

RESEARCH ARTICLE

“For just decisions we need you!”: Relational decision-making and the bureaucratic exclusion of “poor others”

Christin Achermann¹  | Lisa Marie Borrelli²  | Luca Pfirter³ 

¹Laboratory for the Analysis of Social Processes, University of Neuchâtel, Neuchâtel, Switzerland

²Institute of Social Work, University of Applied Sciences and Arts Western Switzerland, HES-SO Valais Wallis, Sierre, Switzerland

³Laboratory for the Analysis of Social Processes, University of Neuchâtel, Neuchâtel, Switzerland

Correspondence

Christin Achermann, University of Neuchâtel, Neuchâtel, Switzerland.

Email: christin.achermann@unine.ch

Abstract

Focusing on the intersections between bureaucracies of welfare and migration control, this article interrogates how decisions about the future stay of non-citizens receiving social assistance are made in a relational interplay of different offices and actors in Switzerland. We investigate how relational decision-making is fundamental in crafting legitimate decisions about the exclusion of “poor others.” Based on ethnographic fieldwork with diverse actors involved in migration control enforcement and welfare policy implementation, this article contributes to understanding how legal regulations turn into social reality. We show that a multitude of actors, including social services, inform and affect migration control-related decisions. This relationality co-produces the outcome and legitimacy of the final decision taken by the respective migration office. In turn, the actors’ fields of action, values, and procedures are themselves affected by this relational involvement. The relational character of decision-making therefore involves an expansion of migration control into other bureaucratic and social fields that co-construct legitimate decisions concerning the deportation of “poor others” and create the illusion of a “coherent state,” invisibilizing structural inequalities.

This is an open access article under the terms of the [Creative Commons Attribution-NonCommercial-NoDerivs](https://creativecommons.org/licenses/by-nc-nd/4.0/) License, which permits use and distribution in any medium, provided the original work is properly cited, the use is non-commercial and no modifications or adaptations are made.

© 2023 The Authors. *PolAR: Political and Legal Anthropology Review* published by Wiley Periodicals LLC on behalf of American Anthropological Association.

KEYWORDS

bureaucratic decision-making, migration control, relationality, Switzerland, welfare governance

INTRODUCTION

We [Cantonal Migration Office, CMO] have a technical intersection. We see that the foreign national is also a client of the social services; [...] but we do not see why. [...] Then, when the case examination happens, our caseworker will contact the social service. [...] This exchange supports the decision-making on cases [on permit withdrawal or non-prolongation]. [...] And this is the core of the entire story, that we need all the perspectives and that we study all of them and that only once this happened, we come to a decision. In my experience, this leads to better outcomes than if they only control single-mindedly. (Interview Rudolf, CMO 2020)

The FNIA [Federal Act on Foreign Nationals and Integration] and the [cantonal] social assistance law have different objectives. The FNIA is mainly there for control, the law on social assistance for support. This results in tensions. We cannot resolve this conflict. [...] For example, self-infliction is not an issue for us. The claim [to social assistance] is independent of fault. However, this becomes an issue with regard to the inquiries of the migration office. [...] [At social services,] there are no mandatory measures anymore for people over 55 years, but for foreigners, it might, depending on the case, be better to do something, so the focus of the counseling will be different, and the client will be informed accordingly. (Interview Gregor and Saskia, social service 2021)

While explaining their work, Rudolf, a Cantonal Migration Office (CMO¹) official in Switzerland who oversees the implementation of migration legislation, and therefore decides on the stay of non-citizens, reveals an interesting point: To achieve what is considered to be a “better outcome,” cooperation with and information from other offices is needed. Here, “better outcomes” concern decisions regarding people without Swiss citizenship who receive social assistance and therefore may have their residence permit withdrawn and face deportation.² Yet, Saskia and Gregor, who work in a social service, underline that this search for better outcomes occurs under tension, affecting not only non-citizens targeted by bureaucratic decisions and facing different state practices than citizens but also the bureaucracies in charge of governing access to and exclusion from certain goods or rights (Morris, 2003).

Scholarship on bureaucratic decision-making often focuses on specific actors and their internal processes (e.g., Hull, 2003; Miaz, 2017). Ethnographic approaches that unpack bureaucratic decision-making reveal, however, that decisions are co-produced by a vast web of actors from different fields (Forbess & James, 2018; Miaz & Achermann 2022; Veters et al., 2022; Wissink 2021) and with specific ethical and procedural goals (Eckert, 2020; Ticktin, 2011). Against this background, we explore how decisions about the future stay of non-citizens receiving social assistance come about in a relational interplay of different offices and actors in Switzerland, and how different values and goals (ethics) and the respective procedures (ethos) co-produce the crafting of legitimate decisions. Based on ethnographic fieldwork in CMOs and social services, we analyze bureaucratic decisions that exclude people categorized by the nation-state as “non-citizens” and as “poor.” We show how relational decision-making constructs the latter’s presence as unwanted and portrays decisions as guided by ideas of “the common good,” legitimated by what is presented as an informed, “good and just” bureaucratic decision.

Since Swiss law does not specify the amount of social assistance benefits that result in permit withdrawal, CMOs rely on information and evaluations received from other actors, foremost social services, to legitimize decisions (both

legally and morally). For a revocation order to be legitimate, jurisprudence requests that reception of social assistance must be "self-inflicted"—meaning that applicants can be held responsible for their dependency—and based on a prognosis of whether a person would be able to become independent of public support (Borelli et al., 2021). Bureaucratic decisions are thus neither a direct function of legal texts nor solely dependent on an individual bureaucrat's discretion (Thelen et al. 2014). Rather, as we argue, information transmission and decisions go back and forth; they are not linear nor made in a vacuum and circulate simultaneously within a network of actors. These actors, in- or outside of state administration, participate in numerous decisions preceding the outcome and in shaping the legitimacy of the final decision (see also Coutin & Fortin, 2023 on translations in legal procedures and their interpretation by various audiences). As a result, this relationality allows the veiling of structural inequalities (e.g., racist and classist exclusions, see Gupta, 2012; Reinke & Bevilacqua, 2022) and the portrayal of decisions as the result of collective action (Hull, 2003), thus creating the image of a coherent and neutral bureaucratic state (Sharma & Gupta, 2006). "Just and good decisions," in this narrative, result from the inclusion of different perspectives of many people in different offices.

