'With a heavy heart': Ethics, emotions and rationality in Norwegian immigration administration

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Abstract

This article analyses decision-making processes concerning applications for family immigration to Norway by giving an account of the dilemmas and challenges faced by the employees of the Norwegian immigration administration. I argue that these civil servants negotiate two somewhat different ethical principles where the foundation for ethical conduct is either emotion or reason. The article investigates the ethical potential of bureaucracy and aims to contribute to sociological debates about ethics, emotion and rationality.

Keywords

Bauman / bureaucracy / emotions / ethics / family immigration / immigration administration / rationality.

Introduction

This article analyses the dilemmas and challenges faced by employees of the Norwegian immigration administration and aims to contribute to sociological debates about bureaucracy, ethics, emotions and rationality. According to Max Weber (1981: 21), a fully developed bureaucracy is 'dehumanized' in the sense that 'love, hatred, and all purely personal, irrational, and emotional elements which escape calculation' are eliminated. The bureaucratic principle of equal treatment according to formal rules eliminates traditional forms of governance based upon personal relationships, power and privilege (Weber 1981: 24-5). Nevertheless, the instrumental rationality of bureaucracy represents a great danger to modern societies because it is incapable of

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ethical action that is firmly grounded in compassion, responsibility, and brotherhood (Weber and Kalberg 2005: 245). The ambivalence in Weber's work on the role of emotion and rationality in bureaucracy echoes a general philosophical debate: in moral philosophy, there is disagreement about whether the foundation for ethics is emotion or reason. According to the Kantian ethical tradition, emotions are seen as irrelevant and even an obstacle to justice (Ahmed 2004: 195). Others have argued that emotions, or at least some emotions, are foundational to ethics, morality and justice (Nussbaum 2001; Roeser 2010; Solomon 1995). Cultural theorist Sarah Ahmed challenges both these positions: while she reject the Kantian tradition, she also argues that it is dangerous to make the judgement of right and wrong dependent upon the existence of emotions (Ahmed 2004: 193).

Following in the tradition from Weber, several scholars have discussed the consequences of rationalisation and bureaucratisation with regard to ethics and humanitarianism (Bauman 1989; du Gay 2000; Herzfeld 1992). The ambivalence found in Weber's work is reflected in these debates. Sociologist Zygmunt Bauman criticises modern bureaucracies for displacing moral concerns and argues that morality is a non-rational phenomenon (Bauman 1989). He presents an ethic based on moral impulse rather than codified rules (Bauman 1993). Sociologist Paul du Gay takes a very different position, arguing that bureaucracies are far from immoral, but have their own ethical and moral legitimacy (du Gay 2000: 2). In a polemic defence of bureaucracy, he claims that a bureaucratic ethos, based on impersonal implementation of formal rules and regulations, is indeed a substantial ethical and democratic principle (2000; 2005; 2008).

This article poses the following research question: do the ethical reflections of civil servants at the Norwegian immigration administration resemble the ethos of bureaucracy described by du Gay (2000; 2005; 2008) or Bauman's (1989; 1993) ethical position?[i] Data was

gathered during fieldwork in the Family Immigration Area of the Norwegian Directorate of Immigration. Here, civil servants assess case files - a central task for a bureaucratic organisation (Weber 1981) - without any direct contact with applicants or the public. Moreover, the Directorate is more focused on control and restriction than for example the welfare bureaucracies that provide assistance and benefits.

The Family Immigration Area of the Norwegian Directorate of Immigration is a valuable site for an analysis of bureaucracy, ethics, emotion and rationality for several reasons. First, regulating and restricting access to family relationships is politically and ethically sensitive. It also has emotional and practical consequences for the individuals and families subjected to regulations (Eggebø 2013). Secondly, immigration law designates rights and privileges to citizens that non-citizens by definition do not have. Taking the principle of universal human rights as a point of departure, national citizenship and global inequality raise some serious concerns with regard to ethics and justice (e.g. Elias and Habermas 1994; Nash 2009). Thirdly, the Directorate has been much criticised in Norwegian public debates for making inhuman and immoral decisions (Fuglerud 2003; Gudbrandsen 2011). Consequently, I argue that immigration administration is a context where bureaucrats are challenged as ethical beings, perhaps more so than in other bureaucratic organisations.

