker in Denmark, however, with Danish policy updates aimed at protecting asylum seeking women remaining rather weak and adhering to a minimum standard of protection. For example, a legal amendment from 2013 aims at strengthening the rights of family-reunited victims of domestic violence by not revoking the residence permit of the victim in case of a separation from the perpetrator.[140] This does indeed protect the woman by granting her

[137] "The Committee considers that violence in marriage or cohabitation should be included as a separate consideration in section 26 of the Immigration Act, whereby exposure to abuse, abuse or other nuisance etc. in the country, or because the foreigner is otherwise in a particularly weak position, should result in: that a previously granted residence permit is not withdrawn."
[138] Lov om ligestilling af kvinder og mænd LBK nr 1678 af 19/12/2013.
[139] Criminalizing inter-marital rape and rape against a victim known to the perpetrator (2013 Act no 633 of 12/06/2013).
[140] Act no 129 of 25/04/2013.

individual status in a particularly exposed situation, but it also highlights the fact that individual status is rather an exception in Danish legislation, and reinforces the notion of female applicants being dependent upon the residence status of their male relatives.[141]

Contributing to a lower score on the application dimension of the WFA, Denmark has not made an amendment to include "gender" in the refugee definition of the Geneva Convention. Although still compliant with international obligation, this has significant implications for the interpretation of gender-specific persecution; for example, there is a "*tendency in Denmark that for instance FGM would fall under an article 3 risk and not a convention risk*" (UNHCR Copenhagen, interview 22.02.2019), this being the case in spite of the strong legislative framework surrounding FGM in Denmark, with specific criminal law provisions introduced to the Penal Code in 2003[142]. The case of FGM clearly illustrates the complexity and interconnectedness of the three dimensions of the WFA, where failure to update within one policy area may have consequences within another.

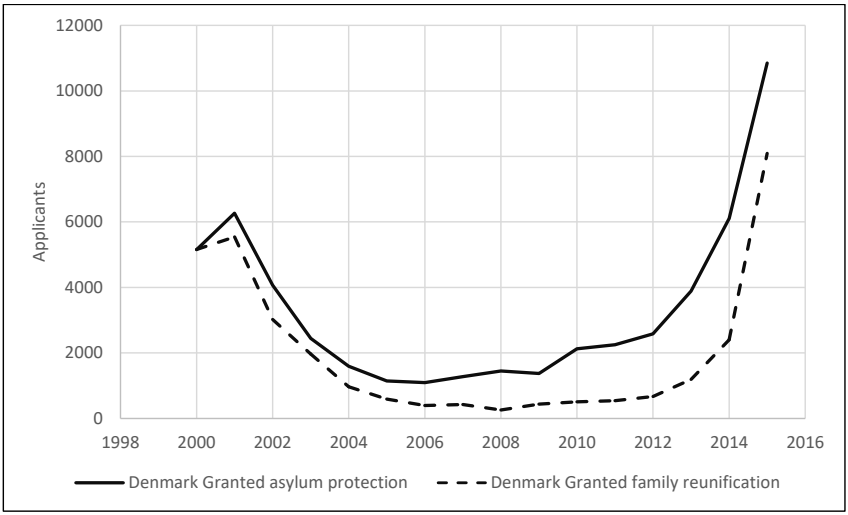
Such consequences, although very tangible in terms of outcome, may be difficult to derive to gendered policymaking. There are however some very notable and much discussed policy-updates with direct implications for female asylum seekers in Denmark:

Act No. 365 of 6 June 2002 entails a number of restrictions, whereof the 24-year rule for reunification of spouses has had the most significant impact on the opportunities for women to obtain asylum. The new law requires both parties to be at least 24 years of age before reunification can be granted, and demanding the spouse residing in Denmark to provide appropriate housing (at least 20m^2 per person) and a bank guarantee (DKK 50 000) to cover any public expenses related to the reunification procedure. The former right to family reunification with parents over 60 years of age was simultaneously abolished. The Act was followed by an amendment in 2005 (Act No. 402 of June 1st 2005) further defining the demands for family reunification by requiring both parties to sign a declaration stating that they will enroll in a Danish course and involve themselves

[141] The Danish Immigration Service may revoke or refuse to extend a temporary residence permit granted on the grounds of family reunification in case of divorce, if cohabitation ends, or if spouse/partner passes away (Danish Immigration Service, 2019).
[142] Revision of the law 779 of 16. September 2002, Kvindelig omskæring, making FGM illegal also when committed outside Denmark.

actively in the integration into Danish society. The 24-year rule has been argued to protect young women against forced marriages, but its most visible effect is in terms of reduced family reunification. Figure 18 shows the impact of restrictive policies implemented since 2001 in Denmark, with a sharp drop in positive decisions both for asylum seekers and family reunification. For several years since the introduction of the Act, family-related asylum to Denmark was close to zero.

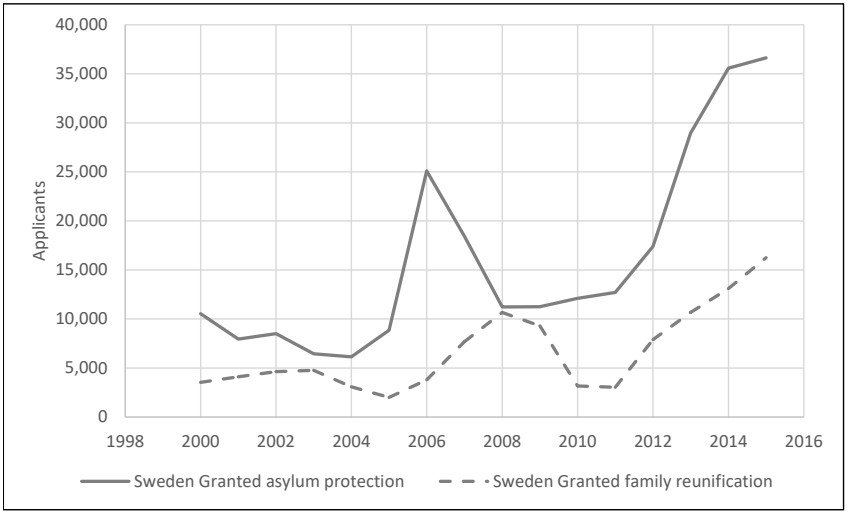
Figure 18: Family reunification in Denmark since 2001



Source: Danish Ministry of Immigration, Integration and Housing 2019

Reflecting on the falling numbers, it could be argued that with a general decrease in granted asylum applications, family reunification will decrease as well. However, the relationship between the two measures of protection usually fluctuates more than in the case of Denmark – bringing family is subject to certain delays in terms of procedure, causing a lag in statistics not visible in the curve above. The situation illustrated in Figure 18 therefore clearly indicates the generally restrictive effects of policies such as the 24-year rule. A comparison with Sweden adds clarity to this conclusion:

Figure 19: Family reunification in Sweden since 2001



Source: Swedish Migration Agency 2019

In Figure 19 we see family reunification generally following overall reception rates, but demonstrating an expected time-lag due to the processing of applications. The peak in 2006 is explained by the amnesty legislation described in previous section, allowing sans-papier individuals to re-apply and causing a sudden jump in approval rates. Comparing the two countries, it may therefore be concluded that the 24-year rule did indeed severely impede opportunities to reunite with family in Denmark, with particular implications for women as the primary beneficiaries of family reunification policies.

Another Danish initiative introduced around the same time also had significant implications for the women-friendliness of asylum policies: The controversial 300-hour rule ("A new chance for all" 2005), in effect 2007[143], imposed on married couples (older than 25 years) where one or both spouses had received welfare assistance during six consecutive months to get a reduction in their monthly allowance. Moreover, if a married couple had not worked for at least 300 hours during the last two years, the monthly allowance to one of the spouses would be withdrawn. In 2008, the working hour requirement was increased to 450 hours, applied to all married recipients of social

[143] §13 stk. 8 Lov om Aktiv Socialpolitik.

assistance and referring only to regular employment (not including jobs with wage substitutes, practical training or activation programs). The initiative was motivated by the Minister of Employment, Claus Hjort Frederiksen, as an attempt to combat housewife-mentality and a culture of 'passive dependency': "*We cannot ignore that this is about culture. We know that thousands of immigrant women receive social assistance and are totally outside the labor market and have never held a regular job. We also know that this situation is often caused by a culture, in which it is not welcome that women work.*" (Jyllandsposten 14.04.2011, Quoted in Betzelt and Bothfeld, 2011, p. 50).

This 300-hour rule was framed as a measure to increase gender equality through economic sanctions (Breidahl, 2011). Several studies however show that instead of promoting integration and independence, women were exposed to additional hardship through the new rule: Women at risk of being sanctioned were already less likely to find employment than men, and immigrants and their descendants became increasingly over-represented among persons at risk of long-term poverty (Breidahl, 2011). Although the 300-hour rule applied to all Danish citizens, it had an undisputed ethnic bias with 95% of individuals affected being of ethnic minority background (Bak Jörgensen and Emerek, 2016), and given its set-up, its effects were most severe for women.

Intertwining gender equality and immigration

The very concrete measures and legal amendments described above have tangible effects on the women-friendliness of national asylum policy frameworks in both Sweden and Denmark. An equally important, however less discussed, aspect of women-friendliness in asylum is the rhetoric frame surrounding these policy-initiatives, what Boréus (2013) refers to as "discursive discrimination" (p. 405 ff.). Although linking directly to theories on framing and agenda-setting, this aspect generally receives little attention in studies and comparisons of national asylum policy frameworks, possibly because it is difficult to measure and rarely visible in the actual letter of the law. In the cases of Sweden and Denmark, however, the official narratives at the foundation of national asylum policies emerge as a critical demarcation between the two countries in terms of women-friendliness.