The following section introduces the Swiss context of coupling social assistance and migration control both legally and bureaucratically. We continue with an outline of our theoretical framework on relational decision-making (Miaz & Achermann 2022) and the analytical lens of ethics and ethos (Eckert, 2020). A description of our methods and data follows before delving into the analysis.

THE LEGAL AND ORGANIZATIONAL CONTEXT

We analyze relational decision-making in the specific context of welfare and migration legislation in Switzerland. Specifically, we study "social assistance," a subsidiary protection system that exists alongside social insurance (e.g., unemployment, disability) and assists when these have terminated or no other sources of support exist. All legal residents are entitled to claim social assistance. Contrary to the national system of social insurance, social assistance is a cantonal and municipal competence (Bonvin et al., 2020).

When applying, the person registers with their local social service, which usually exists in each municipality. Case-workers, often trained social workers, collect the relevant documents, and calculate the amount of the needs-based benefits the person will receive (Tabin, 2021). As per a recently tightened reporting obligation (Art. 97, Federal Act on Foreign Nationals and Integration, FNIA),³ social services must inform the CMO about non-citizens' reception of social assistance. Once informed, the CMO evaluates whether to revoke their residence permit because a non-citizen (including permanent residents) or someone they take care of (e.g., a spouse) depends on social assistance (Art. 62 and 63 FNIA). If the final decision is affirmative, the person (and maybe their family) must leave Switzerland (Spescha et al., 2019). For those with a permanent residence permit, dependency needs to be extensive and over a prolonged period (Art. 63 para. 1 lit. c FNIA) to cause such a permit revocation.⁴

These decisions are discretionary and, therefore, need to respect the constitutional principle of proportionality. Termination of stay is only justified if there is a concrete danger of (long-term) social assistance reception (see Borrelli et al., 2021). Specific circumstances, such as the family situation or childcare duties, need to be considered. Proportionality assessments require migration bureaucrats to weigh the private interest of the non-citizen against the public interest. One important element to consider is whether the dependency on social assistance is "self-inflicted" (Pfirter, 2019). Consequently, the CMO requests information from social services, the non-citizen, and possibly other institutions (e.g., disability insurance, schools, child and adult protection services) to "form" their case. Social services therefore play a crucial role in governing not only welfare benefits and the specificities under which they are distributed but also in the decision-making of CMOs. However, they do not directly decide the consequences for non-citizens' permits. Moreover, in theory, their professional ethics reject any differentiation based on nationality, and are instead based on the principle of ensuring support to all people in need (Maeder & Nadai, 2004; Tabin, 2021).

CONCEPTUALIZING RELATIONAL BUREAUCRATIC DECISION-MAKING

We approach bureaucratic decision-making relationally, inspired by scholarship interested in how a web of actors, practices, rules, and technologies affect migration control practices and how decisions about human lives come about (Horvath et al., 2017; Pott et al., 2018). Our field of inquiry can be conceptualized as “messy” and characterized by contradictions not only between state power and individuals (Forbess & James, 2018) but also between different sections and fields of public administration. “Many hands” are responsible and shape how laws and policies turn into practice (Bouagga, 2015; Thelen et al., 2014). Our analysis contributes to an understanding of how collective bureaucratic authority, shaped by individualization and collectivization (Hull, 2003), transforms specific legal grounds into social reality through the co-production of decisions and their legitimization.

While implementing policies and laws, street-level bureaucrats retain significant discretion and make decisions directly affecting their “clients’” lives (Lipsky, 2010). This happens, however, within an organizational context that is guided by internal hierarchies and organizational rationalities, values, resources, and constraints, as well as by other agencies that are involved in decision-making (Lang et al., 2021). Bureaucrats interpret a certain case and transmit information that “frames reality for the ultimate decision-makers” (Hawkins 2003, 192) and continuously shapes and recreates state formations “through embedded relations” (Forbess & James, 2018, 74). Consequently, decision-making power is not located at one specific site nor is the state a homogenous ensemble of institutions (Evans & Hupe, 2020; Trouillot, 2015). Discretion is relational, meaning it is a power “not solely exercised by those who decide but [it] is also dependent on other [...] actors who directly or indirectly influence the decisions” (Miaz & Achermann 2022, 24). Unpacking administrative decision-making must therefore consider the sequence of interrelated decisions (including the assessments of other organizations) that various actors (e.g., translators, as Coutin and Fortin [2023] demonstrate) take within a specific context (Hawkins, 2003).

We build on Eckert’s (2020) elaboration of Max Weber’s conception of “ethics” and “ethos” to analyze how bureaucrats interpret and legitimize their work. Eckert’s work offers insights into the modalities of the relational decision-making processes and the analysis of “administrative categorization procedures” (2020, 19). Bureaucratic ethics, including values and norms, are “associated with the substantive goals of a bureaucratic apparatus [...] geared towards ideas of a good society, a good life, welfare or justice” (Eckert, 2020, 13). An office has certain ethics that “[structure] the proper application of rules in bureaucratic practice” (Eckert, 2020, 9). To achieve its overarching goals, a specific ethos comes in, consisting of an “assemblage of values that underpin procedures, such as, for example, rule orientation, consistency, efficiency, efficacy, equality before the law and depersonalisation” (Eckert, 2020, 12). The ethos refers to the values concerning how the job should be done, including—as we argue—expectations of cooperation with other offices or of what needs to be done to achieve a “good and just decision.”

We use these concepts to analyze the dynamic, relational, and processual character of decision-making produced by different offices that need to exchange information and refer to one another. We assume that both ethics and ethos structure the way information is transmitted, how it is interpreted, and how bureaucrats use it to legitimate disciplinary procedures and exclusionary decisions. These processes are based on specific ideas of what is good for the community, for which the state feels responsible. How offices and caseworkers interpret this substantive goal of the state, and the procedures that underly and legitimize its actions, therefore strongly affects what officials do and how they decide. As we show, both migration officers and social services (who might not be aware of their participation in migration control) participate in a field of action wherein their ethics and ethos become affected by their relational involvement. This is specifically insightful in the field of migration control and welfare governance, where different and potentially conflicting societal goals have to be aligned (Ataç & Rosenberger, 2018), and where nationality becomes inscribed into welfare bureaucracy. Investigating the relational dimension of how ethics and ethos are manifested, negotiated, and altered, allows the unpacking of the decision-making process itself, how exclusionary migration control practices are legitimated, and the exploration of “the delineation and definition of the moral community that a bureaucratic apparatus is concerned with” (Eckert, 2020, 8).