The article proceeds as follows: Firstly, I present my theoretical framework as well as a brief literature review. Secondly, I introduce the Directorate of Immigration and discuss my methodologies. Thirdly, the data is analysed. Here, I describes the presence of emotions in the individual bureaucrats' jobs, analyse the collective management of emotion within the bureaucratic organisation and show how the socio-cultural context influences emotional management and ethical reflections in the immigration administration.[ii] In conclusion, I argue

that emotions have an ambiguous status in immigration administration and that the insights from this empirical investigation of emotions provide a contribution to general sociological debates about bureaucracy, ethics, emotions and rationality.

Ethics, emotions and bureaucratic organisations

According to Bauman (1989; 1993), bureaucratic rules and formal justice displace moral concerns. In *Modernity and the Holocaust,* he argues that the Holocaust was not a result of 'the tumult of irrational emotions', but was rather 'the organizational achievement of a bureaucratic society' (Bauman 1989: 13). This argument provides a powerful criticism of bureaucracy as such:

> One of the most remarkable features of the bureaucratic system of authority is, however, the shrinking probability that the moral oddity of one's action will ever be discovered, and once discovered, made into a painful moral dilemma. In a bureaucracy, moral concerns of the functionary are drawn back from focusing on the plight of the objects of action. They are forcefully shifted in another direction - the job to be done and the excellence with which it is performed. It does not matter that much how the 'targets' of action fare and feel (Bauman 1989: 159).

Morality is a non-rational phenomenon not to be found in organisations and institutions. Depersonalised bureaucratic systems are independent of feelings and personal commitments and displace moral concerns and dilemmas. Bauman develops a person-oriented ethics, arguing that morals are inextricably tied to human proximity, moral impulse and responsibility for the Other (Bauman 1989: 189-192; 1993).

According to du Gay (2000), Bauman's charges against modern bureaucracy correspond with a widespread popular criticism in which bureaucratic conduct is represented as inherently unethical (du Gay 2000: ix). He argues that Bauman romanticises emotions and personal bonds, and challenges the view that emotions would represent a better form of judgement. In contrast to Bauman, du Gay claims that bureaucracy has its own ethical code and that 'practices of

formalistic impersonality gave rise to certain substantive ethical goals […] for instance, formal equality, reliability and procedural fairness in the treatment of cases' (du Gay 2008: 338).

Bauman and du Gay discuss the ethical possibilities of bureaucracy without studying empirically how emotions, reason and ethics are negotiated in specific bureaucratic organisations. As a part of a more general interest in emotions, in sociology as well as other disciplines (Barbalet 2002; Burkitt 1997; Craib 1995; Stets 2010), there exsists literature about how employees of different occupations and professions negotiate emotions and rationality at work (e.g. Fineman 1996; Guy et al. 2010; Hochschild 1979; Küpers and Weibler 2008; Olesen and Bone 2009; Sieben and Wettergren 2010; Theodosius 2006).[iii] Central here is the concept 'emotional management' coined by Arlie Hochschild (1979; 1983). It refers to the way people actively try to manage emotions according to socially shared norms and values. These shared norms and values are so-called 'feeling rules' that define appropriate and inappropriate feelings in specific situations.

The research on emotions in organisations suggests that emotions play an ambiguous role in informing and shaping organisations in various positive and negative ways (Küpers and Weibler 2008: 265). For instance, emotions may positively influence job-satisfaction, but can also lead to burn-out (Guy et al. 2010: 295-6; Küpers and Weibler 2008: 261, 286-7; Lipsky 1980). Moreover, joyful feelings are motivating, while feelings of failure, fear and shame hamper action. Compassion and sympathy with clients may cause helping behaviour (Sieben and Wettergren 2010: 11), while suppressing such feelings may lead to indifference (Graham 2002: 210). While emotions are often assumed to have a negative impact on rational decision-making, some authors discuss how emotions can actually promote it (Elster 1999: 284; Fineman 1996:

547-511). In situations where rules or technical rationality provide no clear guidelines, gut feelings may give direction to decision-making (Knights and Surman 2008: 2).

Stephen Fineman (2010) criticises the literature on emotions in organisations for being based on individual-psychological models and serving narrow managerialist goals (Fineman 2010: 24, 38). Fineman calls for a critical sociological perspective on emotions in organisations, one which analyses wider social and ideological structures, power relations and asks questions about 'the moral and emotional orders that an organization takes for granted and sustains' (Fineman 2010: 38). Such a critical perspective is present in some recent studies investigating the emotional management of civil servants involved in immigration administration (Graham 2002; Hall 2010; Pérez 2010; Wettergren 2010). For example, Åsa Wettergren (2010) presents a critical discussion of work at the Swedish Migration Board, and argues that emotional management is required for employees to develop an identity of the self as a morally good person 'without recognising the dehumanisation of both the self and the others' involved in the practices of migration management (Wettergren 2010: 415). Analysing immigration administration and emotions, Alexandra Hall (2010), Mark Graham (2002), Alberto M. Pérez (2010) and Wettergren (2010) show that the hierarchical relationship between citizens and non-citizens may give rise to concerns about justice (see also Heyman 2000).