In Sweden, despite the political playing field being much more polarized on immigration today than in the 80's and 90's, partisan agreement remains surprisingly

intact with regard to policies safeguarding female asylum seekers: Recently, all parties of the Swedish parliament have taken a stance for the protection of women through measures against forced marriage, FGM and honor-related violence: *"…honor-culture can never be accepted. It takes away many people's right to their own lives. In the end, it is about standing up for basic human rights. The struggle for increased equality is one of the most important democratic challenges of our time.*" (The Moderate Party program of action "A modern working party for all of Sweden" 2013). This statement is very representative for the Swedish approach to separate the debate on immigration from discussions on gender equality. There is noticeable caution not to associate gender-oppressive phenomena with immigration, further exemplified in "The Government declaration Power, Goals and Authority – Feminist Politics for an Equal Future" (2016): "*The notion of gender, power and sexuality is of foundational importance for all kinds of men's violence towards women, including honor-related crime and oppression as well as prostitution and trafficking in human beings for sexual purposes."* (p. 33). The very extensive 2015 National Strategy on Men's Violence Against Women and Honor-related Violence and Oppression (SOU 2015:55) also entirely avoids connecting gender inequality to ethnicity, referring to "women of all ages and social spheres, regardless of nationality or ethnic, religious or cultural background" (p. 388). Individual parties have adopted the same line of argumentation, all steering clear of any potential links between gender and ethnicity: "*Honor-related violence is part of the structural gender oppression and hence not limited to or connected with any particular religion or ethnicity.*"(The Left Party, Feminist Platform 2009).

The restrained Swedish rhetoric on immigration is sharply contrasted by the Danish People's Party, having been tone-giving in the Danish policy debate on immigration but also greatly impacting discussions on equality (interview Kvinfo, 22.01.2019), where gender and ethnicity are frequently intersected: "*In immigrant families in Denmark, [domestic] abuse may be very violent and women have difficulties freeing themselves from the patriarch life pattern that many Muslims unfortunately live by*." (Danish People's Party[144]). Mainstream parties in Denmark have adopted the same line of reasoning. For example, prime minister Anders Fogh Rasmussen uses gendered rhetoric in his otherwise rather reconciliatory manifesto for Denmark's Liberal Party in 2006 ("7 points of orientation for Denmark"), claiming that isolated groups aggressively challenge the unity of the Danish community, for example when *"… female teachers in*

[144] https://danskfolkeparti.dk/partiet/bestil-materiale/spoergsmaal-og-svar/ligestilling/ (accessed 04.07.2019).

some schools may experience that boys in the class say that women should not be teachers… When the family wants to decide who the young girls are to marry… When young women are victims of honorkillings." (p. 12).

The Danish Social Democrats' "A new chance for all" (2005) echoes the same emphasis on gender equality and equal status of all people rhetorically connected to ethnicity and cultural background. Stating that women and men of ethnic minority background living within "patriarchal family patterns" (Jensen et al., 2003, p. 10) shall "also have the opportunity to education, employment and participation in society" (ibid) heightens the notion of Danes being independent and equal, and gender inequality and discrimination being related to the immigrant community. This rhetorical frame is significant to understand and interpret efforts to promote gender equality in Danish asylum policymaking, as it marks a fundamental difference to parallel Swedish initiatives. The 2014 Danish Report on Gender Roles and Social Control Among Young People with Ethnic Minority Background, commissioned by the Ministry for Gender Equality is a striking example, referring to young women of certain ethnic minority groups experiencing gender-based oppression due to a lack of freedom of religion, movement and sexuality, with particular reference to religious practice (primarily Islam) as a frequent culprit of social control. Similarly, the 2015 Danish Perspective and Action Plan on Gender Equality specifically advocates initiatives on "equality and social control among ethnic minorities", and the 2012 National Strategy Combating Honor-Related Conflicts refers to the issue of "securing increased equality between men and women who are new Danes" (nydanske) (p. 6), and discussing differences between them and "ethnical Danes" in their levels of independence and ability to navigate the social system (p. 50). Similar to the legislative measures described in previous section, these reports are framed as attempts to highlight the situation of vulnerable citizens in Denmark, but against the interpretative framework of women-friendliness, they feed into the gendered rhetoric of the immigration debate, reproducing the notion of inequality as a matter of ethnicity.

5.9.5. Reflections on the national policy-frameworks

The review of the asylum policy landscapes reveals a Danish framework much more restrictive than the Swedish ditto, an unsurprising effect of the negative attitudes towards immigration on behalf of Danish voters and decision-makers. More surprising, however, are the strong gendered effects of these restrictions. As a general principle, the women-friendliness of the Danish framework should not be affected by negative

attitudes to the same extent as asylum policies in general; as one of the most gender-equal states in Europe, we would expect to see effects counteracted or at least significantly softened by the extensive and very strong tradition of gender equality and by institutions committed to women's rights. Clearly indicated by the WFA-scores, however, the women-friendliness of Danish asylum-policies have indeed suffered. The above observations confirm this conclusion, revealing a Danish set of policies departing from the idea of gender equality strongly linked to ethnic, religious and cultural assumptions.

Having detailed the national contexts of policy-making in light of attitudes towards immigrants and the politization of immigration, my first theoretical expectation is indeed confirmed: Denmark, being significantly less optimistic about non-EU immigration, has experienced a clear shift towards the right across the entire political spectrum and is now displaying an asylum policy framework with less initiatives to safeguard women's rights than the Swedish equivalent. However, although accounting for a large and obvious difference between the two states under investigation, negative attitudes towards immigration are unable to explain why the strong Danish gender equality-regime has not been able to counter the negative effects on women-friendly asylum policies. Drawing upon the theoretical reasoning that descriptive representation matters for substantive representation (that is, the presence of women acting on women's behalf) (Lloren, 2015), Sweden and Denmark should be much ahead of the European curve with comparatively large shares of female MPs. To better understand why the Danish gender equality-tradition has not extended to protect immigrant women, I will now turn to discuss women's political mobilization and my second theoretical expectation; the impact of the women's movement in promoting the gender equality debate and the institutionalization of women's rights in each respective country.

5.10. Institutionalizing women's rights

Mapping the institutional status of gender equality in Sweden and Denmark, this section takes the women's movement as its starting point. Kessler-Harris (2003) has labelled women's emerging independence, spurred by a set of reforms in the 1960's as "economic citizenship" (p. 34), addressing women's rights to work in the occupation of their choice, with an adequate income. This economic citizenship has been regarded the most important component of women's empowerment, but in the early days of feminist reform it clashed with lingering values of prejudice and discrimination – the breeding-

ground of the equality movement in both Sweden and Denmark (Larsen, 2015). The movement came to scrutinize and question traditional gender roles, centering around women's employment and fair salaries, day care, free abortion and sexual self-determination (Schmitz, 2009). Both countries introduced a similarly generous family-centered welfare regime, Sweden instigating maternity leave already in 1955, and Denmark five years later. (Grönlund, Halldén and Magnusson, 2017). As a result, the two countries now show the highest activity-rates of women and mothers in the industrialized world (Ellingsæter and Leira, 2006),[145] and women have been continuously integrated into the political arena with extensive potential to influence public policies (Siim, 2000).

The outreach and visibility of the Scandinavian women's movement supported older and more structured feminist agencies in transferring women's rights issues to the public agenda (Larsen, 2015), developing procedures and institutions to anchor values of gender equality within society. This process of institutionalization has been very prominent in both Sweden and Denmark. In 1968, the Swedish Social Democratic government was the first to adopt and implement an extensive agenda of policies promoting gender equality (Skard and Haavio-Mannila, 1984). Further institutionalization turned Swedish gender equality into its own policy field with related agencies and legislation[146], represented by a Minister of Gender Equality acting within the Ministry of Labor. In general, the Swedish formulation of gender equality as a policy goal has been extensive, with the ambition to encompass all policy-fields. Adding to the advancement of efforts, the preconditions for institutionalization were favorable in Sweden, Sainsbury and Bergqvist (2009) conclude; egalitarian values were widely

[145] In Denmark, men have an activity rate 11 percentage points higher than women, in Sweden only 6 percentage points (Nordic Gender Equality in Figures 2015). Both Sweden and Denmark had roughly 40% women representatives in parliament in 2015, a slight increase since 1990 but overall a stable figure (Sweden 43,6%, Denmark: 37.4% (World Bank, 2015)).

[146] For example:
The Higher Education Act (1992:1 434) requires institutions of higher education to observe and promote equality between men and women.
The Discrimination Act (2008:567) (replacing the Law on Equality (1991:433) and the Law on equality between men and women in working life (1979:1118)), encompasses EU directives on equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (76/207/EEG), ethnic discrimination (2000/43/EG) and equal treatment in in employment and occupation (2000/78/EG). It safeguards human rights in the labor market, working place and other social domains, regulating for example equal pay (§10).
The Parental Leave Act (1995:584) promotes equality in child-care and prohibits disfavour and discrimination in the workplace for reasons related to parental leave. The Equality Ombudsman is to ensure compliance with the Discrimination Act and the Parental Leave Act.
The Social Services Act (2001:453) determines the responsibility of municipalities to support women subject to violence.

accepted, the political landscape was dominated by the left and female political representation was on the rise. Important features of the Swedish institutionalization of gender equality, resonating in contemporary policies protecting women's rights, are the provision of individual social rights for women and men rather than benefits based on family relationships (Sainsbury and Bergqvist, 2009), which further strengthened the individual earner-carer model (Bergqvist, 2016). Today, gender equality-principles have been systematically incorporated into all Swedish policy-areas covered by the public budget, and all government employees receive continuous training related to gender mainstreaming (Bergqvist, Olsson Blandy and Sainsbury, 2007).

The Danish 1960's also saw feminist issues being transferred to the political agenda and institutionalized into the Commission on the Status of Women in Society. The work of the Commission became a symbol for the new political focus on gender equality, an ambition that dominated the agenda throughout the following decade, supported by the Equal Status Council (Larsen, 2005). The idea that women and men should have equal access to paid full-time work outside the home, as well as equal responsibility to care for children, was considered a necessary prerequisite for gender equality (Eydal and Rostgaard, 2011). Today, the Danish legal framework entails several central pieces of legislation with equal treatment at the core,[147] overseen by the Minister of Equality, placed under the Ministry of Foreign Affairs.

