

Positioning of applicants in asylum interviews: Case officers as recontextualising agents

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ABSTRACT

This study aims to develop an understanding of how different communicative strategies used by case officers in asylum interviews may position applicants in various ways. The analysis focuses on a relatively standardised sequence at the start of asylum interviews, where the communicative situation and its legal framework are explained to the applicant. Case officers use guidelines to support them with this process. Using a comparative discourse analysis of excerpts from two asylum interviews, I examine the discursive means by which the applicants are positioned in the case officers' utterances, drawing mainly on the concepts of *positioning* and *recontextualisation*. The findings show how case officers' instructive statements could be used as a resource not only to provide information to the applicants but also to position asylum seekers in a respectful way. (Asylum interview, intertextuality, positioning, recontextualisation, speaker role)*

INTRODUCTION

National authorities conduct asylum interviews to establish the grounds for decision making in asylum cases. During asylum interviews, a narrative about the applicant is co-constructed by all of the interactants (e.g. Maryns 2006; Smith-Khan 2017; Rehnberg 2022). The asylum narrative constitutes a crucial part of the authorities' basis for decision making. At the same time, an identity is attributed to the applicant both in and through the asylum narrative. This is done through positioning, that is, the process of ascribing a person a discursive role in a conversation.

Earlier research has shown that asylum interviews are permeated by highly asymmetrical power relations (e.g. Bohmer & Shuman 2007). For example, they are characterised by unequal access to knowledge and discourses, resulting in extensive contextualisation work on the part of both the case officer and the applicant (Maryns 2006). To a large degree, the positioning of asylum seekers in asylum interviews takes place in and through this distinct contextualisation work, not least in the initial phase of the interview, where the case officer, assisted by an interpreter, introduces the applicant to the institutional discourse and the prescribed formal structure of the current communicative situation.



Case officers are expected to conduct asylum interviews in a way that is legally consistent and at the same time respectful towards the applicants. In this admittedly difficult task, they are supported by specific guidelines, as is the case in most institutional encounters between professionals and laypeople, and these guidelines are particularly specific concerning the initial phase of the interview. Consequently, the guidelines influence how an interview is conducted and not least how the mandatory initial instructions are communicated. In other words, there are intertextual relations between these guidelines and individual asylum interviews, and when applying the guidelines to asylum interviews, the case officers by necessity take on the role as *recontextualising agents* (cf. Bernstein 1990).

The aim of this study is to develop an understanding of how different communicative strategies used by case officers in asylum interviews may position applicants in various and even contrasting ways. This is based on the idea that positioning is a particularly sensitive matter in asymmetrical conversations where one party exercises societally sanctioned power over another, as is the case in asylum interviews. On a theoretical level, the aim is to develop an understanding of the interrelations between positioning and intertextuality in institutional meetings between professionals and laypeople, and more specifically in relation to the contextualisation work conducted by the professionals during these meetings. On a practical level, the purpose is to raise awareness of, and encourage, reflection on how asylum seekers are positioned through the contextualisation work of case officers, thereby contributing to the strengthening of conditions for constructive and respectful communication in the asylum process.

I ask the following questions: What are the discursive means by which asylum seekers are positioned in case officers' instructive statements taking place at the start of asylum interviews? What are the intertextual relations between these processes of positioning and existing guidelines?

A comparative discourse analytical examination is used to answer these questions, guided by the concepts of *positioning* and *recontextualisation*. The primary data consists of two asylum interviews, and the analysis focuses on a sequence with a fairly standardised content, occurring in the initial phase of the asylum interview, henceforth called 'the duty sequence'. Here, the case officer informs the applicant that the professionals in the room are bound by professional secrecy and that the applicant is obliged to tell the truth.

The article is a discourse analytical study focusing on how the utterances of case officers position the asylum seekers—it does not investigate the *ACTUAL* positioning of the applicants. In other words, what is under scrutiny here is the statements of the case officers, seen as the 'raw material', which the interpreters are then left to work with when interpreting the message for the applicants. In line with this aim, it is only the case officers' utterances that are reproduced and analysed in this article and not the interpreters' interpretations.