In *The Cultural Politics of Emotion,* Ahmed (2004) investigates the role of emotions in the reproduction and transformation of social relations and hierarchies. Similarly to Bauman and du Gay, she is also preoccupied with the relationship between emotions and justice. Ahmed's perspective, however, designates emotions a more ambiguous and complex role: while she rejects the Kantian ethical tradition, Ahmed also contends that emotions cannot be installed 'as a form of access to truth, or indeed as a "better" form of judgement'; justice is not about having

the right kind of feelings (Ahmed 2004: 195). Instead of presupposing that emotions are either irrelevant or foundational to ethics, Ahmed asks: What do emotions do? More specifically, she questions what feeling grief for the other does, and how it moves the subject into a relationship with the other (Ahmed 2004: 191-2).[iv] While Ahmed does not study bureaucracies or immigration administration, her analysis of the relationship between emotions and justice is related to migration and otherness, and consequently it may prove useful for the empirical investigations here.

Managing immigration to Norway

During the mid 1980s, immigration became a central issue on the Norwegian political agenda.[v] In 1988, the Norwegian Directorate of Immigration was established as a response to a marked increase in the number of asylum seekers in this period (Utlendingsdirektoratet 2008). While asylum seekers have been subject to considerable public attention (Brochmann et al. 2010: 240), numerically, family migrants have been a far more important category. Between 1990 and 2008, family migrants constituted 40 per cent of all immigration to Norway; more than 150,000 persons in total (Henriksen 2010: 5, 9). During the past decades, family immigration has become the subject of considerable attention from policy-makers and the media (Gudbrandsen 2011; Hagelund 2008).[vi]

Compared to other Norwegian public institutions, the Directorate of Immigration has a poor reputation (Apeland Informasjon AS 2010), and has faced recurrent criticism from the media, the Ministries and the public (Christensen et al. 2006; Fuglerud 2003; Utlendingsdirektoratet 2008). In 2006, the Ministry initiated an investigation which concluded that the Directorate had breached legal guidelines and had been too liberal in its law enforcement (Graver 2006). Media, on the other hand, tends to characterise the decisions of the immigration

administration as racist, barbaric and heartless (Fuglerud 2003: 139), and most newspaper articles about family migration portray the individual applicant as a victim of restrictive immigration policies (Gudbrandsen 2011). According to its employees, the Directorate is criticised by some for being too strict, and by others for being too soft (Øverås and Westborg 2005: 54). Precisely because of this, improving the organisation's image has been a central concern for its managers (Utlendingsdirektoratet 2008).

The Directorate of Immigration has more than 1200 employees. For many employees, this is their first post-graduation employment and it is seen as a stepping stone to a future career in the central bureaucracy or as a lawyer. The majority of employees have a Master's degree in social science or law, and their main task is to assess case files (ASU 2010; Fuglerud 2003: 143). All new employees are introduced to the organisation's ethical guidelines, which stress loyalty to the employer as well as the bureaucrats' individual responsibility for ethical reflection (Utlendingsdirektoratet 2007).

The Directorate of Immigration is not a 'street-level bureaucracy' (Lipsky 1980) where low level bureaucrats meet clients fact-to-face. While the police and Norwegian embassy personnel interviews applicants, executive officers in the Family Immigration Area process case files and do not have direct contact with applicants. The Family Immigration Area is a division under the Department of Residence Permits and has five units and one special team responsible for tackling forced marriages. Each unit has between 10 and 15 employees and is responsible for assessing applications from a particular country portfolio. According to executive officers, legal rules on family migration are mostly clear and unambiguous, and do not leave room to exercise extensive professional discretion.

Methodology

This article is part of a research project about the regulation of family migration to Norway (Eggebø 2010; 2013). The data analysed in this article consists of qualitative interviews and field notes from short-term fieldwork at the Directorate of Immigration. I gained access to the organisation after a formal request; no special permission was needed since I did not seek access to registers containing personal information about applicants. The Department of Professional Strategy and Coordination handled the request and one of its advisors became my contact and helped me recruit informants.