Indeed, institutionalization efforts have been extensive in both countries, reflected in two strong Scandinavian gender equality-regimes. However, while Swedish gender equality as a political priority is an area regulated in great detail (Melby, Ravn and Wetterberg, 2009),[148] Denmark has taken a more fluid approach to women's rights (Borchorst, 2006). In general, over time, Sweden developed a more extensive policy machinery with more active and binding measures than did Denmark (Borchost and Teigen, 2010), and the reason for this can be found in the bottom-up approach of Danish gender policies (Borchorst and Siim, 2002); although the Danish women's movement was very strong in the 70's and 80's, feminist issues did not gain political foothold to

[147] For example:
Ligestillingsloven (LBK nr 1678 af 19/12/2013), regulating equality between men and women, Ligebehandlingsloven (LBK nr 645 af 08/06/2011) regulating equal treatment the labor market and public activities, including equal pay,
Law on parental leave (barselsloven) LBK nr 67 af 25/01/2019.

[148] Confirmed by a senior official at the Swedish Ministry of Justice, Unit of Migration and Asylum: "*Sweden is not a country with much informal activity, here everything needs to be formally in order and when we cannot take care of people properly there will be disturbances [in the system]*." (interview 01.02.2019).

the same extent as in Sweden, and when the movement weakened, the Danish policy model was weakened as well from the lack of input. As a result, gender equality issues are still of limited political significance in Denmark, illustrated by the low priority on contemporary political agendas (Borchorst, 2013). Today, about half of the parties represented in Folketinget presents gender equality as a core value.[149] Three parties make no mention of gender equality at all (Dansk Folkeparti, Konservative Folkeparti and Nye Borgerlige), in contrast to the Swedish government of 2018, labelled the first feminist government[150] in the world with all parties including gender equality as an area of priority and four out of seven characterizing themselves as 'feminist parties'.

The difference in both scope and degree of institutionalization between the two countries resonates in public values as well. Although Denmark and Sweden are on par in terms of female political representation and values related to the social roles and responsibilities of men and women, there are indeed some interesting differences in the approach to – and interpretation of – gender equality, that may have contributed to weaker public pressure and limited political incentive to institutionalize it. The Danish public is, for example, most confident of all Europeans with regard to their national gender equality-regime, 75% claiming that gender equality has already been achieved (compared to 63% in Sweden).[151] Similarly, while 95% of Swedes find it of personal importance to promote gender equality, only 75% of Danes agree (the European average being 84%).[152] The perceived need and motivation to strengthen the institutional framework in Denmark is hence smaller. Further inquiry implies that gender equality-values are translated differently in the two countries, where "feminism" is also a more acceptable expression among Swedes (62% of Swedish men "totally approve" of identifying themselves as such, compared to 28% of Danish men). These figures shed additional light on the institutional frameworks of the two countries, revealing a stronger tradition and a greater sense of urgency attached to women's rights and gender equality in Sweden than in Denmark.

[149] Socialdemokratiet, Radikale Venstre, Socialistiske Folkeparti, Enhedslisten, Alternativet, Liberal Alliance, Inuit Ataqatigiit, Javnadarflokkurin.
[150] Senior official at the Equality Unit, Swedish Ministry of Social Affairs, on the notion of a feminist government: "*Governments in Sweden have pushed for the integration of [equality] issues for a long time, and a solid approach to equality mainstreaming has made this reality. For support, there are systems to safeguard integration, trainings, and political ownership on a high level*." (interview 15.04.2019).
[151] Special Eurobarometer 465, QC2.3 "Do you think that gender equality has been achieved in (OUR COUNTRY)?
[152] Special Eurobarometer 465, QC3 "Promoting gender equality is important for you personally."

What we have seen so far are two countries with similar and prominent gender equality-regimes, supported by extensive gender-promoting welfare measures, but institutionalized to different degrees. A stronger institutional framework protecting women's rights in Sweden and a partisan line-up committed to feminist values adds to the explanation of Sweden being better equipped to develop women-friendly asylum policies. Along the same lines, Denmark displays a weaker institutional setting, related to a weaker political tradition in responding to gender equality. This does not imply that Denmark is less gender-equal per se, but that the institutional mechanisms for updating asylum policies to protect women are rather weak and hence less able to prevent decision-makers from framing gender equality as a part of the immigration debate.

Contemplating my second theoretical expectation – gender equality-institutions matter for women-friendly asylum policies – it becomes clear that a piece of the puzzle is still missing: In spite of a Danish political setting shaped by xenophobic attitudes and weaker institutions to act on behalf of female asylum seekers, the large share of female MPs would expectedly keep attention directed towards women's rights. How come that almost 40% female representatives in the Danish parliament have not been able to promote women-friendly updates of national asylum policies? To explore this missing piece further, I will now proceed to discuss my third theoretical expectation: When female political representatives operate within a right-wing context, they are likely to turn their attention to the highly salient political debate on immigration, shifting their political ambitions and efforts to protect women's rights at the expense of female asylum seekers.

5.11. Female representation on the right

In addition to attitudes towards immigration and the institutionalization of women's rights, the position of, and response to, populist right-wing parties constitutes a third major difference between the two countries. Swedish right-wing influence was initially much too extreme to be adopted by the mainstream political community and hence it remained a marginalized and detested expression until the very end of the time period investigated in this case study. As a result, given the limited influence of the Sweden Democrats and low salience of the immigration issue, established parties and institutions in Sweden had no reason to re-evaluate neither their agenda nor their ideological position. In Denmark, on the other hand, the strong influence of the more mainstream right-wing movement, represented by the Danish People's Party, became

both a reflection and a catalyst of negative public sentiments towards immigration. With the increasing political salience of immigration, they came to own the content of the debate while other parties struggled to position themselves and to navigate new political alliances. Coalition concerns and perceived voter preferences incited traditionally center-, and even left-leaning, Danish parties to shift their ideological stance towards the right. It is therefore reasonable to assume that the political dominance of the immigration discourse and its ideological direction also affected the Danish feminist agenda.

5.11.1. Nationalism and gender

The relationship between nationalism and gender is subject to a rich scholarship. The nationalist ideology refers to the structure and operation of citizenship, states and nations, based on the domination of male interests (Nagel, 1998). This, Yuval-Davis (1993) derives to the intellectual creation and reproduction of collective memories related to the historical portrait of the nation. Shaping national boundaries is a process of both exclusion and inclusion, for example with regard to ethnicity and gender. Throughout this process, the politically significant actors have traditionally been male, while the roles of women have been biological (as reproducers of the nation) or cultural (as transmitters of collective values) (Towns, Karlsson and Eyre, 2014). Gender differences and the subordinate position of women, be it explicit or implicit, are therefore a well-established foundation of nationalist ideology.

Against this background, Scandinavian nationalism has been greatly challenged to combine gender equality as an increasingly inherent value to the identity of both the Swedish and the Danish nation, with conservative notions of nationalism based on differences between the sexes. Swedish and Danish right-wing parties have chosen rather different paths to address this challenge: The Sweden Democrats operate in an outspokenly feminist, highly institutionalized political context and have therefore been forced to address issues related to gender explicitly, maneuvering their own deeply conservative views on women in a setting of strong and widespread values on gender equality. As a result, their party program makes specific mention of, and condemns, sexual violence and uneven distribution in terms of pay and status, and vows to solve problems of inequality. Navigating the conflicting narrative of nationalist values and gender equality principles, the Sweden Democrats present themselves as an alternative to Swedish state feminism (Gertsch, 2018). In an approach labelled “biological essentialism feminism” (särartsfeminism) (Bieler, 2014), they motivate their argument

on natural sexual hierarchies: *"Men and women are not created equal and can, therefore, in different contexts use different starting points and do different things in different ways.*" (Mulinari and Neergaard, 2014, p. 47). The biological differences do not translate into inequality, they argue, since men and women have equal rights (so called "formal gender equality") (Sverigedemokraterna, 2011). Although the Sweden Democrats represent a, for Swedish conditions, untypical stance on gender equality with restrictive views on abortion, paternal leave and affirmative action, the Swedish political context demands that they take part in the national equality debate and pay specific attention to related issues.

As previously noted, the feminist political foundation in Denmark is much weaker. Only about half of the parties represented in Folketinget (status January 2020), present gender equality as a core value. All but two of them (Socialistiske Folkeparti and Enhedslisten) present it subordinate to immigration/integration. The political program of the Danish Peoples Party reflects this context and does not make any specific mention of gender and the role of women. Their agenda has a much stronger nationalist approach than the Swedish equivalent, with Danish independence ("the freedom of the Danish people"), Monarchy and Church as top priorities. "Family" is mentioned as the core of the Danish nation, with children and parents as "bearers of the future of the country" (DPP, 2019), echoing the nationalist interpretation of gender roles. The party program of the Danish People's Party does not make any specific mention of gender roles or equality principles, but a more peripheral discussion on their website develops a rather cynical stance on affirmative action: "*In the labor market, we have almost accomplished equal pay, but some problems remain that require a solution. Women themselves have a big part of the responsibility, they have to break out of the role patterns that they have taken upon themselves, or that has been "dabbed" to them, and they themselves must "sound the alarm". Women must be better at putting their foot down, and men in turn, must be better at listening to women's wishes and accept equal pay for equal work*." (Danish People's Party).[153]

5.11.2. A gendered shift

The different approaches to gender equality on behalf of right-wing parties in the two countries are striking, considering Sweden and Denmark's solid traditions and

[153] DPP Questions and Answers, 2019: https://danskfolkeparti.dk/partiet/bestil-materiale/spoergsmaal-og-svar/ligestilling/ (accessed 05.07.2019).

prominent profiles as gender-equal states. Even more surprising is that female representation within the two right-wing populist parties follow an inverted logic – the party with the least women-friendly outlook is the party with the strongest female representation: Between 2014 and 2018, 15 of the 37 mandates belonging to the Danish People's Party in Folketinget were held by women (40,5%). For the Sweden Democrats in 2018, only 29% of their representatives to the Riksdag were women (compared to 48% for Social Democrats and 75% for the Green Party). Albeit a very low figure, this still represents a dramatic increase from 2010, when only 15% of Sweden Democrats' representatives were female (Valmyndigheten, 2018). In the Danish case, female representation extends to the top layer with prominent women in leading positions, most notably Pia Kjaersgard leading the party from 1995-2012. Her outspokenness on gender-related issues within the immigration debate received attention both in the media and by the public: "*Muslim women feel provoked by the reaction brought on by their headscarves. I am also feeling provoked. By them and their choice of headscarves over the Danish nation.*" (Kjærsgaards blog, TV2.dk, 14.07.2014). Given the prominent position and extensive representation, female leadership within the Danish populist right-wing has likely added strength to their message and contributed to the mainstream reception of xenophobic ideas.[154]