METHODS AND DATA

This article is based on ethnographic research conducted in Switzerland between 2019 and 2021.⁵ The multi-sited fieldwork includes a total of 7 months of semi-participant observation in CMOs and municipal social services in three cantons, over 70 problem-centered interviews with a variety of actors across Switzerland, as well as caseload and caselaw analysis. To understand relational bureaucratic practices and the dialectics of formal organization, practices, regulations, and norms (Bierschenk & Olivier de Sardan, 2021; Hoag, 2011), we observed everyday work in these offices; engaged with casefiles of non-citizens and citizens receiving social assistance; participated in meetings (within and between offices), training and "client interviews"; followed caseworkers' formal and informal practices; discussed specific cases; and studied internal and external communications and exchanges. Our remarks and questions during observations aimed at revealing the practices of the studied bureaucratic structures and tracing the process of legitimizing decisions, though we acknowledge that they could also lead to interference and affect the course of bureaucratic action. Nevertheless, in the case of structural inequalities in and through administrative procedures, "the ethnographic method is most capable of revealing mechanisms that contribute to the maintenance of racial inequalities in a social system that silences and denies them" (Lavanchy, 2018, 158, own translation).⁶

Due to the COVID-19 pandemic, we constantly renegotiated the scope, timing, and range of our fieldwork. Yet, the majority of interviews and observations were conducted in person. We signed data protection and confidentiality agreements with all agencies to maintain the anonymity of places, offices, and individuals. The timing of the research was particularly interesting because the relevant legal framework came into force in early 2019, which meant that the offices involved needed to discuss and negotiate new routines.

RELATIONAL DECISION-MAKING

How do decisions about the right to stay of non-citizens receiving social assistance in Switzerland come about through interactions between various actors? And how do civil servants legitimate their decision to withdraw a person's right to stay? Based on our observations and interviews, the following section interrogates how migration control and welfare government have become increasingly intertwined, a process that affects who is considered a legitimate member of the community—manifested in the right to stay and, consequently, to receive social assistance. To analyze the relational character of this decision-making, we first show how the reporting obligation establishes relations between bureaucratic fields, before outlining how this relationality works and how it affects ethics and ethos. The last section delves into how relationality contributes to producing legitimate decisions on the exclusion of "poor others."

Reporting obligation: Identifying "poor others" and establishing relations

Since, by law, social assistance claims by non-citizens need to be reported to the CMO, social services usually initiate decision-making processes that may lead to permit withdrawals. Hence, through this reporting obligation, CMOs learn about the existence of non-citizens who receive social assistance and, in the process, obtain detailed information about them.

The reporting obligation makes it possible to establish a residence history. If a person passes through authorities, which are obliged to report him or her to the migration authorities, these reports accumulate with us. So, you can see [...] very easily [in a specific case]: "but this person is not aiming at integration." It is an accumulation of grounds, where one ground alone is not sufficient for a [permit] revocation, but in total, it is sufficient. (Interview Rudolf, CMO 2019)

As stated by Rudolf and many other CMO research participants, the decision to investigate a case is based on information received from social services. Using this information, CMO officials decide whether it is justified to invest time to evaluate and monitor a specific person. It is the CMOs' task to exclude those non-citizens who cause large state welfare expenditures, considered unwanted both legally and politically. In contrast, the ethics of social services have a different goal, as Hannah explained:

We are there to secure their livelihood [*Existenzsicherung*]. They [CMOs] are not social, for them the negative things are interesting. [...] I communicate what I think is interesting to them. What's interesting to me is: I need to know when a deportation happens, so I can stop the payments. [...] Our goal is to get the clients out of social welfare as quickly as possible [...] Getting them into the labor market. (Fieldnote, social service 2020)

The reporting obligation furthermore establishes procedural and communicative connections between CMOs and social services (as well as other institutions). From a legal and procedural point of view, this relationship is hierarchical, with the social services providing information and the CMO competent to decide about non-citizens' right to stay. This hierarchy is often reinforced by CMO statements: "It is not the responsibility of the municipality's social authorities to interpret the legal relevance or not of this reception. But it is the responsibility of the migration office" (interview Rudolf, CMO 2020). Rudolf draws a boundary around the "jurisdictional monopoly" (Lamont & Molnár, 2002, 178) concerning migration law, on which he claims to have the expertise and authority, and which presents a differentiated set of goals as also highlighted by Hannah above.

In practical terms, however, CMOs depend on other actors to evaluate whether to envisage a possible measure and to craft "good and just decisions" (interview, CMO 2020). The adjective "good" refers to a common goal that implies external legitimization, toward the legal system (Pfirter, 2019). This goal translates into a procedural rule that requires careful investigation of cases, without including personal antipathy or empathy—what Eckert (2020) refers to as a rule-oriented ethos. The aim is to respect the constitutional principle of proportionality and the "will of the legislator," which results in the decision-maker trying to be a neutral and lawful bureaucrat, the Weberian ideal type of impersonal and rational civil servant (Weber, 1999). The adjective "just" represents a common goal that concerns an internal legitimization by invoking the ethos of non-arbitrariness, as we were told during our presence at the CMOs: "With the greatest care we clarify what speaks for a further stay and we look for solutions, otherwise [if no solution is found] the measure [decision] follows" (fieldnote, CMO 2020). Here, CMO officials explicitly distance themselves from the image of "the bureaucratic automaton" (Hoag, 2011, 82). Instead, they perceive their task as "a human one," as Lukas, case-worker in another CMO explained to Luca: "We are not robots, and every case is different. That means also that the procedure to get valuable information must be different" (fieldnote, CMO 2021). This search for solutions and "valuable information," Lukas explained, involves the accumulation of paperwork and the "laborious task of making the case. Of showing that we have indeed evaluated the individual situation" (fieldnote, CMO 2021). In a circular connection, non-arbitrariness and rule orientation are mutually reinforcing, and used to rationalize bureaucratic categories and legitimate individual decisions. Ensuring the "individuality of those they deport" (Wissink, 2021, 256) and the "legitimacy [of] their actions in front of other state entities" (Pfirter, 2019, 30) necessitates various streams of information arriving at CMOs.