During the fieldwork, I conducted ten formal interviews; five with executive officers (one from each of the five units in the Family Immigration Area), and three with bureaucrats in leading positions. Among the interviewees are officers with more than a decade of work experience, but most had worked there for a couple of years. Most informants were female and and only one male.[vii] I also interviewed two immigration officers at a local police station; their task is to carry out interviews with applicants and sponsors. Some of the bureaucrats had also performed such interviews as part of their previous work experience.

A semi-structured interview guide informed the interviews and informants were asked to speak about their tasks and the challenges they face. The informants seemed conscious of their role as representatives of the organisation and were careful to act and talk within the limits of their professional authority. Nevertheless, most informants talked willingly about their job. Some however, seemed reserved, anxious and even hostile. I got the feeling that as a researcher I sometimes came to represent the critical voices from the media and the public. Moreover, some might have felt pressured to participate in the study since interviews took place at work and an employee at the Directorate had mediated the request.

The data on which this analysis is based also includes notes from a so-called 'practice meeting' observed during fieldwork. Practice meetings bring together 10-15 officers from the Family Immigration Area and are held regularly in order to establish precedence across units. At this particular meeting, the group discussed six general legal and administrative issues and five specific case files. This article presents two edited conversations from the meeting; these are reconstructed on the basis of the field notes. While the interview data may give access to narratives, justifications and professional identities, the observational data is suited to reveal negotiations and disagreements among employees as well as concrete considerations and dilemmas in relation to specific case files.

The research design did not include a specific focus on ethics, emotions and emotional management. Rather, this analytical focus was developed through the process of data analysis. Analysing the different types of data, I used a strategy resembling what Moran-Ellis et al (2006) have described as 'following a thread': I worked inductively searching for different themes and topics across interviews, and emotions and ethics appeared to be one common concern. Then, analysing the field notes, I picked up these themes from the interviews, and followed this 'thread' in order to 'create a constellation of findings which can be used to generate a multi-faceted picture of the phenomenon' (Moran-Ellis et al. 2006: 54).

The ambiguous status of emotions

Emotions influence work in different ways and on different levels (Küpers and Weibler 2008; Sieben and Wettergren 2010). Face-to-face interactions between workers and clients have been analysed as important sites of emotional labour (Guy et al. 2010; Hochschild 1983). Even though the civil servants of the Family Immigration Area at the Norwegian Directorate of Immigration do not have face-to-face contact with applicants, emotions and emotional management certainly

seem to be important aspects of their job. They describe various manifestations of emotions, for example emotional reactions to decisions, intuitive gut feelings directing case investigations, feelings of compassion, responsibility and guilt in relation to applicants and joy and satisfaction from helping clients.

During interviews, informants described cases where the applicant was believed to circumvent regulations or abuse other people, and these cases seemed to provoke resentment accompanied by a resolve to reject the application. Other cases apparently evoked strong sympathy with the applicant and the family, accompanied by a willingness, if possible, to approve applications. Nevertheless, civil servants must, despite sympathetic feelings, reject applications when there are no legal grounds for approving them. One informant described how such a decision made her feel sad:

> Sometimes it is difficult to reject an application even though it is evident that the requirements are not satisfied. It is my job to administer rules, and I do, but sometimes it is with a heavy heart. It is just sad when a man does not earn enough to satisfy the subsistence requirement for family reunification with his wife and children in Afghanistan and you know they are in a difficult situation there (Bureaucrat 3).

In the described case, the decision seemed to run contrary to the executive officer's feeling of what would have been a good outcome, but regulations were clear and unambiguous and did not leave room for any other outcome than rejection.

According to another informant, emotional involvement in clients can become a problem for bureaucrats:

> I remember thinking that if I am going to be so emotionally involved I have to quit this job. If I am to continue, I have to develop a more distant orientation. I think a lot of people have to make these kinds of considerations (Bureaucrat 1).

The informant explained that emotional involvement in clients made the job too burdensome. Emotional detachment, then, provided a strategy to prevent burn-out (Lipsky 1980). Developing a more distant and rule-oriented conception of case assessment proved to be an essential coping strategy for this informant.

Moreover, emotions may influence work in a quite different way: 'In some cases you just have to follow a kind of gut feeling. You may have this feeling that there is something not quite right; something that has to be investigated further' (Bureaucrat 2). In this quote, the word 'feeling' refers to an instinctive or intuitive feeling, and according to the informant, such intuitive feelings may be useful to determine whether the case is to be subjected to further investigation. Intuition and gut feeling appear to be a resource when facts are hard to find, regulations are less clear and there is room for professional discretion. According to executive officers, this is typically the case in relation to forced marriages or abuse, marriages of convenience or considerations of what would be in the best interest of the child.