The article begins with an introduction to the theoretical concepts guiding the analysis, followed by an account of how asylum investigations are supposed to

be conducted in Sweden according to existing regulations. The materials and methods section follows and includes an account of how positioning is analysed in the study. The findings are then presented and discussed in terms of speaker roles and recontextualising agents.

THEORETICAL CONCEPTS GUIDING THE ANALYSIS

In this section, I introduce the concepts of *positioning* and *recontextualisation* that guide the analysis and explain how they have been used and discussed in earlier research relevant to the present study.

Positioning

Positioning has been defined as ‘the discursive process whereby selves are located in conversations as observably and subjectively coherent participants in jointly produced storylines’ (Davies & Harré 1990:48). Somewhat simplified, a position might be described as a discursive role that a person takes and/or is ascribed during (particular parts of) a conversation. Alternatively, it could be described as an act of identification with a specific category of people, either a self-identification or an identification attributed to an individual by another participant in the conversation. Surely, a conversational participant can be positioned as the holder of a given and obvious role, such as a civil servant or asylum seeker, but the term *positioning* is also used in relation to more fine-grained positions and meanings, such as the self-understanding that a person may be forced into (Hornscheidt & Landqvist 2014:135).

According to Weizman (2008:16), positioning precedes and presupposes a role as it ‘is highly indexed by the interactants’ perceptions of their respective roles and the expectations they entail’. Further, Weizman differentiates between *social roles*, which are also relevant outside the current interaction (e.g. civil servant, colleague, friend) and *interactional roles*, which are connected to the speaker’s roles and obligations in the interaction. In the current analysis, civil servant/case officer and applicant/asylum seeker are seen as (institutional and interactional) roles invoked throughout the interaction, but the focus of interest here lies in the more fine-grained interactional positioning of the applicants that takes place as the case officers are disseminating information.

Positioning is not necessarily intentional, but is an inherent and ongoing activity that takes place in all kinds of communicative activities. At least two basic forms of positioning always take place simultaneously in a conversation: *interactive positioning*, which refers to the process when someone is positioned by an interlocutor’s utterance, and *reflexive positioning*, referring to the process when a person positions themselves through their own utterance (Davies & Harré 1990). Moreover, positioning is a reciprocal process—when interactively positioning someone else in

a conversation you always reflexively position yourself at the same time, and vice versa (Weizman 2008:14). Hence, throughout my analysis, I examine not only how the applicants are positioned by the case officers' statements, but also how the officers reflexively position themselves.

There are also other varieties of positioning. Harré & van Langenhove (1991) differentiate between, for example, *performative positioning*, which is the unquestioned positioning of an interlocutor with immediate perlocutionary effect, and *accountive positioning*, which occurs when the performative positioning is questioned and has to be negotiated. Furthermore, they differentiate between what they call *moral positioning* that occurs when institutional roles are invoked in interaction, and *personal positioning*, taking place when people are positioned in terms of their individual properties and particularities. They also underline that positioning can be either *deliberate* or *forced*.

Finally, positioning has been analysed in terms of footing, that is, in relation to the speaker's degree of responsibility for an utterance (see Weizman 2008:15). In the current analysis, the part of Goffman's (1981) participation framework focusing on speaker roles is used to analyse this aspect of positioning. According to Goffman, a speaker can take up one, two, or all of the following roles in relation to a specific utterance: *principal* (the one who is responsible for the content of the message), *author* (the one who formulates the message), and *animator* (the one who conveys the message). As several researchers have highlighted (i.e. Levinson 1988), this model is a simplification, given that there are multiple layers in a conversation, resulting in what Irvine (1996:157) calls 'intricate laminations of participant roles'. To illuminate this complexity and capture these more nuanced and subtle participant roles, Irvine suggests a process-oriented analytical focus on intersecting frames and dialogical relations.