The handling of exchanged and amassed information unveils diverging and overlapping organizational goals, values, and everyday work routines. A CMO's need to obtain information is connected to changes in the perception of migration control. As we observed at a cantonal meeting between representatives of the CMO and the municipal social services, migration officials explained that control has shifted from the territorial borders to the interior of the nation-state to control and restrict non-citizens' access to welfare support. Here, "municipalities are the most important gateway of migration. [...] Why are we conducting this workshop [on reporting]? [...] Because we want to decide and control who uses our infrastructure!" (fieldnote with Jürg, CMO 2020). Jürg continued: "For just decisions we need you!"; coupling legitimate decisions based on information received from other services with what seems good and fair

to them. The recalibration of connections between the CMOs and social services is therefore intrinsically linked to an expansion of migration control, but also to the moral imperative of bureaucracies being "just" (see Affolter et al., 2019).

Modalities of relationality: Tensions and convergence

By meeting their reporting obligation, social services and other actors shape the decision-making process by interpreting and selecting information, implementing specific procedures, and adapting the obligation to their own organizational goals. This participation may alter final decisions and affects the very structure of interactions as well as the office's own ethics and ethos. Social services, as we saw during our fieldwork in the offices, were mostly well aware of their influence, yet without fully realizing the scope of their power. A legal counselor (interview 2020), whose work is to challenge CMO decisions and who thereby also participates in the creation of legitimate decisions, agrees that "social workers really give the information reluctantly. Some add a letter explaining the person's situation, why he or she is on social assistance. Basically, they are already trying to defend the person." In the way they frame the information provided to the migration office, civil servants in social services try to accommodate the duty to report while maintaining their ethics to provide support to those in need, according to their own set of laws and rules (fieldnote, social service 2021; see also Andreetta, 2019; Tabin, 2021). However, Bernadette, a social worker, explained that their profession involves different ethics and "a balancing act between protecting the rights of clients and protecting the interests of taxpayers" (fieldnote, social service 2019).

Steffen illustrated municipalities' aim to "save" costs by bragging about his lead in establishing an automatic exchange of information between the social service in which he is employed as a lawyer and the responsible CMO: "If you deport people, you can save a lot of taxes. [...] They [the recipients] do nothing, do not respect their duty to mitigate damage [*Schadensminderungspflicht*], and no one holds them accountable" (fieldnote, social service 2020). The tension between accountability toward public finances, "their clients," and "the mandate of professional ethics" (fieldnote, social service 2020) are a typical outcome of social services' "double" or "triple mandate" (Staub-Bernasconi, 2007).

Within these conflicting ethics, the relational aspect of decision-making allows for an exchange of information greater than that requested by law. Given the ethics of accountability toward "the taxpayer" (who is equated with "the citizen"), Roman, a head of unit in a highly professionalized social service of a major Swiss city, illustrates how the reporting obligation may serve to reinforce certain aspects of their work that are more intimately linked with control than with their counseling mandate: "We have already communicated cases to the CMO. Difficult cases. Cases that should not be here" (fieldnote, social service 2021). Roman's office sometimes takes the initiative to identify poor non-citizens whose behavior is considered noncompliant and whose presence is deemed costly. During subsequent conversations and observations, the rationale of such actions became clearer.

Erika, who used to work as a social worker in a children's home before joining Roman's unit in the social service, explains: "Now I am on the other side. So, I can understand the whole thing. Suddenly I have to take care of the finances as well. Now I am part of the donor organization." When asked why she reported a family to the CMO, she looks astonished: "We just did not know what to do anymore. The family [...] did not give a damn about the sanctions we have enacted. The woman did not participate in the language classes. The man did not participate in the labor integration scheme. They did not look for a cheaper flat. They did not declare income." She waves documents, the different enactments of sanctions (mainly financial) and the threats regarding a suspension of social assistance. "We discussed the case at a meeting, not for the first time. And somebody said, 'Why not report him to the migration office?'" She looks at me and says "Yes, why not?" So, they informed the responsible CMO "because they must know ... And we did not know what to do in this case. Nothing worked." (Fieldnote, social service 2021)

This discussion with Erika illustrates two points: First, the communicational channel to the CMO, established through the reporting obligation, provides an additional disciplining mechanism for social services, giving them a new option to threaten “difficult” clients. In a later discussion during Luca’s stay at the office, Erika specified that this “pressure from the CMO is [...] an external pressure, that can be great. It makes relationship work [*Beziehungsarbeit*] possible” (fieldnote, social service 2021), meaning it is a disciplinary mechanism not directly enacted by the social service. Therefore, this pressure does not risk hampering the relationship of trust between caseworkers and their clients. Social services might use the CMO’s symbolic power to achieve their own goal, implicitly accepting the possible consequences to the person’s right to stay. Despite their universal ethics of care, some social services, therefore, actively engage in the differentiation between citizens and non-citizens defined by migration law. Hence, the reporting obligation introduces the categorical national difference inherent to CMOs’ work into the social service’s daily routines, affecting their organizational ethics.

Second, the example reveals social services’ ideas about bureaucratic competences and related interests. Social worker Erika points to the fact that CMOs are responsible for a specific segment of social assistance beneficiaries, those without Swiss citizenship. Social services assume that CMOs have different ethics (of expelling people who depend on public money) and make hypotheses about what kind of information CMOs should receive. Hence, the reporting obligation affects the offices’ internal and external relations, and results in the ethics of different offices becoming aligned and reinforced, especially when common ethics, such as the reduction of public expenditures, are concerned. Such convictions might even lead to closer and formalized collaborations between migration enforcement and social services.

Social services’ communication with CMOs reveals relational modalities characterized by tension, convergence, and expectation: They try to either defend their “clients” vis-à-vis CMOs or to discipline them by reporting them. Simultaneously, as outlined by Halliday et al. (2009), they make assumptions about the information that CMOs are looking for, hence choosing the information they provide to either support already existing images of deservingness or contest them (see Coutin & Fortin, 2023), for example, through standardized and minimal communication as one office told Lisa (fieldnote, social services 2020). Thus, legal requirements guide practices and create hierarchies, but (formally) less powerful actors can strengthen their own organizational goals by making use of the legal instruments of other administrative fields that suit their own ethics and ethos.