One bureaucrat interviewed has previous work experience from interviewing applicants at a Norwegian embassy, and she explained how face-to-face contact may give an intuitive feeling about a case:

> When I met people face-to-face, I remember having this instant feeling about whether a particular marriage was genuine or not, whether everything was ok or not. Sometimes, I was really annoyed when the Directorate accepted an application when I had this feeling they were cheating. At the same time, I guess too many feelings should be avoided (Bureaucrat 7).

According to the informant, direct interaction with applicants through interviews sometimes provided her with an intuitive feeling of what would be the correct decision. However, she stressed that regulations, rather than gut feelings, should determine decisions. Moreover, the quote also illustrates that the Directorate, the police and the embassy personnel perform different

tasks within this bureaucratic system and sometimes have diverging opinions about cases (see also Econ Pöyry 2010: 39-44). Several informants touched upon the pros and cons of letting gut feelings direct case assessment: on the one hand, immediate gut feelings may be a source of valuable information and can reduce the amount of time and resources spent on investigations. On the other hand, feelings seemed to be regarded as a somewhat suspect source of information, which may threaten the transparency, objectivity and legitimacy of the decision-making process.

'The strength of bureaucracy'

The emotional management that individual civil servants do is influenced by the structure, rules and norms of the organisation. For example, emotional management may be endorsed by the division of labour between different institutions and functions within the bureaucratic system: 'We who make the actual decisions are shielded from direct contact with applicants […] Working at the embassy also has some benefits in the sense that you have a short-term responsibility for the case' (Bureaucrat 7). The informant explained how lack of face-to-face contact with applicants or limited decision-making power may reduce feelings of guilt and make otherwise difficult tasks less burdensome.

Another informant stressed that clear formal rules and regulations are important in reducing feelings of personal responsibility with regard to applicants' lives and destinies:

> As a bureaucrat, I would say it is good to know that my decisions are made on the basis of rules. In this way, I feel secure. I know why I make the decisions I do and that they are correct. Decision-making is a great responsibility. [...] These decisions have a great impact on people's everyday lives, and I am glad that we always have backing for decisions. That is the strength of bureaucracy (Bureaucrat 1).

Clear regulations create a feeling of security for the bureaucrats, who sometimes feel they are left making decisions alone in their offices. Rather than advocating more autonomy and room for professional discretion, the employees tend to seek clear guidelines and coordinated practices. To

this informant, rational, rule-oriented and collectively organised decision-making was preferable to a more individualised, subjective or emotional approach.

The organisation's rules and norms about impersonal and objective assessment are justified with reference to values such as justice and democracy. Liberal democracy implies a clear boundary between policymaking and administration, and this principle is emphasised by informants: 'We administer the law. We do not decide the rules. Personally, I may not agree with the rules as they are. But they are there, and we administer them' (Bureaucrat 8). This informant stressed that her task is to administer, as objectively and consistently as possible, the rules and regulations passed by policy-makers. Bureaucrats who assess cases according to their own opinions and feelings would challenge the authority of democratically elected legal decision-makers and ultimately threaten democratic principles.

The principle of equal treatment is an important characteristic of bureaucracy (Weber 1981). For one informant, equal treatment means that applications are assessed in due order:

> Equal treatment means that even though you have the capacity to contact us through phone or e-mail and follow up on your application, we cannot prioritise your case. We are not trying to be difficult. We just ensure equal and just treatment of applications (Bureaucrat 3).

Equal treatment means that no one should be able to work the queue; an ordered queue becomes a sign of justice. Another informant, a police officer whose tasks are to interview sponsors and prepare applications, related an incident when she gave some extra service to a client. Helping when possible seemed important for this informant's job satisfaction and she illustrated how feelings such as compassion and sympathy can cause a helping behaviour (Sieben and Wettergren 2010: 11). However, the informant was critical to her own engagement with clients and explained that if some applicants are given special treatment, the principle of equal treatment

is threatened. According to the bureaucratic ethos, formally equal treatment is associated with justice, while personal engagement, emotional involvement, sympathy and helping behaviour threaten justice. The so-called 'feeling rules' of immigration administration are justified and maintained with reference to justice and democracy.

Informants frequently cite the principle of equal treatment. As a principle of justice however, 'equal treatment' has some specific limitations in the context of immigration management; differential treatment of citizens and non-citizens is a fundamental premise for migration regulations (Nash 2009) and employees in the immigration administration are conscious about the exclusionary nature of national borders: 'Immigration law is by definition a discriminatory system' (Bureaucrat 8). The injustice of border control and global inequality must be kept out of sight in order to sustain the idea of a just system (Wettergren 2010).