This divergence between the two nationalist parties resonates in voter demographics as well: The Sweden Democrats is an obvious example of the right-wing voter gender-gap, with more than twice as many male as female voters in 2010 (4.3% men and 2.1% women). In 2014, figures had increased in both groups, but to a much lesser extent among the women (8.2% of the men were considering voting for the Sweden Democrats in May 2014, compared to 3.4% of the women). This makes the Sweden Democrats the most electorally gender-segregated party in Sweden (Statistics Sweden 2014). The Danish people's party is also subject to a somewhat gender-segregated voter corps, but to a much lesser extent; in 2019, they received the votes of 9.7% men and 7.8% women (DR 07.06.2019). Although in absolute terms a drastic decline in support since the

[154] Pia Kjaersgard's narrative mirrors the prominent examples of other female European leaders using equality rhetoric and a feminist platform to contest immigration. For example, Marine Le Pen (Rassemblement National) has expressed fear that the "*migrant crisis signals the beginning of the end of women's rights*" (L'Opinion 13.01.2016),and Nicole Höchst (Alternative for Germany) extends the women's rights-argument: "*I believe we are the only party in Germany who is really fighting for women's rights, because we point out we're in danger of losing the freedoms and rights of women for which we've fought for centuries,*" (Quoted in the Guardian 29.01.2019).

previous election, the gender-distribution has been fairly stable over time: In 2011, 56% of DPP voters were male, and in 2014 58% (Astrup, 2015).

5.11.3. The gender equality-debate within a right-wing populist context

The empirical analysis in chapter 4 controlled for, and subsequently dismissed, the potential effect of partisan ideology on women-friendly asylum policies. Nuancing this variable further, however, we see a connection between party affiliation and political representation: The strong female representation on the Danish right-wing flank seems to have pushed the Danish gender equality-debate in a new direction. As discussed in section 5.4, a number of theoretical arguments feed into this observation: Responding to nationalist sentiments and xenophobic attitudes, political actors on the right may enter the partisan line-up with a new set of frames, bringing immigration to the forefront of both political and public agendas. The salience of the emerging discourse may shift voter-preferences, causing mainstream parties to re-align in order to keep their constituents. As a result, the ideological orientation of supporting institutions may start to waver, eventually adopting the right-wing narrative in order to maintain their relevance. In the case of Denmark, we see clear evidence of gender equality-arguments being presented within a right-wing rhetorical frame – the same frame that surrounds policy tools and legal initiatives related to immigration. I therefore argue, in line with my third theoretical expectation, that feminist arguments and demands may become redirected within a right-wing populist context, eventually feeding into a new discourse of gender equality as an issue of immigration.

A senior official at the Equality Unit, Swedish Department of Social Affairs, confirms the notion of racism and xenophobia often operating hand in hand with anti-feminism, pointing out differences between the equality debate in Sweden and Denmark: *"In Denmark, the general view is that gender equality has already been achieved and there is not as much support to implement further reforms. Furthermore, Denmark has had a xenophobic party in the government for a long time, influencing which equality issues receive priority."* (interview 15.04.2019). The Danish confidence in the domestic gender equality-regime noted in previous chapter reinforces this statement.

Furthermore, there are numerous examples of right-wing female leadership contributing to the re-framing of the equality debate. Recently, Danish Minister of Equality, Eva Kjer Hansen, introduced an elaborate national strategy to safeguard women's rights in a context of "*parallel communities and certain ethnic minority environments, where*

women's equality is suspended. Where women are being controlled by their men and forced to stay in a violent relationship. Where religious marriages weigh heavier than Danish divorce." (2019 Danish Action Plan, Preamble). Other Danish experts confirm the new feminist direction rooted in a right-wing agenda: *"The focus has shifted, inequality, gender inequality has been focused to migrants. The unequal ones are always the Muslims... They have to comply with our idea of gender equality."* (interview Kvinfo 22.01.2019). *"Danish women [are told they] should not speak up regarding our own issues but focus on the issues of Muslim women who are not equal."* (interview UNHCR 22.02.2019). With the face of the Danish right-wing populist movement being increasingly female, the gender equality-debate in Denmark has consequently come to concern "them" more than "us".

Linking racism and sexism is, of course, not a feature exclusive to Danish right-wing populist rhetoric. Right-wing movements across Europe, according to Elies et al. (2018), use the image of the abusive foreigner and the sexually oppressed Muslim woman in their argumentation to restrict immigration. Curiously, in terms of women-friendliness, this new direction of the equality debate remains similar in content to the gender equality-debate of the 80's and 90's (equal opportunities in the labor market, freedom from discrimination, combatting gendered violence) – but the subject of attention has changed.

Ideally, this new rhetorical direction would indicate stronger protection of female asylum-seekers, as it may be expected that the attention to their situation signals a political motivation to act against the "patriarch oppression" often found at the center of the immigration debate. In that case, the gendered effects that I have observed in Danish asylum policies would simply be a collateral effect of the political ambition to safeguard ethnic minority women from abuse and isolation related to their culture or family relations. Discussing the political intentions of a certain rhetorical direction is of course very delicate, and since the scope of this study does not allow for the analysis of policy outcome, I will not be able to provide any extensive evidence on this issue. However, reviewing protocols of inquiries raised in Folketinget in the past decade strengthens the suspicion that the gendered rhetoric of the Danish right-wing is less an ambition to protect women and more a strategy to limit immigration altogether. Given the amount of documentation, my review of protocols and commentaries is not

exclusive[155], yet provides an indication of the direction of gender-related issues in the Danish asylum debate: Very few, if any, inquiries seem likely to improve the situation of asylum seeking women, but rather confirm the notion of immigrant men posing a threat to Danish women;[156] "*the coordinated actions that took place in Europe, where women were sexually violated, will not occur affecting Danish citizens".*[157] Other inquiries are related to concerns about the practice of wearing veils in schools,[158] the perceived incompatibility of "ancient religious dogmas" and the modern Danish society,[159] and concerns about misguided integration measures for example by offering separate opening hours for Muslim women at the local swimming pool.[160]

Connecting gender equality and ethnicity in Danish asylum policy therefore seems to generate a rather counter-intuitive immobility on behalf of policy makers – right-wing attention to gender-related discrimination, even when initiated by a female MP, does not seem to generate any concrete measures actually protecting immigrant women. The political incentive for such measures would indeed be very small given that immigration has remained the most important issue for voters in Denmark (next to employment) (Adler-Nissen and Hjort, 2015), and that gaps between the political platforms of the left and right blocs have closed significantly since the beginning of the investigated time period. Reflecting on my third theoretical expectation, the case of Denmark hence shows that high female representation within the populist right-wing may contribute to a direction of the gender equality-debate where women's rights become part of the national immigration deterrence strategy. The significance of female political mobilization will therefore be less beneficial to the women-friendliness of national asylum policies, if the representatives operate in a right-wing populist context.

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[155] A catalogue of inquiries is available through Folketinget open archive, displaying over 60 000 documents related to refugees and asylum. About 1/10 (7478) of them mention women.

[156] "Inquiry to secure that asylum seekers that overstep Danish law for example by violating girls and women, are automatically notified of their rejected application for asylum." (26.01.2016, Martin Henriksen 2015-16 UUI, Alm. Del, Spm. 303).

[157] "Inquiry to prevent that the coordinated actions that took place in Europe, where women were sexually violated, will not occur affecting Danish citizens." (18.01.2016 Søren Espersen, 2015-16 UUI, Alm. del, Spm. 275).

[158] "Inquiry regarding knowledge of schools or other public institutions where it is recommended that girls and women cover themselves to a greater extent." (23.09.2015, Martin Henriksen 2014-15 UUI, Alm. del, Spm. 112).

[159] "Inquiry about whether it is reasonable that a refugee woman refuses to care for a male resident of a retirement care facility, against the background of ancient religious dogma that women may not touch men" (21.08.2017, Marlene Harpsøe, SUU, Alm. del, Spm. 1104).

[160] "Inquiry about whether it is an expression of good integration when swimming pools have special opening hours for women due to Muslim rules that sexes are kept separated" (15.12.2015, Martin Henriksen 2015-16 UUI, Alm. del, Spm. 211).

5.12. Discussion

The connection between gender equality and immigration policy is gaining academic interest (see for example Williams, 1995; Kofman et al., 2000; Siim, 2007; Langvasbråten, 2008). In Scandinavia these two values increasingly clash, and Sweden and Denmark have moved in separate directions with regard to the women-friendliness of their national asylum frameworks. The point of departure for this case study, however, is a homogenous one: Two of the most gender-equal societies in the world, successfully channeling the efforts of the women's movement into a prominent discussion on women's rights, both on public and political agendas. The feminist policy machinery has been strongly connected to the political left, traditionally a social democratic project in both countries reflected in near-parallel policy processes to safeguard parental leave, subsidized day care, and equal pay for equal work. A shared history related to labor immigration and subsequent family reunification paved the way for similarities also in terms of immigration policy. Both Sweden and Denmark presented a set of generous asylum laws in the late 80's, mirroring two comprehensive and inclusive welfare regimes.

Indeed, the countries in focus initially presented very similar positions on the two determinants of the Women-Friendliness in Asylum-Index; women's political mobilization was strong and attitudes towards immigration generally optimistic. Over time, however, divergence starts to come through and we see Danish sentiments towards non-EU immigration turning increasingly negative, translated into an intense political debate and shifts in the political landscape. Now hosting one of the most restrictive policy frameworks in Europe, the women-friendliness of Danish asylum has suffered and the weaker institutional setting for gender equality in Denmark has not been able to soften the blow. At the end of the measured time-period, the two countries represented near opposite stands in terms of women-friendliness in asylum.