Manufacturing mosaics: Legitimizing the exclusion of “poor others” through relationality

It’s a very difficult decision. We never agree within the [cantonal migration] office or within the canton [...], we never agree on the area [of social assistance]. “No! It’s really not the woman’s fault, is it? She has been on such a good path.” Of course, we always watch how someone behaves and then we make a prognosis and if this prognosis is really bad, then—as I said—we are in the realm of a killer criterion [*Killerkriterium*] and then we have to look at who it is. There we are with this mosaic piece—a mosaic with these single stones [...]. (Interview Frederik, CMO 2019)

The mosaic pieces that Frederik, the head of a CMO, refers to are the many perspectives and bits of information that come together in the relational decision-making process. The metaphor represents the ideal of a processual decision in which each part fits into a coherent whole. Not matching reality, the metaphor is an intriguing image of the legitimizing work that relationality performs. Once the objective legal criteria for the withdrawal of a permit are confirmed (such as the amount and duration of social assistance), migration officials’ assessments focus on the proportionality of the decision. This is based, among others, on the information received from social services and evaluated along two crucial questions: Is the dependency on social assistance self-inflicted? And what is the prognosis of the future (in)dependency on social assistance? The following observation illustrates how a social worker prepares information to provide to the CMO.

Marina, a social worker, opens a new social assistance case, where she has to fill out a questionnaire sent by the CMO, which arrived a few months after she had reported the person's receipt of social assistance. She fills in the Word template used to respond to the standardized set of questions, switching between it and the "client administration software." The main information is quickly completed: The name and other detailed information about the client, as well as the amount of social assistance that is automatically retrieved. After this standardized section is filled out, she comments "now I can give more comments" and types into the form: "Ms. [...] is actively looking for a job, supported by case management. She is very reliable and motivated." Marina looks at Luca and states "and now I should probably say that until recently her son was in the same support unit." She begins to type, adding "due to his age of majority, he is now a separate support unit," and explains "otherwise they [CMO] might suppose that he is not supported anymore." She hesitates, realizing that she is about to inform the CMO about the son's social assistance dependency. After referring to work routines and time pressure, she explains "with the son, he's also in the naturalization process ... I take this sentence out again." She laughs and looks at Luca before continuing, "the attitude is that we fill out the paperwork as benevolently as possible for the clients. Otherwise, it's better not to say anything. That's what I learned when I started here. In the case of our requested opinion about the future development of the dependency, we never give a prognosis or clearly state that this is not possible." (Fieldnotes, social service 2021)

The standardized way that Marina fills out forms illustrates well-known bureaucratic constraints, such as lack of time and administrative routines (see Lipsky, 2010), but also a refusal to help CMOs make judgments based on social services' assessments. Although being forced to share information, this strategy allows social service officials to distance themselves from CMOs' future decisions to withdraw a permit. What is communicated by social services depends on their ethics, whether care or control and discipline is prioritized. But the way information is communicated matters too, for example, following more or less standardized ways of sharing their assessment of individuals' behavior and their prognosis on them becoming independent of social assistance. This internal renegotiation of ethics and ethos, provoked by the obligation to report and exchange information, in turn affects the final decision-making by CMOs.

As mentioned by Marina, some social assistance caseworkers report positively on principle, or they select, channel, and weigh information transmitted to the CMO based on their bureaucratic ethics and assumptions about the CMO's interests. Caseworkers—as we observed—might omit information deemed irrelevant to the CMO, specifically when it comes to sanctions or conditions imposed by social services. At other times, they stress that the receipt of social assistance is not self-inflicted and that the users are actively trying to end the support. Through CMOs' information requests, the question of self-infliction (whether the client can be blamed for their long-term unemployment and welfare dependency) becomes part of social services' agenda, as underlined by Saskia and Gregor in the introductory quote, which may come into conflict with their ethics of supporting individuals in need. Whether wanted or not, social service caseworkers participate in the construction of an individual's situation which influences the decision-making process of CMOs.

Once social services reports arrive at the CMO, migration officials also interpret them based on how they perceive social services. If social services hold back information to discourage a negative decision by the CMO or to avoid responsibility, the CMOs interpret the lack of information as an indicator that non-citizens are at fault for their dependency or as ignorance of the caseworker. Thereby, the CMO assumes that the social services work unprofessionally or are overburdened. Being unprofessional, according to CMO member Hans, signifies being "too close to the concerned person, [a] lack [of] objectivity, and [being] too nice" (fieldnote, CMO 2021). He suggested that practices of small municipalities, which in the context of our research appeared to be more willing to take part in the expulsion of "unwanted poor others," are judged more positively by CMOs. When subsequently processing the information received, CMOs polish, replace, enlarge, or ignore certain pieces of information to manufacture their mosaic. This mosaic is not neutral but constructed according to CMOs' promises toward society:

Flavio, a CMO caseworker, describes to Luca how he proceeds to craft an expulsion order. He explains that he evaluates the individual and the public interest. For him the “damage” caused, and whether this damage was self-inflicted by the person, is of specific importance. He states: “The damage is the burden on the public finances. The foreigners must reduce this within their possibilities of control [Steuerungsmöglichkeiten]” before it comes to an expulsion order, meaning they should actively try to change their situation. “In the case of an expulsion, it’s about [assessing] self-infliction. It’s no longer about motivating you to exhaust your possibilities of control. It’s about avoiding the further burden to the public purse.” He continues, “It’s about legitimizing the expulsion and showing through a prognosis that [due to the person’s bureaucratic biography] even if the person finds a job, it [independence from public money] would not last.” To do so, he shows Luca the list of documents and especially the many reports by the social services. “We need the proof. The social services give us this proof.” (Fieldnote, CMO 2021)

When talking about the “possibilities of control,” Flavio hints at the fact that some CMO caseworkers try to “help” non-citizens and thereby also avoid their expulsion. Lukas, working in the same CMO, recalled how they told a young woman that the threat of an expulsion order “was an opportunity for her because she was young. [...] And then, suddenly [...] I had rather encouraged her to do a professional training, [...] and then she sent us a working contract” (fieldnote, CMO 2021). In this case, the CMO caseworker adopts a position of support, similar to that of social services. Thus, the relational decision-making process might also affect CMO officials’ stance toward “poor others” and their daily routines and procedures.