Positioning—and related phenomena, such as identity negotiation (Kjelsvik 2014), participant roles (Kjelsvik 2015), and subject positions (Petäjänieniemi, Lanas, & Kaukko 2021)—are recurrent themes in analyses of asylum interviews (although the concept of positioning is not necessarily used). A consistent feature of these studies is the many findings demonstrating how the asymmetrical power relations inherent in the asylum procedure affect the interaction (e.g. Bohmer & Shuman 2007; Kjelsvik 2014, 2015; Nikolaidou, Rehnberg, & Wadensjö 2022). Moreover, earlier studies have focused on the asylum interview as a communicative situation characterised by mutual distrust and disbelief (e.g. Linell & Keselman 2011) and influenced by case officers' stereotyped perceptions of asylum seekers (Jubany 2011; Bohmer & Shuman 2018). According to Tipton (2008:9), '[t]he applicant as "un-knowledgeable agent" appears to be the predominant type in this context, a type that is to a large extent reinforced by media references to the "bogus" asylum seeker and, broadly speaking, a reversal of the legal precept of "innocent until proven guilty"'.

Politeness and the concept of *face* (Brown & Levinson 1987) relate to positioning, as both face-saving and face-threatening discursive actions imply positioning

(of the speaker as well as the addressee). The concept of face has been used in research on police interviews, such as De Pablo-Ortegas' (2019) analysis of mitigating and aggravating linguistic devices in police officers' questions and statements, and in Pounds' (2019) study on the role of face and empathy in rapport-building. According to Pounds, empathy is an essential expressive dimension of rapport. Furthermore, in a study on how emergency-call handlers deal with callers, Garner & Johnson (2013:36) emphasise the importance of being polite and 'leaving callers with a sense of confidence that the call has been taken seriously and responded to efficiently'. Otherwise, according to the authors, the callers may react in ways that are detrimental to the ongoing police operational activities. I believe that even more is at stake when it comes to positioning in asylum interviews. If applicants feel that they are being treated impolitely or disrespectfully, or if they feel that their cases are not taken seriously, this can have negative consequences not only for the progress of the asylum interview and its outcome, but also for the self-esteem of the applicants and their impression of, and trust in, Swedish authorities, regardless of the outcome of their cases.

Recontextualisation

Linell (1998:44) describes recontextualisation as discourse and discursive content travelling across situations, while Kristeva (1986), who introduced Bakhtin's work to the West, coined the term *intertextuality* referring to the ubiquitous connections between texts. The terms are related, but whereas *intertextuality* refers to a relation between texts, *recontextualisation* emphasises the process of incorporating discourse into a new context. Rock, Heffer, & Conley (2013:18) describe Western legal processes as 'fundamentally an exercise in intertextual construction'; the asylum process is no exception. This means that meetings that take place within the asylum process are inevitably characterised by intertextuality and involve recontextualisations.

There is abundant research on intertextuality and recontextualisation in police interviews and court hearings (cf. Rock 2007). Rock, Heffer, & Conley (2013:12) draw attention to legal authorities and police trainers as 'powerful recontextualising agents' with rights to regulate the movement of texts from the primary context of legislation to the secondary context of police interviews or court hearings, for example, by producing guidelines. Heydon (2013) focuses on police officers in their role as recontextualising agents in interviews with suspects, demonstrating that it might be problematic if the officers rely too much upon scripted texts, such as guidelines and templates, as these texts may negatively influence the comprehensibility and thus decrease the hearer's uptake. Instead, she claims, it is critical that police officers have access to a 'professional voice', by which she means 'an authoritative and perhaps more discretionary approach to the presentation of legal texts' (Heydon 2013:63). In other words, they must be able to reword prescribed texts. Heffer (2013:220), in turn, demonstrates how acts of

recontextualisation can lead to ‘a move from communication to magical incantation’. Using as examples judges’ instructions to juries on the ‘beyond reasonable doubt’ standard of proof in criminal trials, he sheds light on the problems that might arise when the proper performance of words seems to be more critical than whether an utterance is understood by the laypeople being addressed. Like Heydon (2013), he emphasises the importance of the hearer’s uptake for true communication to take place, and he stresses a communicative ideal where negotiation of meaning is foregrounded instead of ritualistic behaviour.