Xenophobic attitudes and a weaker institutional setting are however present in several European states, without necessarily generating a lower score on the WFA. A quick look at a country with conditions similar to Denmark in this regard reveals that for example Slovenia receives a 0.64 on the WFA, in spite of displaying very pessimistic figures in terms of immigration attitudes[161], and an elaborate gender-mainstreaming

[161] In Slovenia in 2015, the share of women in parliament was 36.7%. 76.5% of the population expressed negative views towards immigration (World Bank, 2015 and Eurobarometer 84.3, 2015)

machinery albeit insufficiently institutionalized according to CEDAW.[162] Explaining the divergent scores of Sweden and Denmark in terms of women-friendliness therefore turns to the women; I argue that female political representatives have the potential to significantly influence the policy-making process on women's rights in asylum. My process-oriented narrative shows how immigration as the dominating political discourse in Denmark has shifted the context for feminist concerns and created incentive for all political actors – also the ones traditionally connected to the women's movement on the left – to get involved in the immigration debate. In order to maintain their political relevance and remain active in shaping the political agenda, feminist voices in Denmark therefore contributed to redirecting the equality struggle towards immigrant women.

To answer my research question, this case study reveals an intimately linked sequence of events, where public attitudes and political opportunity operate as mutually reinforcing parallels in asylum policymaking. The striking shifts in the Danish political discourse, increasingly value-laden and socio-culturally dominated, present a stark contrast to the Swedish political landscape at the time. Swedish politics remained firmly rooted in its ideological positions and economic agenda, keeping the populist right a marginalized actor until the very end of the investigated time period. The Sweden Democrats' traditionalist stance on gender was continuously challenged by the feminist movement and its affiliated institutions, and by the extensive focus on women's rights on behalf of all mainstream parties.

Separating the equality discourse from the asylum-debate helped maintain the right-wing gender-gap in Sweden, women kept to the left side of the political spectrum to a greater extent, and the Sweden Democrats came to represent mainly male interests. In Denmark, on the other hand, the salience of the immigration issue validated the message of the right-wing and created a wider electoral platform with women successively ascribing to the populist rhetoric of the Danish People's Party. Danish feminist demands for gender equality did not disappear, nor did the institutions protecting them, but gender equality became subordinated and eventually intertwined with the immigration discourse. Hence, although not coming through as a strong determinant in the visualization of the Swedish and Danish cases, female political mobilization does play

[162] The Committee on the Elimination of Discrimination against Women expressed concerns in 2015, recommending Slovenia to "Strengthen the authority and visibility of the national machinery for the advancement of women in the institutional structure" (Committee on the Elimination of Discrimination Against Women (2015). Concluding observations. CEDAW/C/SVN/CO/5-6, p. 6).

a crucial role for the women-friendliness of asylum policies: Within a right-wing context, female MPs' concerns with gender equality may narrow in scope, no longer encompassing women's rights in general, but domestic women's rights in particular.

The female shift towards the right in Denmark adds to the theoretical understanding of women-friendly policymaking. The rather hard-line rhetoric of female political representatives in Denmark counters popular theory on women policymakers creating women-friendly policies – this, I argue, is a conditional observation, assuming that female representatives operate in line with their traditional left-oriented ideological affiliation. I have shown that, within a right-wing populist setting these conditions change, as do the preferences of female policymakers. That Sweden and Denmark appear closely together in terms of female political representation is therefore weakly translated into women-friendliness of the national asylum policy regime, as the political contexts of the two countries are fundamentally different.

Moreover, assuming that female voters are generally more supportive of social policies[163] would imply that women are indeed key actors in establishing the direction of the national welfare-scheme and redistributive initiatives encompassing immigrants. A general shift in preferences among the female electorate may therefore have more decisive impact on the women-friendliness of asylum policy than a similar shift among male voters; general restrictiveness does not automatically assume lower women-friendliness, but when the gender equality-discourse actively excludes immigrant women from protective policymaking, and the institutional framework is too weak to counter the effects, the result will be a lower score on the WFA. I therefore find all three of my theoretical expectations central to explain the Swedish-Danish divergence in terms of women-friendly asylum-policies.

Albeit contested and somewhat controversial, my conclusion is by no means new or unique. The matter of female representation within the populist right-wing has gained increasing interest among scholars in recent years; for example Lloren (2015) investigates under which conditions female MPs are more likely to represent women's interests, finding both party affiliation and the connection to women's policy agencies to matter. She concludes that MPs within a right-wing setting are more likely to support women's preferences than their male colleagues. This is entirely in line with my

[163] This effect is proven stronger in countries with a high female employment rate (Bonoli, 2005).

findings, as the situation in Denmark implies that increased female representation within the Danish People's Party has been very influential in bringing women's rights to the political agenda, and pushing for the issue of gender equality – albeit framing it as part of the immigration debate. A recent report by Elies et al. (2018) also explores the mechanisms behind women's right-wing representation in a set of national case studies. The advocacy for women's rights, she finds, is equally strong among female right-wing activists, but channeled differently than within the traditional expressions of gender equality. According to her study, women representatives within the right often view themselves as "differentiated" or "conservative" feminists, and see state-supported equality policy as a threat to women's freedom to decide for themselves. This, I argue, is the reason why women in Denmark have made a difference in creating a more mainstream expression for the right-wing – they are still representatives for women and still pursue the fight for women's rights, but it is a struggle exclusive to ethnic nationals.

Naturally, I am well aware of the fact that women-friendliness in asylum cannot be explained solely through the confirmation of three theoretical assumptions – 35 years of Scandinavian policymaking is not a linear process with a defined set of actors. It is not possible to pinpoint any specific occurrence that may have turned the tide in Denmark, or to establish direct causality between attitudes, politization and political priorities related immigration. My case study has attempted to show the complexity of the policymaking contexts of both countries, and to trace the impact of various events and decisions along the way. I do not dismiss the importance of national history, geopolitical setting and demographic composition as breeding grounds for xenophobic sentiments, nor the structure of government[164] allowing for the exploitation of these sentiments into a certain political direction.

In terms of women-friendliness, however, I argue that this case study has added to the explanatory power of the two determinants and contributed significantly to the understanding of women-friendly asylum policies. The comparative, process-oriented analysis has helped concretize and nuance my theoretical arguments, providing them with a contextual setting that highlights their interconnectedness. This case study has also strengthened my conviction that the general principles of women-friendly

[164] The Danish Folketing poses a threshold of 2% of votes, currently composed of 10 parties (plus representation from Greenland and the Faroe Islands). No Danish party has gained outright majority since 1903. The Swedish Riksdag, consisting of 8 parties with a threshold of 4%, has seen three majority governments since the unicameral reform in 1971 (1976-78, 1979-91, 2006-10).

policymaking stand over time – the three dimensions of the WFA-index, I expect, will remain indicative of women-friendliness in asylum throughout the twists and turns of national policy making.

That said, however, the political landscapes surveyed in this case study are not the same today as they were in 2015. The following section provides an overview of the asylum-political situation in Sweden and Denmark in the years following the refugee crisis.

5.12.1. Developments after 2015

Statistically, 2015 marks a peak in inflows all across Europe, and the impact of this surge remains visible long after the number of asylum applications have receded. Denmark, displaying one of the most restrictive policy frameworks in the European Union already at the time of the refugee crisis, has maintained a restrictive stance to asylum immigration in the half decade following, albeit in a new political setting. Swedish regulations, on the other hand, have taken a significant turn; a set of restrictive measures introduced since 2016 have altered the policy landscape and changed the political response to immigration.

Both countries have since conducted national elections. The results of the Danish election to Folketinget in 2019 (with the Danish People's Party reducing their share of mandates from 37 to 16) marked the end of several decades of the right-wing dictating Danish immigration politics. The election-results, however, do not imply that the direction of the Danish People's Party is no longer valid to Danes, but rather that the political line-up has adjusted almost entirely to its premises: The election manifesto of the Danish Social Democrats 2019 presented an agenda on immigration identical to the DPP, supporting the complete abolition of the opportunity to apply for asylum in Denmark, and demanding assimilation of immigrants already residing in Denmark (Erixon, 2019). The Danish Social Democratic agenda paired a rightist stance on immigration with a leftist stance on economic policy, a combination that won them the election. Moreover, the Danish election results indicate, that after four decades of political salience, the immigration debate has become an integrated element of national politics, and the, in some cases, exceptionally strict Danish policies no longer seem controversial in the public mind. In fact, parties have emerged to the right of the DPP, representing an even stricter approach.[165]

[165] Stram Kurs ("Hard Line") arguing for the ban of Islam in Denmark and the expulsion of all Muslims.

Yet, since 2015 Denmark has introduced a number of highly controversial measures related to asylum immigration. A policy package agreed in Folketinget in February 2019 (L140) sharpened immigration policy further through several legal amendments: For example, immigrants convicted of a crime, but who cannot be deported due to the risk of torture in their country of origin, were to be sent to a prison island while awaiting possibility to extradite. Furthermore, the new policy has lowered integration allowances and made all residence permits temporary and easier to repeal. Family reunification has also been restricted, becoming possible only after three years of residence. The European Human Rights Commissioner has expressed great concern at part of the law allowing Danish authorities to confiscate asylum seekers' valuables,[166] calling it "evil and misguided" (Therkildsen, 2016). Two of the recent amendments to Danish asylum legislation are directly gendered, targeting Muslim minorities: Proposals like the much noticed "handshake law"[167] and the "burqa ban"[168] are presented as initiatives to improve integration, but rather increase hurdles for female asylum seekers.

Since the new Danish government, headed by a Social Democrat female prime minister, has taken office, however, some of the hard-line proposals have been revised.[169] Denmark currently plans to re-join the quota refugee program[170] and a temporary child allowance for families on integration support is being introduced. This slightly softened stance has received severe criticism, but prime minister Mette Frederiksen has assured both voters and adversaries that focus remains on the repatriation of immigrants, rather than integration (Söderlund, 2019).