In the discussion above, Flavio stresses the crucial importance of the information received from social services, which serves as proof that the CMO’s decision on permit withdrawal is legitimate and just. The procedural technique utilized to achieve this legitimation is the evaluation of self-infliction derived from the proportionality assessment, which includes balancing the interests of non-citizen social assistance beneficiaries and those of the public. Based on this, migration officials decide whether the person deserves the taxpayers’ money and their right to stay, if dependency is not deemed their fault. Hence, officials legitimate exclusion by relationally constructing the self-inflicted nature of the reception of social assistance that guarantees the “individualization of expulsion” (Walters, 2002, 277). Evaluating the situation based on the principle of non-arbitrariness, the officials might conclude that there is no “potential for change [Änderungspotenzial]” (fieldnote, CMO 2020) and that according to their bureaucratic rule orientation, they must take action since “When the legislator says we should force people with a shot across the bows, we have to ... We apply it” (fieldnote, CMO 2021). This individualization of expulsion through case-making and rule orientation for the sake of the greater public good reveals an apolitical conception of poverty, implying that social assistance receivers have caused their situation through lack of effort, and consequently endanger the public good. Collecting a vast amount of data, especially from social services, therefore allows for a decision according to which individuals are themselves responsible for their expulsion. Following this neoliberal logic, no one but the person concerned is to blame because the process of the mosaic construction consists of a quasi-collective crafting of decisions. Civil servants therefore assess the “just”-ness of a decision according to financial, neoliberal, and procedural criteria and based on a national conception of the “public good.” Since bureaucratic organization, containing both individualization and collectivization, “is a social form designed for collective action” (Hull, 2003, 288), the gathered data and paperwork perform a neutral and coherent state, a fair and just bureaucracy producing legitimate decisions (see Gupta, 2012).

THE EXCLUSION OF “POOR OTHERS” –RELATIONAL DECISION-MAKING AND ITS IMPLICATIONS

This article analyzed how decisions about the future stay of non-citizens receiving social assistance come about in a relational interplay of different actors, and how different values, goals (ethics) and the respective procedures (ethos)

participate in crafting legitimate decisions (Dubois, 2015; Eckert, 2020). We showed the different ethics at play in both migration and social assistance administrations. Put simply, the value of universal support to all people in need orients social services' work in theory, while they also adopt neoliberal and nationalist ideals, similar to CMOs. CMOs mainly aim to protect the national territory, population, and resources from possible threats coming from non-citizens. Crafting "good and just" decisions in each case is central to CMOs. The image of the "taxpayer" and "public finances," to whom officials feel accountable and which are conceived as national institutions for the good of the national community, is common to both administrative fields. Some of these ethics are in tension with each other, while others change because of cooperation between offices.

The relational lens of the article highlights that even seemingly disconnected actors play a role in crafting and legitimating decisions on migration control, through the way they interpret, select, and transmit information. CMOs frame relational decisions as potentially better, and their positions and actions become legitimized through their collection of information. In terms of the ethics pursued, we see that both offices mutually influence each other. Questions about whether social assistance reception is "self-inflicted" spill over into social services, while CMOs include knowledge about welfare law and counseling activities in their daily routines. The relational character of migration control implementation therefore has broader implications that affect not only the outcome of a specific decision on stay permits, but shape bureaucratic ethics and ethos more generally: They create new networks and legitimization for excluding "unwanted" non-citizens and simultaneously influence the everyday practices of CMOs and social services. The relationality of decision-making constructs the final decision as being made in the name of "the common good" (see Bourdieu, 1987; Forbess & James, 2018; Hull, 2012). A relational approach therefore helps to explain "the conditions and modalities of legitimation" and political power (Dubois, 2015, 209). Such relationally produced decisions are seen as "just" because they follow the rules and because they are seen to be for the good of the national community that state actors feel responsible for. Furthermore, such decisions both reproduce and invisibilize the structural inequality and violence faced by non-citizens receiving social assistance in a system that aims to exclude them through the entanglement of migration control and welfare governance (see Gupta, 2012). The relationality of decision-making processes projects the decision as a legitimate product of a neutral, objective, and coherent state (Gupta, 2012; Trouillot, 2015).

As this state is a nation-state, our analysis highlights how relational decisions create "shifting delineations between legitimate members and those defined as illegitimate" (Eckert, 2020, 11). This national stratification has effects beyond migration control and enters, via relational decision-making, the field of welfare governance. Consequently, those who are deemed not to belong—even if they are long-term permanent residents—and who are not able to sustain themselves lose their permits and are excluded from the nationally bound community. This is part of producing "poverty" as an apolitical and individual phenomenon unrelated to structural inequalities, by individualizing expulsions and legitimizing them morally and relationally (see Dubois, 2016; Khosravi, 2009).

We invite future research to pay closer attention to the inter- and intra-organizational processes of information transfer and decision-making to grasp how contemporary forms of migration government and legitimation of exclusion are co-produced. Research should scrutinize how governmental logics and images of society bear consequences on the formations of bureaucracies themselves instead of concentrating on a specific segment of society, such as non-citizens (see Dahinden, 2016). Finally, we suggest broadening the scope of the relational perspective to include other actors such as disability insurance and their medical experts, schools, courts, and—most importantly—the social assistance-receiving non-citizens themselves. The latter also strongly affect the decision-making process, through choices of information disclosed or withheld, through the implication of lawyers, or through rejecting the receipt of social assistance to avoid losing their permit.

ACKNOWLEDGEMENTS

All authors contributed equally to the conceptualization and writing of this contribution. This article represents one of the outcomes of a research project supported by the NCCR - On the Move, funded by the Swiss National Science Foundation under grant 51NF40-182897. The authors would like to express their gratitude to the following

individuals for their valuable and insightful comments on earlier versions of this article: our team colleagues Doris Niragire Nirere and Stefanie Kurt, participants in the colloque LAPS, as well as all other commentators at conferences and presentations, along with the anonymous reviewers.

Open access funding provided by Universite de Neuchatel.

ORCID

Christin Achermann  <https://orcid.org/0000-0001-7223-9633>

Lisa Marie Borrelli  <https://orcid.org/0000-0001-8547-320X>

Luca Pfirter  <https://orcid.org/0000-0002-8505-503X>

ENDNOTES

- ¹Migration offices are organized by cantons according to the federalist structure of Switzerland. Cantons are the member states of the Swiss Confederation and possess extensive sovereignty in various domains, including migration control.
- ²The consequences of social assistance reception for the right to stay vary depending on the type of permit a person holds and include warnings, replacement by a less secure permit, or a revocation or withdrawal leading to deportation (see Pfirter 2019; Spescha et al. 2019).
- ³"Federal Act on Foreign Nationals and Integration." <https://www.admin.ch/opc/en/classified-compilation/20020232/index.html>
- ⁴With the introduction of the FNIA in 2019, permanent residency holders residing in Switzerland for more than fifteen years and depending on social assistance are no longer protected from permit revocation (Kurt 2017). Instead, permanent residence permits may be downgraded to residence permits if integration criteria (such as economic independence) are not met (Art. 63 para. 2 FNIA).
- ⁵The data analyzed in this article were collected as part of the nccr-on the move project "Governing Migration and Social Cohesion through Integration Requirements: A Socio-Legal Study on Civic Stratification in Switzerland". See <https://nccr-onthemove.ch/projects/governing-migration-and-social-cohesion-through-integration-requirements-a-socio-legal-study-on-civic-stratification-in-switzerland/> for more information.
- ⁶For more methodological aspects of this research, see Pfirter (2023).