Focusing on comprehensibility, Cotterill (2000) analysed police officers as recontextualising agents when informing detained suspects of their legal rights. She underlines the complexity of the task that police officers are expected to fulfil in these situations, ‘they are in fact being asked to carry out a series of fairly complex and challenging linguistic tasks, tackling a range of issues which have preoccupied academics for many years’ (Cotterill 2000:20).

Research on intertextuality and recontextualisation in police interviews and court hearings has generally focused on comprehensibility, and on the fact that miscommunication can undermine the integrity of evidence and result in miscarriages of justice (e.g. Cotterill 2000; Heffer 2013; Heydon 2013; Pavlenko, Hepford, & Jarvis 2019). Less attention has been paid to examining how positioning is realised in recontextualising acts that form part of contextualisation work in institutional encounters. An exception is a study by Richardson, Stokoe, & Antaki (2019) that shows how police officers sometimes use inappropriate communication strategies in conflict with ‘best practice’ guidelines in interviews with possible victims of sexual assault, thereby potentially discrediting the victims and positioning them as potential liars (although the authors do not use the concept of positioning). The current article investigates contextualisation work performed in another institutional context, that is, asylum interviews, and does this by focusing on the positioning power of case officers as well as the dialogic relations between the officers’ utterances and the official asylum interview guidelines.

THE ASYLUM INTERVIEW IN SWEDEN

This section presents background information on the Swedish asylum interview process, with a focus on the initial phase and guidelines. The asylum process is initiated when a person arrives in Sweden and applies for asylum. First, a short application interview is conducted, which is later followed by a more in-depth asylum interview, usually lasting two to three hours. The applicant, a case officer from the Swedish Migration Agency, an interpreter, and a public counsel representing the applicant all take part in this interview. During the interview, the case officer is recording minutes of the meeting, which is an obligatory part of the investigative process.

The asylum interview is a way for case officers to obtain comprehensive information about the applicants’ reasons and motives for fleeing their home country and the potential risks they may encounter if they return. Such information is necessary

in order to make a well-founded decision about whether an applicant will be granted a Swedish residence permit and, if so, to identify the legal grounds on which the permit is to be based.

There are several guidelines available to the case officers for the interview purpose, and in addition, the Migration Agency offers various forms of training, although reportedly not all employees have the possibility to participate.

The EASO guidelines

When conducting asylum interviews, Swedish case officers are supported by guidelines offered by the European Asylum Support Office. These guidelines are codified in *EASO Practical Guide: Personal Interview* (EASO 2014). The stated aim of this guide is to support European member states in their obligation to provide asylum applicants a fair and effective opportunity to present the reasons for their applications. According to EASO, the guide should also be seen as a tool for self-evaluation and quality assurance. The very existence of this guide indicates that the Swedish asylum investigation process is fairly similar to that in several other EU countries.

The EASO guide promotes a structured interview method. Case officers are advised to create a good communication atmosphere at the start of the interview and maintain an ‘atmosphere of trust and confidence’ (EASO 2014:6.) through displaying a professional attitude and showing empathy, including having a respectful approach, addressing the applicant directly, using the appropriate tone and body language, and being able to handle emotions, including their own. The case officer must provide the applicant with enough information about the interview situation and the aim of the interview in a way that the applicant is able to understand. Not least, the importance of clarifying what confidentiality really means is stressed. The guidelines state that the case officer should also explain ‘why providing all relevant and correct information is beneficial in order to reach a good decision’ (EASO 2014:9). Furthermore, the case officer is instructed to inform the applicant about their obligations and duty to cooperate. Case officers are also advised that when informing the applicant of their obligation to tell the truth, ‘the case officer could stress the fact that this is explained to everybody. In doing so the case officer avoids being perceived as insinuating that the applicant intends to lie’ (EASO 2014:9). There is additional emphasis on the importance of signalling to the applicant that it is only when the applicant KNOWINGLY provides false information that there may be negative consequences. Finally, under the subtitle ‘Use an appropriate tone and body language’, case officers are told they should always be aware of ‘the danger of being perceived as, for example, disinterested and aggressive’ (EASO 2014:7).