The changes since 2015 have been even more extensive in Sweden, with Swedish asylum policy going through a set of rather dramatic restrictive revisions following the refugee crisis. Measures include the prolongation of border controls, and a temporary adjustment of asylum regulations to the minimum standards of international conventions and EU regulations. This adjustment translated into temporary residence

[166] The "Jewelry bill" passed in January 2016, allowing authorities to confiscate valuables worth over 10 000 Danish kroner.
[167] A proposal by the DPP requires citizenship applicants to participate in a ceremony where they have to shake hands with a public official, targeting Muslim immigrants who refuse to shake hands with the opposite sex.
[168] The ban includes garments covering the face, such as burqa and niqab. Similar legislation is in effect also in Austria, France and Belgium (The Guardian 31.5.2018).
[169] The expulsion centers at Lindholm and Sjælsmark have been abolished.
[170] Denmark has not accepted any quota refugees since 2015.

permits[171] and restricted opportunities at family reunification (2016:752). The measures, although temporary in character, were extended in 2019 albeit slightly softened, primarily affecting the right to family reunification. The most recent Swedish directive (2019:70) still includes a reduced number of protection categories eligible to bring family,[172] as well as new requirements for self-sufficiency, but it has lifted the restrictions on persons residing in Sweden under subsidiary protection status to apply for family reunification.

To the Swedish Social Democrats, immigration policy remains a challenge. Having proved very sensitive territory, previous Social Democratic leaders have opted for a careful and reserved policy approach – aware that a too liberal stance on immigration would strain the welfare state with social consequences primarily affecting their own voters. Moreover, recent attempts to restrict policy have not been well received internally, and the election 2019 presented a Social Democratic campaign based on welfare issues and the aim to combat the Sweden Democrats (Boström, 2019). This strategy proved of limited success; even though the Social Democrats remained the largest party (28.26% of votes), next to the Moderates (19.84% of votes), the Sweden Democrats made significant gains compared to the previous election in 2014 (receiving 17.53% of votes in 2019, compared to 12.86% four years prior).

The partisan consensus on immigration, visible through most of the 1980's and 90's is no longer present in Swedish politics. The Moderates have since prescribed restrictions for asylum immigration, aiming for a "Nordic average" (Ulf Kristersson, Party leader, SVT 30.8.2019), with the argument that previous attempts under the Social Democrats have been too lenient. However, initiatives promoting the safety of female asylum seekers and refugees remain a visible part of Swedish policy making and are still subject to a united stance among mainstream parties. Current strategic efforts include a proposal to limit the rights of parents to withdraw children's Swedish citizenship, a measure intended to protect against honor-related oppression in which parents revoke the citizenship of children in order to marry them off abroad (Regeringskansliet, 2019).

[171] Three years for refugees and 13 months for subsidiary protection status holders, both with possible extension as long as conditions in sending country do not improve.
[172] 'Refugees', 'subsidiary protection status holders' and 'quota refugees' remain eligible, but two categories specific to Swedish legislation were removed (övriga skyddsbehövande "other protection" and synnerligen ömmande omständigheter "particularly difficult circumstances").

Attitudes to immigration in Sweden remained positive throughout the refugee crisis (in 2017, 76% of Swedes had a positive perception of immigrants influence on society (8% express negative views), compared to 49% positive in Denmark (19% negative),[173] indicating a continuous trend of divergence between the two countries. Paradoxically, despite Sweden having introduced measures that brings their national asylum policy framework closer to the Danish one, the polarized response to asylum immigration on both sides of Oresund has rather intensified since the refugee crisis. Danish politicians frequently refer to the "Swedish condition", with social challenges related to criminality and segregation due to a too generous asylum regime. The Swedish debate, on the other hand, has used Denmark as a frightening example of racism and xenophobia (Hansson, 2019).

[173] Special Eurobarometer 469, Fall 2017: QA9T: Perception regarding the impact of immigrants on society. European average 42% positive, 30 % negative. Sweden remains the most positive country in the union. Bulgaria expresses the most pessimistic views, with only 12% positive to immigration and 64% negative.

6. Conclusion

Despite the gendered origins of the refugee concept and the increasing feminization of asylum, research has paid surprisingly little attention to the specific needs of female asylum seekers and the women-friendliness of contemporary asylum policies. Recent years have seen an increased academic interest in gender and asylum (see for example Freedman, 2015; Sirriyeh, 2013; Sager, 2015; Bexelius, 2008), but the research field is still very narrow compared to the rich literature dedicated to comparative immigration policy and the social and economic determinants of asylum flows to Europe.

The refugee crisis in 2015 has provided the academic field with a new backdrop for policy-analysis. This year saw a dramatic surge in asylum applications, primarily during spring and summer, with 1.2 million refugees reaching Europe across the Mediterranean. An additional 34 000 were estimated to have crossed the border into Bulgaria and Greece by land, from Turkey (Clayton, Hereward and Gaynor, 2015). Among the stories of men, women and children reaching Europe, there are also the fates of the almost 4000 missing, feared drowned (IOM, 2016). Influx eventually receded and figures have stabilized all across Europe since; half a decade later the numbers of incoming applications are back to the levels of 2014, the year before the crisis,[174] and in March 2019 the European Commission declared the refugee crisis to be over (Rankin, 2019).

Before 2015, the share of women in asylum immigration to Europe had remained fairly stable at about 1/3, but conflict and unrest in Syria, Afghanistan and Iraq changed the gender-composition of refugee flows. Today, it is estimated that half of all people displaced by war, violence or persecution world-wide are women (UN Women, 2019), and although men still dominate flows to Europe,[175] 44% (age group 35-64) respectively 58% (age group 65 and over) of asylum applications to the EU in 2019 were lodged by women (Eurostat, 2019). These developments have not gained much hold in European policymaking, however: The asylum-frameworks of EU member-states remain firmly rooted in the original Refugee Convention from 1951 and its clearly gendered concepts of persecution. Increasing attention and outspoken concerns on behalf of the

[174] In 2018, the European Union received 647 165 asylum applications, compared to 626 960 in 2014. Figures as of October 2019, indicate a similar stance for 2019.
[175] About 70% of asylum seekers aged 14-34 to Europe in 2018 were male (Eurostat, 2019).

international human rights community have generated a set of revisions and amendments to acknowledge the specific situation of women refugees, but states have been generally slow to respond and update national policies accordingly. This dissertation departs from the observation that there is significant divergence among European states in their response to asylum immigration, and that national policy frameworks pay varying attention to women's rights. Setting out to investigate the women-friendliness of European asylum policies. I have sought to answer the following questions:

> *In spite of binding common directives and extensive gender mainstreaming efforts, EU member states are responding very differently to women's rights in asylum. How can we explain variations in the women-friendliness of national asylum policies? Moreover, given the potential determinants of women-friendly asylum-policies, how do contextual factors influence the observed divergence of women-friendliness in asylum in two of the most gender-equal welfare states in Europe; Sweden and Denmark?*

6.1. Answering the first part of the research question

In a first step to address and explain European divergence in asylum policy, I present the Women-Friendliness in Asylum Index (WFA), encompassing all 28 EU member states. The index measures and evaluates variation in the extent to which national policies consider women's needs in the recognition of claims, credibility assessment and reception conditions of asylum seekers, measured in the end of 2015. Reviewing and rating national policies most critical to female applicants on three dimensions (application, procedure and reception), the WFA provides a fresh point of departure for analysis of cross-national differences within asylum. The collective score reveals significant variation between EU member states ranging between 0.90 (Sweden) and 0.31 (Greece), confirming the concerns of monitoring agencies and human rights organizations that asylum seekers are exposed to a European lottery, and that the common policies of the Union operate secondary to national agendas.

The WFA provides an extensive overview of policies and procedures attentive to women's rights, as well as regulations securing gender-appropriate reception conditions. National scores reflect a snapshot of the judicial, administrative, and procedural hurdles facing female asylum seekers and adds nuance to the current

European policy framework. We see some of the surveyed states performing well on all three dimensions, such as Sweden and Spain, and others receiving an overall low score, for example Hungary and Greece. There are also cases where poor rankings on one dimension undermine an otherwise positive score of the other two: For example, the United Kingdom performs well with regard to application (0,73) but presents weaker results related to procedure (0,63) and reception (0,33), indicating sufficient updates along European recommendations but failure to translate these updates into women-friendly procedures and reception conditions. Such mixed scores clearly illustrate the interdependence of policies and the complexity of national asylum systems.

The divergence in national scores on the WFA allows for certain clustering, primarily along an East-West cleavage. Here, the WFA confirms the classical dividing-line often identified in studies comparing long-term member states of the Union to more recent additions (see for example Toshkov and de Haan (2013) and Byrne, Noll and Vedsted-Hansen (2004)). In general, Eastern EU-members are positioning themselves on the lower half of the WFA scale, presenting scores much below the European average. With regard to the first dimension of the index, for example, Estonia is the weakest performer of all 28 states, presenting a legal framework with very low recognition of gender-specific persecution and restrictive opportunities for family reunification. However, although coming across strongly on the index, the differences between Eastern and Western Europe are not without exceptions – Slovenia and the Czech Republic both present above-average scores with particular measures to acknowledge the specific situation of female asylum seekers.

Interestingly, the WFA also reveals unexpected divergence between states otherwise popularly grouped together in public policy research, such as the Scandinavian states; Sweden and Finland score expectedly well, but Denmark receives a score barely above the European average. The index hence shows that a gender-perspective may change the traditional map of European policy-analysis, making it an important contribution to available databases and measurement tools. It also confirms the importance of adding a gender-perspective to the contemporary research field of European asylum.

Having confirmed and illustrated the level of divergence between European states in the first part of my thesis, I proceed to the second step in explaining women-friendly asylum policies. Based on the extensive literature on gender gap-theory and comparative public policies, I formulate a set of theoretical arguments for the empirical

analysis of the WFA scores, finding asylum policies on average more women-friendly in countries defined by a large share of female members of parliament and positive attitudes towards immigrants from non-EU countries. The final model of the empirical analysis renders these two determinants very robust and provides an answer to the first part of my research question. Indeed, the countries at the top of the European scale on the WFA all display comparatively high levels of female political representation (43.6% in Sweden, 41.1% in Spain and 39.3% in Belgium), as well as comparatively low shares of the population expressing negative attitudes towards non-EU immigrants (in 31.6% in Sweden, 37.3% in Spain and 64.9% in Belgium). In contrast, low-performing states are characterized by very low female representation in national parliaments (19.7% in Greece, 23.4% in Lithuania and 10,1% in Hungary,) and widespread pessimism against immigration (75.1% in Greece, 79% in Lithuania and 82.5% in Hungary). The theoretical impact of these two determinants is well established, with extensive scholarship confirming the increased attention to women's rights on behalf of female policymakers, and the low preference for redistribution connected with xenophobic values.