REFERENCES

- Affolter, Laura, Jonathan Miaz, and Ephraim Poertner. 2019. "Taking the 'Just' Decision. Caseworkers and Their Communities of Interpretation in the Swiss Asylum Office." In *Asylum Determination in Europe: Ethnographic Perspectives*, edited by Nick Gill and Anthony Good, 263–84. Cham: Palgrave Macmillan.
- Andreetta, Sophie. 2019. "Writing for Different Audiences." *Journal of Legal Anthropology* 3(2): 91–110. <https://doi.org/10.3167/jla.2019.030206>.
- Ataç, Ilker, and Sieglinde Rosenberger. 2018. "Social Policies as a Tool of Migration Control." *Journal of Immigrant & Refugee Studies* 17(1): 1–10. <https://doi.org/10.1080/15562948.2018.1539802>
- Bierschenk, Thomas, and Jean-Pierre Olivier de Sardan. 2021. "The Anthropology of Bureaucracy and Public Administration." *Oxford Research Encyclopedia of Politics* <https://doi.org/10.1093/acrefore/9780190228637.013.2005>
- Bonvin, Jean-Michel, Valérie Hugentobler, Carlo Knöpfel, Pascal Maeder, and Ueli Tecklenburg, eds. 2020. *Wörterbuch Der Schweizer Sozialpolitik [Dictionary of Swiss Social Policy]*. Zurich: Seismo.
- Borrelli, Lisa Marie, Stefanie Kurt, Christin Achermann, and Luca Pfirter. 2021. "(Un)Conditional Welfare? Tensions Between Welfare Rights and Migration Control in Swiss Case Law." *Swiss Journal of Sociology* 47(1): 93–114. <https://doi.org/10.2478/sjs-2021-0008>
- Bouagga, Yasmine. 2015. "Assisting or Controlling? When Social Workers Become Probation Officers." In *At the Heart of the State: The Moral World of Institutions*, edited by Didier Fassin and Patrick Brown, 144–68. London: Pluto Press.
- Bourdieu, Pierre. 1987. "The Force of Law: Toward a Sociology of the Juridical Field." *The Hastings Law Journal* 38(5): 814–53.
- Coutin, Susan Bibler, and Véronique Fortin. 2023. "The Craft of Translation: Documentary Practices within Immigration Advocacy in the U.S." *PolAR: Political and Legal Anthropology Review* 46(1): 24–38. <https://doi.org/10.1111/plar.12531>
- Dahinden, Janine. 2016. "A Plea for the 'de-Migranticization' of Research on Migration and Integration." *Ethnic and Racial Studies* 39(13): 2207–25. <https://doi.org/10.1080/01419870.2015.1124129>
- Dubois, Vincent. 2015. "The Fields of Public Policy." In *Bourdieu's Theory of Social Fields. Concepts and Applications*, edited by Mathieu Hilgers and Eric Mangez, 199–220. London: Routledge.
- Dubois, Vincent. 2016. *The Bureaucrat and the Poor: Encounters in French Welfare Offices*. London and New York: Routledge.
- Eckert, Julia. 2020. "The Office: Ethos and Ethics in Migration Bureaucracies." In *The Bureaucratic Production of Difference: Ethos and Ethics in Migration Administrations*, edited by Julia Eckert, 7–26. Bielefeld: Transcript.