Even in a formal concept of justice limited to the equal treatment of non-citizens, such equal treatment is not always easily implemented in practice. A conversation from the practice meeting may illustrate this: one point on the agenda was a certain administrative practice related to the former Immigration Act, the so-called 'seven-months-rule'. This practice was an exemption from the general rule that a person applying for family immigration must hand in the application in their country of origin and wait there while the case is processed. According to administrative precedent, women more than seven months pregnant and already residing in Norway were usually allowed to hand in applications for family immigration in Norway. The question under consideration was whether such a practice was consistent with the regulations established by policymakers:

- It has been defined as reasonable to let pregnant women stay.
- If a woman is seven months pregnant we let her hand in the application for a residence permit in Norway, because she wouldn't be allowed on board a flight anyhow.

- Don't we just instruct the police to demand that she leaves the country after giving birth instead? We never defined pregnancy as 'strong humanitarian grounds'.
- Perhaps I'm the only one who remembers giving birth and finds such a practice ruthless? [The group laughs].
- At least it is evident that this practice is inconsistent.
- Wouldn't it appear to be unreasonable if pregnant women are treated more favourably than women who have just given birth?
- We have to sort out and clarify this question, that's for sure.
- In my opinion, we interfere with the policy makers' domain if we uphold this practice. The Ministry has made clear that applicants should follow the rules and apply from their country of origin. We cannot establish a practice breaking with this principle unless we confer with policy-makers.
- But if health service is bad in their country of origin, we usually let women with newborn babies stay. Then, it is not due to pregnancy or birth per se, but for health reasons.
- Forcing people to travel to Lahore with a newborn baby would contradict humanitarian principles.
- In my opinion, country of origin is decisive. We tend to travel to Thailand on holiday anyhow. But these countries in Africa are a different story.
- Driving from Finnmark [northernmost region of Norway with a border to Russia] to Russia wouldn't be a problem either [laughter].

This conversation exemplifies how the group worked through the questions under consideration. First, they presented practical arguments such as air-line regulations, travel distance and health service conditions in the country of origin. Moreover, reference was also made to their own experiences of giving birth and this signalled empathy and identification with applicants. Finally, they referred to concepts such as 'reasonableness' and humanitarian principles, equal treatment and the authority of democratically elected lawmakers. There seemed to be a general agreement amongst those present that all of these considerations are legitimate. For instance, arguments based on the executive officer's identification with the applicant were not dismissed. Nevertheless, rule-oriented lines of argumentation seemed to have more weight. While compassion-oriented arguments seemed to be legitimate and applicable, they were difficult to defend against the rule-oriented arguments. The conversation illustrates that the bureaucratic

ethos, based on equal treatment and respect for the authority of democratically elected bodies, functions as powerful arguments in favour of tightening immigration practice.

'We are not insensitive and cold'

The norms, practices and emotional rules of an organisation are developed in relation to the broader socio-cultural context (Fineman 2010; Sieben and Wettergren 2010). Public debate in Norway has been characterised by a critical stance towards the Directorate and the organisation has a weak reputation. Negative media attention was a recurring theme during interviews, and previous research has highlighted that civil servants often feel they have to defend themselves from constant criticism (Fuglerud 2003; Øverås and Westborg 2005: 54). According to one informant, they are commonly accused of emotional insensitivity:

> PR is a challenge for the immigration administration as we are often exposed to criticism in the media. […] We are often portrayed as cold and insensitive and incapable of making good assessments and decisions […] But we are not insensitive and cold. We do see that applicants are people affected by the decisions we make, and that family is what is most important to people (Bureaucrat 8).

This informant responded to criticism by insisting on the bureaucrats' ability to feel. Several other informants also emphasised that they do not want to be seen as distanced and formalistic and they talked about their feelings of empathy towards applicants: 'Of course, you are moved and touched by people's destinies' (Bureaucrat 5). Accusations of being cold and insensitive seem to be based on a connection between emotional detachment and immoral and inhumane decisions. The idea that an emotional engagement with applicants is required for just and ethical immigration management frequently appears in the Norwegian public debate. Criticising bureaucratic organisations for being emotionally detached and consequently immoral is quite widespread (du Gay 2000), but such criticisms may have a particular resonance in the context of immigration management because decisions often have serious consequences for individual

applicants. Bureaucrats responded to charges of coldness and insensitivity by referring to the ethos of bureaucracy. Nevertheless, the civil servants also insisted on their ability to feel empathy and compassion and to take ethical responsibility.