6.2. Answering the second part of the research question

The remaining independent variables (the electoral strength of right-wing populist or left-wing parties, popular attitudes to gender equality, exposure to the inflow of female asylum seekers, and economic and political development) are eliminated by the empirical analysis as unable to account for cross-national variation in terms of women-friendly asylum policies. To answer the second part of my research question, however, the causality of the two determinants and the potential effects (albeit remote) of the eliminated variables, require a more nuanced discussion. The third step of my dissertation therefore presents a case study to examine women's political mobilization and attitudes towards immigration in a specific national context, and to investigate the causal sequence of both independent and intervening variables: For example, it may be expected that attitudes on gender equality operate side by side with the level of political development, generating tailwind for women's mobilization. Similarly, the lost effect of parties, whether left-wing or right-wing, may also be a result of attitudes towards immigration, as widespread xenophobia might create a restrictive response to immigration from all parties across the political spectrum.

Indeed, this is a situation that we have witnessed in Denmark, producing surprisingly women-unfriendly asylum policies compared to neighboring Sweden. Causal process observation of the two Scandinavian states reveals a Danish setting characterized by strong mobilization of female decision-makers but political representation being shaped by very negative attitudes towards immigration. Throughout the investigated time period (1980-2015), the immigration issue was gaining increasing salience across the political field in Denmark, eventually dominating the agendas of almost all political parties. With immigration at the center of election campaigns for almost three decades, the, at times very emotional, Danish asylum-debate came to extend to other policy areas as well. Efforts to protect Danish values from the perceived threat of multiculturalism frequently used gender equality as a marker of development, contrasting a highly developed democratic society from a patriarch, radicalized ethnic context. As the right-wing populist narrative was increasingly applied across the political line-up, we see a loosening of the gendered ideological affiliation traditionally connecting female political representatives and women voters to the political left. Entering the new millennium in Denmark, the now mainstream right-wing had broad electoral support, and very little incentive to update asylum policies in favor of refugee women. The Danish institutional framework on gender equality was only weakly tied to the political establishment and unable to counter these effects.

In contrast, Sweden managed to isolate right-wing influences much longer and limit the salience of the immigration issue until well into the 2010's. Moreover, the outspokenly feminist priorities of Swedish decision-makers made them very careful to avoid merging the immigration debate with the discussion on gender equality – indeed, given the public's optimistic outlook on immigration, there was no reason for them to do so. Swedish gender equality remained a political priority in its own right, and the feminist movement kept their focus on gender, not ethnicity. The works of female decision-makers and feminist advocates was supported by an extensive institutional framework on gender equality and women's rights, creating both political incentive and public pressure to update asylum policies in favor of women. Partisan unity against the right-wing contributed to a less compromised political discussion on asylum in Sweden, most likely both an effect of, and a prerequisite for, the continuously positive public view on immigration observed across the decades under investigation.

My case study highlights the dynamic behind the two determinants when operating in a national context, and clearly reveals their interdependence. Revisiting my research

questions, a simple answer to the second part will not suffice – the matter of women-friendliness in asylum needs to be understood in a much wider context, and as a process over time. It also becomes clear that the theoretical assumptions underlying the two determinants need additional nuance: Identifying women's political mobilization as one of the determinants of women-friendly asylum policies rests upon the theoretical foundation that female decision makers pay greater attention to women's rights in their exercise of office. I argue this to be, although widely confirmed, a conditional testimony; it assumes that women's preferences remain traditionally in favor of redistribution, and that representatives are active in a political landscape with a traditional left-right line-up. This assumption can be expected to hold for certain fluctuation of political preferences and certain ideological movement. Over time, however, I have shown how negative attitudes towards immigration and a right-wing dominated political context will start influencing female political representatives as well, eventually eroding the gender voter-gap that have kept the populist right a predominantly male expression. The assumed preference for gender equality and women's rights on behalf of female MPs, I find, remains mostly unaffected by this process, but the subject of their attention changes: Striving to protect native women and the inherent gender equality-regime of the nation against the perceived threat of the immigrant other, female political representatives give fuel and credibility to the emerging rhetoric of women's rights as a matter of ethnicity.

The case of Sweden and Denmark further shows that the tendency to reframe gender equality into an issue of immigration may be countered by strong national institutions. An extensive, politically anchored institutional framework supports policy makers in advocating women's concerns, preventing the gender equality-discourse from getting overshadowed or intertwined with other policy matters. Without such institutions in place, the political incentive to safeguard women's rights may be trumped by other, more salient political issues. In the case of Denmark, we see the political right owning and shaping the content of the immigration debate for almost 30 years, with few institutional constraints to turn feminist arguments into part of the deterrence strategy. The exploitation and vulnerability facing immigrant women can thus, paradoxically, be used as a political tool to motivate restrictive policies of immigration altogether.

The contextual analysis provided by a most-similar set case study is a necessary step for the interrelation of the two determinants to become fully visible. It shows that a strong gender equality-regime does not necessarily translate into a national asylum

policy framework sufficiently safeguarding women's rights.[176] The fact that women-friendly states are not guaranteed to produce women-friendly asylum policies clearly illustrates the elusiveness of the women-friendliness concept – and, more importantly, it shows that conventional measurements of gender equality are insufficient to understand and explain women-friendliness in asylum.

How far can we expect the effects of xenophobia on women's political mobilization to carry? When the immigration debate is channeled in the direction of gender equality and female representatives actively contribute to this new direction, inspiring voters to do the same – are we potentially facing the possibility of women's political mobilization over time becoming a liability to women-friendly asylum policies? Assuming that female political representatives are still concerned with the gender equality discussion and continue to advocate policies safeguarding the rights of women, but within a nationalist frame and a selective focus on domestic women, is it possible that their efforts would leave female asylum seekers worse off than in a similar context with fewer female MPs and lesser focus on women altogether? I do not find any evidence that this would be the case, and indeed, this would be a very controversial suggestion. More likely, the situation that we are witnessing in Denmark indicates that a xenophobic context may weaken the positive effects of women's political mobilization on women-friendly asylum-policies over time. In the efforts to provide a nuanced answer to my research question, I have to be humble to the fact that neither I, nor any scholar within the field will be able to establish absolute causality. Furthermore, resting my analysis on a comparative research design including only two cases, I am also cautious to claim extensive generalizability of the results.

However, although I have conducted my study favoring applicability over generalizability, the methodological set-up of this study certainly warrants a set of informed assumptions, applicable to other national contexts as well. The validity of such assumptions are motivated first by the triangulation of data; combining large-N with small-N and using both secondary and primary sources to shape my narrative provides confidence in my empirical findings – indeed, the chronological account supports my theoretical expectations for both countries. Second, case-selection has been helpful to illuminate a wider set of perspectives by comparing elements of typical as well as

[176] Clearly illustrated by the case study where Sweden and Denmark are the two highest ranking countries on the European Institute of Gender Equality (scoring 79.7 and 75.6 respectively, European average 65.0). Spain, in second place on the WFA scores 67.4 on EIGE, only slightly better than the European average.

atypical phenomena; although parts of the process uncovered by my case-study may stand out as less representative within a European context, for example given the continuous optimism in Swedish public opinion on immigration, the conclusions are well supported by documentary evidence and provide a stable backdrop for theoretical explanation. In this sense, a comparative analysis of Sweden and Denmark has been very suitable to address the research questions of this thesis, allowing for reflections on both similarity and divergence: I have shown how a similar foundation may generate divergent processes, in turn producing very different outcomes in terms of women-friendliness in asylum. Consequently, I argue that the three theoretical expectations are transferrable to other countries as well, and that they may provide guidance on the dynamic behind women-friendliness in asylum policy as a phenomenon beyond the national context.

6.3. Viability of the results

This dissertation takes a closer look at the women-friendliness of asylum policies in 2015 – a year of unprecedented inflow of asylum seekers to the European Union. As is well known, this massive inflow triggered a series of reforms aimed at restricting the right to claim asylum, and the European asylum policy landscape is certainly a different one today compared to the situation before the refugee crisis. Politically, several EU member-states have taken a turn towards the right, or cemented the already established right-wing dominance of their national parliaments. Sweden, at the top of the European scale according to the WFA, has since seen the right-wing Sweden Democrats rising to the third largest party winning 17.5% of votes in the 2018 election, and the current Swedish asylum policy framework is more restrictive than ever before. Unquestionably, fortress Europe has strengthened its defense in the time passing since 2015.

It may therefore be rightfully questioned whether the results of this study still hold a half decade later? A number of recent policy measures on behalf of European governments, for example related to detention, internalized controls and reduced procedural safeguards, have been called “hugely damaging” to women (Canning, 2019, p. 46), and while it is certainly true that asylum policies overall have become more restrictive, women-friendliness is, as I have shown, not a function of generally liberal policies. In fact, the recently implemented reforms have rarely referred to gendered regulations per se, or targeted women’s rights issues within the asylum framework. Instead, they have focused on general deterrence: A much noticed Danish legislation

from February 2016, for example, restricts possibilities to receive permanent residency and introduces measures allowing authorities to confiscate cash or valuables to pay for the asylum seekers' stay in Denmark (Agerholm, 2016). Similarly, the Freedom Party coalition in Austria approved a new bill in 2018 presenting a toughened stance on illegal immigration by allowing for the confiscation of mobile phones to track and verify the identity of refugees, charging asylum seekers for the processing of their application and requiring health practitioners to notify authorities after an asylum seeker has received medical treatment (Deutsche Welle 18.04.2018). In Hungary, the wake of the refugee crisis has also spurred Fidesz' narrative on "welfare refugees" (Visegrad Revue 13.05.2015) and new legislation authorizing police to intercept asylum seekers and send them back through the transit zone without trial (Schlein, 2015). These, at times quite severe, policy measures are at odds with the principles of the European Union, and certainly clash with the guidelines of the UNHCR and other human rights organizations. However, they are not likely to affect women-friendliness per se, as they do not target any of the policies deemed most critical to women according to the WFA.