- Evans, Tony, and Peter L. Hupe, eds. 2020. *Discretion and the Quest for Controlled Freedom*. Basingstoke: Palgrave Macmillan.
- Forbess, Alice, and Deborah James. 2018. "Acts of Assistance: Navigating the Interstices of the British State with the Help of Non-Profit Legal Advisers." In *Stategraphy: Toward a Relational Anthropology of the State*, edited by Tatjana Thelen, Larissa Vetter, and Keebet von Benda-Beckmann, 73–89. Oxford: Berghahn Books.
- Gupta, Akhil. 2012. *Red Tape: Bureaucracy, Structural Violence, and Poverty in India*. Durham: Duke University Press.
- Halliday, Simon, Nicola Burns, Neil Hutton, Fergus McNeill, and Cyrus Tata. 2009. "Street-Level Bureaucracy, Interprofessional Relations, and Coping Mechanisms: A Study of Criminal Justice Social Workers in the Sentencing Process." *Law & Policy* 31(4): 405–28.
- Hawkins, Keith. 2003. "Order, Rationality and Silence: Some Reflections on Criminal Justice Decision-Making." In *Exercising Discretion: Decision Making in the Criminal Justice System and Beyond*, edited by Loraine Gelsthorpe and Nicola Padfield, 186–219. Cullompton, Devon, UK.
- Hoag, Colin. 2011. "Assembling Partial Perspectives: Thoughts on the Anthropology of Bureaucracy." *PoLAR: Political and Legal Anthropology Review* 34(1): 81–94. <https://doi.org/10.1111/j.1555-2934.2011.01140.x>
- Horvath, Kenneth, Anna Amelina, and Karin Peters. 2017. "Re-Thinking the Politics of Migration. On the Uses and Challenges of Regime Perspectives for Migration Research." *Migration Studies* 5(3): 301–14. <https://doi.org/10.1093/migration/mnx055>.
- Hull, Matthew S. 2003. "The File: Agency, Authority, and Autography in an Islamabad Bureaucracy." *Language & Communication* 23(3–4): 287–314. [https://doi.org/10.1016/S0271-5309\(03\)00019-3](https://doi.org/10.1016/S0271-5309(03)00019-3)
- Hull, Matthew S. 2012. "Documents and Bureaucracy." *Annual Review of Anthropology* 41(1): 251–67.
- Khosravi, Shahram. 2009. "Sweden: Detention and Deportation of Asylum Seekers." *Race & Class* 50(4): 38–56. <https://doi.org/10.1177/0306396809102996>.
- Kurt, Stefanie. 2017. "Nouvelles Exigences En Matière d'intégration Des Étrangers [New Requirements for the Integration of Foreigners]." *Plaidoyer*, 4, 20–24.
- Lamont, Michèle, and Virág Molnár. 2002. "The Study of Boundaries in the Social Sciences." *Annual Review of Sociology* 28(1): 167–95. <https://doi.org/10.1146/annurev.soc.28.110601.141107>
- Lang, Christine, Andreas Pott, and Kyoko Shinozaki. 2021. "Organisations and the Production of Migration and In/Exclusion." *Comparative Migration Studies* 9(60): 1–16. <https://doi.org/10.1186/s40878-021-00274-w>
- Lavanchy, Anne. 2018. "Taire la Race pour Produire une Société Incolore? Les Contours du Régime Racial en Suisse [Silencing Race to Produce a Colorless Society? The Contours of the Racial Regime in Switzerland]." *Sociologie et sociétés* 50(2): 151–74. <https://doi.org/10.7202/1066817ar>
- Lipsky, Michael. 2010. *Street-Level Bureaucracy: The Dilemmas of the Individual in Public Service*. New York: Russell Sage Foundation.
- Maeder, Christoph, and Eva Nadai. 2004. *Organisierte Armut: Sozialhilfe aus wissenssoziologischer Sicht* [Organized poverty: social welfare from a sociology of knowledge perspective]. Constance: Universitätsverlag Konstanz.
- Miaz, Jonathan. 2017. "From the Law to the Decision: The Social and Legal Conditions of Asylum Adjudication in Switzerland." *European Policy Analysis* 3(2): 372–96. <https://doi.org/10.1002/epa2.1018>
- Miaz, Jonathan, and Christin Achermann. 2022. "Bureaucracies Under Judicial Control? Relational Discretion in the Implementation of Immigration Detention in Swiss Cantons." *Administration & Society*, 54(4): 629–59. <https://doi.org/10.1177/00953997211038000>
- Morris, Lydia. 2003. "Managing Contradiction: Civic Stratification and Migrants' Rights." *The International Migration Review* 37(1): 74–100.
- Pfirter, Luca. 2019. "Constructing 'Un-teachability' Through Menacing Warnings." *Journal of Legal Anthropology* 3(2): 29–49. <https://doi.org/10.3167/jla.2019.030203>
- Pfirter, Luca. 2023. *Doubting the National Order of Poverty: The Moral Administration of 'Poor Others' in Swiss Welfare and Migration Bureaucracies*. Neuchâtel: University of Neuchâtel.
- Pott, Andreas, Christoph Rass, and Frank Wolff, eds. 2018. *Was ist ein Migrationsregime? What is a Migration Regime?*. Wiesbaden: Springer VS.
- Reinke, Amanda J., and Nicole Bevilacqua. 2022. "Legal Aid amid Bureaucracy." *Journal of Legal Anthropology* 6(2): 1–24. <https://doi.org/10.3167/jla.2022.060201>
- Sharma, Aradhana, and Akhil Gupta, eds. 2006. "Introduction: Rethinking Theories of the State in an Age of Globalization." In *The Anthropology of the State: A Reader*, 1–41. Malden, MA; Oxford: Blackwell Pub.
- Spescha, Marc, Andreas Zünd, Peter Bolzli, Constantin Hruschka, Fanny de Weck, and Valerio Priuli. 2019. *Migrationsrecht: Kommentar: Schweizerisches Ausländer- und Integrationsgesetz (AIG), Asylgesetz (AsylG) und Freizügigkeitsabkommen (FZA) sowie Bürgerrechtsgesetz (BüG) mit weiteren Erlassen [Migration law: Commentary: Swiss Foreign Nationals and Integration Act (FNIA), Asylum Act and Agreement on the Free Movement of Persons (AFMP) as well as Citizenship Act (SCA) with further enactments]*. 5th ed. Zurich: Orell Füssli Verlag.
- Staub-Bernasconi, Silvia. 2007. "Vom Beruflichen Doppelpandat Zum Professionellen Tripelpandat. Wissenschaft Und Menschenrechte Als Begründungsbasis Der Profession Sozialer Arbeit [From the Professional Double Mandate to the

- Professional Triple Mandate. Science and Human Rights as the Basis for the Profession of Social Work].” *Fachzeitschrift Für Soziale Arbeit in Österreich* 7(2), 8–17.
- Tabin, Jean-Pierre. 2021. *Politiques Sociales Comparées [Comparative Social Policies]*. Lausanne: Éditions HETSL.
- Thelen, Tatjana, Larissa Veters, and Keebet von Benda-Beckmann. 2014. “Stategraphy: Toward a Relational Anthropology of the State.” *Social Analysis* 58(3): 1–19. <https://doi.org/10.3167/sa.2014.580302>
- Ticktin, Miriam Iris. 2011. *Casualties of Care: Immigration and the Politics of Humanitarianism in France*. Berkeley: University of California Press.
- Trouillot, Michel-Rolph. 2015. *Silencing the Past: Power and the Production of History*. Translated by Hazel V. Carby. Boston, MA: Beacon Press.
- Veters, Larissa, Andreetta, Sophie, and Zeynep Yanasmayan. 2022. “The Making of Procedural Justice: Enacting the State and (Non)Citizenship.” *Citizenship Studies* 26(7): 893–909. <https://doi.org/10.1080/13621025.2022.2138178>.
- Walters, William. 2002. “Deportation, Expulsion, and the International Police of Aliens.” *Citizenship Studies* 6(3): 265–92. <https://doi.org/10.1080/1362102022000011612>.
- Weber, Max. 1999. *Wirtschaft und Gesellschaft [Economy and Society]*. Tübingen: J.C.B Mohr (Paul Siebeck).
- Wissink, Lieke M. 2021. “Making Populations for Deportation: Bureaucratic Knowledge Practices Inside a European Deportation Unit.” *PoLAR: Political and Legal Anthropology Review* 44(2): 256–70. <https://doi.org/10.1111/plar.12447>.

How to cite this article: Achermann, Christin, Lisa Marie Borrelli, and Luca Pflirter. 2023. ““For just decisions we need you!”: Relational decision-making and the bureaucratic exclusion of “poor others”.” *PoLAR : Political and Legal Anthropology Review* : 1–14. <https://doi.org/10.1111/plar.12542>