In the aftermath of a period of public investigations and criticism, the Directorate of Immigration revised the organisation's ethical guidelines. These new guidelines stress that the civil servants have a duty to be loyal to the organisation and their supervisors. At the same time, however, they emphasise that bureaucrats have an individual responsibility to report unethical behaviour and for ethical reflection and conduct regardless of orders from supervisors (Utlendingsdirektoratet 2007). One informant commented on the ethical guidelines:

> If something completely contradicts our own ethics – it would be strange if that happened, but still – we should at least be able to ask another person to sign the decision as well (Bureaucrat 1).

The informant's expectation that the moral values of the executive officers normally would be consistent with the bureaucratic rules and regulations, signals a strong belief in the ethical character of the Norwegian bureaucratic system. The ethical guidelines demand individual reflection and ethical responsibility from bureaucrats, despite their role as docile implementers of rules and regulations. This strong articulation of individual ethical responsibility has some resemblance to Bauman's ethical position.

The civil servants relate to two different ethical positions. On the one hand, there is the idea that bureaucracy has its own ethos where justice is secured through rational, rule-oriented case assessment and the principle of equal treatment (du Gay 2000). On the other hand, there is the idea that impersonal bureaucratic systems are inherently immoral and that ethical conduct is premised on a strong feeling of personal responsibility to the Other (Bauman 1989; 1993). While these two ethical positions seemed to influence decision-making, a commitment to following the

ethos of bureaucracy (du Gay 2000) or a person-oriented ethics (Bauman 1993) did not automatically solve the concrete considerations and dilemmas of case assessments. A discussion at the practice meeting I observed during fieldwork may illustrate how emotions do not give unproblematic access to truth or justice (Ahmed 2004: 195-196).

A case under consideration at this meeting concerned a man who had applied for family immigration with his Norwegian wife and children. The applicant had previously applied for asylum and had then claimed to be a citizen of an African country. During the asylum procedure it was concluded, on the basis of language tests, that the applicant was not a citizen of the country he claimed. The application was subsequently rejected due to the incorrect information about his identity. Later, he applied for family immigration and provided a passport from another African country as identification. For a family immigration or asylum permit, the applicant's identity has to be verified. But since documents from some countries generally are not recognised because many are fraudulent, the passport provided was not regarded as sufficient documentation of his identity. When documents cannot be relied upon, or if the applicant lacks official documents, the applicant's own words and credibility are important. This applicant had little credibility because he had given incorrect and contradictory statements during the asylum procedure. The group discussed whether they could and should grant the applicant a residence permit:

> - The applicant's Norwegian wife has a mental health problem. They have a child she cannot properly take care of. Child welfare is involved.
> - Also, he has kidnapped the child or dumped her abroad or something.
> - There is a lot of trouble and chaos in his private life.
> - If he had been single, it would have been easy to reject the application without feeling guilty.
> - The family makes it harder.
> - But should family relations influence the decision regarding identity?
> - Identity and family immigration are two separate questions. We have to assess one

question at the time.
- This is a dissolving family. We have to consider what is in the best interest of the child.
- The family receives help from child welfare. And this man doesn't seem to be of very much help to his family anyhow.
- The applicant has not been acting as a carer for his family.
- He doesn't have a job either.
- The child welfare service considers him to be a necessary support for the family.
- But did they make that assessment before or after the kidnapping?
- Are we really considering rejecting the application?
- Yes [responded several people in the group].

In this case, immigration regulations did not give a definite answer to what a right decision would be, and the participants at the meeting expressed diverging opinions about how to interpret the regulations. However, taking emotions or intuitions as a point of departure for decision-making did not eliminate disagreement either. While some of the participants at the practice meeting seemed to think that separating the family would be inherently wrong, as the unity of the family is in the best interest of the child, others expressed resentment towards the applicant, whom they perceived to be a bad and irresponsible father, and consequently seemed to think that rejecting the application would be the right decision. Consequently, the above conversation gives support to Ahmed's argument: emotions cannot be installed as a better form of judgement and they do not give immediate access to truth or justice (Ahmed 2004: 191-6).