Adding to this conclusion, however, my dissertation also demonstrates how certain measures, although non-gendered, may still affect women disproportionately. The WFA clearly shows that the way the asylum system is set up, one set of principles will influence another and in extension impact women-friendliness overall. Illustrative of this effect is the previously mentioned temporary Swedish law from July 2016 (2016:752), introducing restrictions by granting persons eligible for subsidiary protection temporary residence permits rather than permanent ones. A simultaneous measure restricts the rights of subsidiary protection-holders to apply for family reunification[177]. As a result, although the initial reform "only" impedes the scope of protection, in itself a non-gendered measure, it may have secondary gendered consequences that are difficult to detect using the WFA.

In spite of these secondary effects, however, it must be noted that restrictive changes to family reunification usually do not target the gendered foundation of regulations identified by the index; the actual categories eligible for family reunification (spouse, co-habiting partner, same-sex partner) have remained largely unchanged throughout the recent wave of policy revisions. Hence, although generally restrictive policies may have

[177] Although the temporary law was extended in 2019, temporary residency-holders again became eligible for family reunification (2018/19:SfU26 Extension of the law on temporary limitations to the opportunity receive residency in Sweden).

certain impact on gender, the construction of the index provides a frame where observed differences in women-friendliness can be expected to remain rather stable over time. I would therefore expect a version of the WFA-index, updated to the conditions of 2020, to reflect a similar status of women-friendliness in EU member states as in 2015.

This does not necessarily imply that the status of women-friendly asylum policies in Europe is a static phenomenon – surveyed countries may improve their scores over time, for example through the ratification of the Istanbul Convention,[178] thereby generating slight fluctuation in the European ranking. However, given the fairly slow response of European states so far, I expect the central findings of the WFA to remain stable as well, for example with regard to the East-West-divide.

6.4. The future of female asylum to Europe

Although the intensity of refugee flows to Europe has abated, the situation of migrant-, refugee- and asylum-seeking women remains dire. Since the crisis, almost 40% of the asylum seekers arriving from Syria and Iraq are women.[179] Their situation is increasingly acknowledged among monitoring organizations and a growing number of institutions are working to prevent exploitation and abuse in the countries of origin, in transit and upon entering Europe. Among others Council of Europe, European Network of Migrant Women, UNHCR and Women's Refugee Commission have produced several reports and policy recommendations since 2015,[180] with the ambition to serve as a blueprint for European member states in protecting asylum-seeking women and girls.

The practical response to these efforts is very modest, however. Only 4 % of UN inter-agency appeals in 2014 targeted women, and 0.4% of UN development funds was

[178] Only a handful European states have yet to ratify the Istanbul Convention: The United Kingdom, Slovak Republic, Lithuania, Latvia, Hungary, Czech Republic and Bulgaria (status 13.12.2019).
[179] From Iraq: Out of 121 240 applications, 74 340 were male (61%) and 46 705 were female (39%). From Syria: 320 225 applications, whereof 198 050 male (62%) and 121 610 female (38%) (Eurostat, 2019).
[180] For example:
Study on Detecting and Protecting Victims of Trafficking in Hotspots (Scherrer, 2019),
Report on the Situation of Women Refugees and Asylum Seekers in the EU (2015/2325(INI)) (Honeyball, 2016),
Policy Recommendations on Asylum-Seeking and Refugee Women: Tackling the Barriers in Asylum Procedures in the EU (Bondarenko, 2018),
Empower Women and Girls and Gender as a Cross-Cutting Issue (Women's Refugee Commission, 2017),
Report on the Legal Rights of Women and Girl Asylum Seekers in the European Union (UN Women, 2017),
Gender-Based Dangers Facing Migrant and Refugee Women (European Network of Migrant Women, 2016),
Migrant and Refugee Women and Girls (Council of Europe, 2019).

channeled to women's organizations and women's rights agencies (UN Women 2019). The continuous lack of a uniform response among EU member states implies that basic elements of women-friendliness are still lacking: For example, there are still no common definitions of key concepts such as gender-specific persecution, leaving the interpretation of these concepts a matter of national interests. In effect, asylum seekers with a gender-based claim must continue to prove their eligibility based on the original criteria listed in the Refugee Convention. Confirming the persistence of these challenges, the European Parliament concludes that gender-specific persecution is too often not recognized in asylum procedures, and that asylum seekers to Europe still face a "great degree of gender inequality" (European Parliament, 2015: B).

Although I expect relative stability in the levels of women-friendliness, the development of European asylum policy in the years to come is certainly a moving target and difficult to predict. Harmonization remains in focus of the European debate, with intensified efforts to find common ground among member states and create a system of shared burdens and control. Paradoxically, the generally toughened stance on immigration across Europe has not brought the union closer to a harmonized, unified response to asylum-seekers. Divergence on a national level remains considerable, and the right to asylum at the border has been called "a source of continuous crisis" (Kai Mykkänen, Finnish Minister of Domestic Affairs, 9.6.2018 (quoted in Bjon, 2018)). For the sake of burden-sharing, harmonization is argued necessary (Triculescu, 2018), and the lack of a European solution has caused several countries to threaten closing their borders.[181] An excess of rejected applications have spurred ideas on rejection camps outside of Europe's borders (Reuters, 06.06.2018), and given the increased risk of exploitation and violence subjecting women in transit,[182] such development would certainly have a negative effect on the women-friendliness of European asylum, and constitute a threat to human rights-principles in general.

The effects of harmonization, however, are not uniformly positive. The proper and consistent implementation of the Eurodac identification system and the Dublin convention would most likely curtail secondary movements within the union and lessen so called 'asylum shopping' (Gallagher, 2002), but although a common agreement such

[181] Italy, Germany, Holland, Belgium, along with Central- and Eastern European countries are discussing closed borders and increased rejections (Bjon, 2018).
[182] Prolonged waits have been confirmed to generate gender-specific vulnerabilities (Demarchi and Lenehan, 2019).

as the CEAS may open up for more generous treatment of asylum seekers, Gallagher (2002) reasons, it would also potentially legitimize the use of expedited process and safe country-lists for speedy dismissals. In fact, the Dublin convention could be argued to constitute a barrier to harmonization and has been extensively criticized as a flawed system; turning asylum-seekers back to their ports of entry has caused a near-collapse of the asylum reception in Italy and Greece. The strain on already weak asylum systems caused by the malfunction of the Dublin-system, Zaun (2018) argues, was at the core of the refugee crisis.

Calls have been made for a new institutional approach to harmonization, with a permanent European migration institution to deal with "the new normal" of incoming numbers (Kirkegaard, 2015, p. 2). Many see a European deal on quota refugees as a path to "solidarity and burden-sharing" (Thielemann, 2008, p. 1), as an alternative to asylum at the border (HBL, 2018), or as a system based on a "corrective fairness mechanism" in the allocation of asylum seekers to relieve front-line states (Cellini, 2017, p. 953). The elaboration of the quota-system would, in extension, require a new interpretation of the Refugee Convention, and whether it would bring European states closer to a uniform response is most uncertain.

For female asylum seekers, however, a harmonized response of receiving states may be very beneficial, even if carried out at a restrictive level. Gender is present, although not prominent, in the harmonization debate; in 2016, the European Commission called for a harmonization of asylum processes across member states, taking women's specific needs into account (European Migration Network, 2016), and the European Parliament has emphasized the need for new gender guidelines to strengthen and unify the process of refugee status determination (European Parliament, 2015). Greater consistency in the levels of rights and protections available to refugees would install an element of dependability and security in the asylum process. For women, this would certainly be important, particularly with regard to the credibility assessment of their applications. There are continuous initiatives addressing shortcomings in state practice regarding this particular stage of the asylum procedure, aiming to improve decision-making across the Union.[183] Arguably the most important feature of such initiatives would be a harmonized standard of proofs, and the clarification of key concepts. Furthermore, harmonization would also open up for "simpler, clearer and shorter procedures" (The

[183] The CREDO-project, funded by the European Refugee Fund.

Proposed Asylum Procedures Regulation (i)), which has been identified as a particular benefit to female asylum seekers.

6.5. Taking it further

This research can be extended in several ways. My findings would certainly benefit from further elaboration on the two determinants, exploring the relationship between women's political mobilization and attitudes towards immigration in greater detail. Widening the geographic scope of the WFA would also add to the validity of my contribution – indeed, expanding the analysis to include the women-friendliness of asylum policies in countries outside the EU, one would expect to observe similarly large variations as within the Union. It would also be valuable to address the frequently criticized Western-centered approach of migration research and include sending states in the analysis. A gendered perspective on the preconditions and channels of migration would also add substance and context to the WFA score. Alternatively, future research might emphasize the implementation side of policies, as there is likely to be a discrepancy between the letter of the law and the actual performance on the ground. A more qualitative approach, investigating policy outcome, would certainly add to the understanding of women's experiences within the European asylum framework, and the analysis of individual mainstreaming efforts, for example the Istanbul Convention, would be helpful in evaluating the convergence process of European states.

Finally, from a human rights perspective, there is a lot of work yet to be done. Expanding the definition of 'gender' to consider sexual identity and placing the analysis in an intersectional framework would be an important contribution. Another underrepresented group in migration research is minors, and this study could be extended to include children's perspectives in existing asylum policies. Children constitute an increasingly large part of asylum flows, faced with a specific set of challenges related to the age determination process and their vulnerable status as minors. This would also add clarity to the, sometimes blurred, statistical data, where men, women and children are placed in different categories of asylum-seekers depending on the purpose of the report.

Europe has experienced several waves of immigration prior to 2015 and will most likely be on the receiving end of many yet. National asylum systems will remain in focus also in the years to come, with the efficiency and inclusiveness of policies at the top of

political agendas. Addressing the gendered challenges facing displaced women, and the women-friendliness of European asylum policies, will not only enrich the academic discussion but provide long-awaited recognition to the situation of female asylum seekers.

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Feb – July 2003	**Conergy AG, Hamburg, Germany** Marketing intern: Developing information and marketing materials for renewable energy-systems. Coordinating company performance at trade fairs and meetings.
Oct – Nov 2001	**Etica y Transparencia, Managua, Nicaragua** Election observer: Monitoring and mapping national elections in rural areas.
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April – Aug 2001	**University of Hamburg, Hamburg, Germany** Conflict resolution and Latin American democratization.
Feb – April 2001	**Alexandria University, Alexandria, Egypt** Field study on political and religious perspectives of East-West relations.
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