The relationship between justice and emotions is complex; while emotions do not give immediate access to truth or justice, emotions are not irrelevant to judgements of right and wrong (Ahmed 2004: 191-6). The case discussed in the above conversation seemed to evoke various emotional responses, for example guilt, sympathy and resentment, and these emotions were made relevant in the decision-making process. None of the participants at the meeting expressed much sympathy with the applicant. Rather, they seemed to feel sorry for the wife and child and signalled that a decision should be made in the best interest of the child. This may illustrate how emotional responses to others also work as forms of judgement (Ahmed 2004: 195-6). Affective

responses are readings that give others meaning and value (Ahmed 2004: 28), and the bureaucrats' reading of the case seemed to assign more value to the child than the father. What emotions do here is to create a hierarchy between the citizen child worthy of compassion, and the irresponsible and undeserving immigrant father. As Ahmed argues, 'to be moved by the suffering of some others (…), is also to be elevated into a place that remains untouched by other others (whose suffering cannot be converted into my sympathy or admiration)' (Ahmed 2004: 192). Thus while the participants at the meeting were moved by the suffering of the innocent child, they remained untouched by the story of the applicant, and this shows how emotions are bound up with the reproduction of social relations and hierarchies (Ahmed 2004).

Conclusions

This article has discussed the dilemmas and challenges faced by civil servants in the Norwegian immigration administrations. Even though and these bureaucrats do not have face-to-face contact with clients, immigration administration is an interesting and relevant site for analyses of emotional labour. Emotions seem to have a fundamentally ambiguous status in bureaucratic work. On the one hand, emotions are seen as a useful, positive and essential human capacity, which is foundational for ethical conduct. On the other hand, emotions are seen as burdensome and ethically problematic because they may threaten democracy and justice.

Just as emotions are ambiguous, ethics are equally so, and the civil servants negotiate two somewhat different ethical principles: on the one hand, there is the idea that bureaucratic organisations are just, or at least have the potential of achieving justice, because everyone is treated equally according to democratically defined laws, rules and regulations. According to this ethics, emotions have no place in bureaucratic practice; the professional bureaucrat is required to control emotional reactions and resist emotional involvement in order to realise the principle of

equal treatment. Du Gay (2000) advocates such an ethical position in his defence of bureaucracy. On the other hand, there is the idea that bureaucracies are essentially immoral and allow for injustice and atrocities due to emotional detachment, distance and rationalisation. Bauman (1989) presents this argument forcefully.

The case study showed that the civil servants' own ethical reflections resemble the bureaucratic ethos formulated by du Gay, but there are also signs of an ethical position resembling that of Bauman. Consequently, these positions both have relevance for understanding the ethical considerations of bureaucrats and of the broader public debate about immigration management. Nevertheless, this analysis also makes evident that neither of these moral positions seem to give an unproblematic access to justice. As Ahmed (2004) argues, emotions do not give access to some kind of privileged truth or morality, and justice is not just about having the right feeling. Consequently, drawing on Ahmed's perspective on emotions and justice, this empirical analysis advances an important criticism of these two opposing views.

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[i] I use the term 'immigration administration' to cover the bureaucratic institutions involved in the management of migration. In Norway these are the Directorate of Immigration, the Immigration Appeals Board, local police units and migration related staff at the embassies.

[ii] This division is inspired by Sieben and Wettergren (2010: 10-11).

[iii] See also *The International Journal on Work Organizations and Emotion*.

[iv] Based on a critique of a sociological model of emotions, as well as a psychological one (Ahmed 2004: 12), Ahmed develops an innovative perspective on the ontological status of emotions. As for this article, the discussion of her work is limited to the relationship between emotions and justice.

[v] Historically, Norway's population has been relatively homogenous with low levels of immigration. Until the late 1960s, migration was subject to little regulation and politicisation (Brochmann et al. 2010: 38). From then on labour migration from outside Europe increased steadily (Brochmann et al. 2010: 223-6). In 1975, Norway introduced a temporary 'stop' in labour migration. As labour migration was restricted, family migration and asylum became the two central routes of migration. Today, the migrant population constitutes 10.4 per cent of the population and originates from 214 countries (Brochmann et al. 2010: 213).

[vi] The category 'family migration' refers to residence permits granted on the grounds of a family relationship and includes family reunification with members of an already established family, as well as people who marry across borders (Williams 2010: 5). According to Norwegian regulations, spouses and children under the age of 18 of a person legally settled in Norway have the right to family immigration as long as certain requirements are met. Requirements include documenting the applicant's identity, adequate housing and means of subsistence (Eggebø 2010).

[vii] Most employees at the Directorate are women (ASU 2010). Several scholars have discussed the gendered aspect of emotions (Duncombe and Marsden 1993; Lutz 1990) and emotional management at work (Knights and Surman 2008). A further discussion of these issues is outside the scope of this article.