The Migration Agency template

The Migration Agency has produced an internal template to support Swedish case officers with conducting asylum interviews. It is a digital document, structured

Figure 1 shows two pages of a template from the Migration Agency (Migrationsverket). The left page (1/5) includes the agency's logo, a header with 'Migrationsverket', and a section titled 'Information som lämnats' (Information submitted). This section contains a list of suggested questions for the case officer to ask during the interview. The right page (2/5) continues the list of suggested questions and includes sections for 'Uppföljning av eventuellt lämnat ID-uppdrag' (Follow-up of possibly submitted ID assignment) and 'Änskyllt' (Asylum). Both pages have a 'Dokument' label at the bottom right.

FIGURE 1. The two first pages of the Migration Agency template, including the duty sequence paragraph titled *Information som lämnats* 'Information submitted' (received via email from the Migration Agency, 16 January 2020).

according to the chronology of the asylum interview. It consists of headings for different stages of the interview, a few prewritten paragraphs for the minutes, and suggested questions the case officer can ask during the interview (see Figure 1).

The template includes a model for the sequence that is the focus of the current study, that is, 'the duty sequence'. As it is prewritten, the case officers who use it do not have to rewrite it for the minutes.

The case officers are not obliged to follow this or any other template. On the contrary, they are free to adjust the content, structure, and conduct of the asylum interview to the individual applicant and the specific situation. A process manager at the Migration Agency expresses it in the following way: 'The templates are a support for the officers. The important thing is that we investigate and obtain the information required to take the official decision or to take the next step in the processing. The case officer can, therefore, deviate from the template if they find that it benefits our processing' (personal email correspondence with Informant A, 1 March 2022; my translation from Swedish to English).

MATERIALS AND METHODS

This study is part of a larger sociolinguistic research project focusing on the co-construction and recontextualisation of asylum narratives in the Swedish

asylum process.¹ During this project, from 2018 until 2021, we followed five asylum seekers through the stages of their asylum processes, and we observed, audio recorded, and transcribed eight asylum interviews in total (as three of our informants also were called to complementary interviews). Hence, we have access to material that is quite unique these days, as it appears to be increasingly difficult to obtain authentic material from asylum interviews (e.g. Kalir, Achermann, & Rosset 2019). In four cases, the asylum seekers participating in our study were contacted via non-profit organisations, and in one case with the help of a former asylum seeker. They agreed to participate after being informed about the study in their first language or in English (in those cases where the asylum seekers were fluent in English). Pseudonyms are used for the participants. The research project has been approved by the Swedish Ethical Review Authority.

The primary material for the current study consists of two instances of the duty sequence collected from two asylum interviews. The first excerpt has been obtained from an asylum interview conducted with ‘Michail’ in 2018. Michail claims that he is in danger in his home country Ukraine, because of having raised concerns about corruption among powerful people. His case was somewhat discredited from the start, since back in 2018 it was unusual that asylum seekers from Ukraine received permission to stay in Sweden. Moreover, his public counsel believed that he was lying about his asylum grounds (as revealed to my research colleagues in an informal talk just before the asylum interview took place). It did not get any better when the applicant arrived to the asylum interview twenty minutes late without any prior warning of his delay. The second excerpt has been obtained from an asylum interview conducted with ‘Kenneth’ in 2020. Kenneth claims fear of persecution in his Asian home country on the basis of his sexual orientation. His starting position seemed better than Michail’s; his case was not discredited from the start, and his public counsel seemed genuinely engaged. However, none of these circumstances are supposed to affect the conduct of the duty sequence.

The interviews were conducted in separate regions of Sweden by different case officers. Both case officers spoke Swedish during the interview, as is recommended by the Migration Agency. Michael spoke Ukrainian with elements of Surzhyk, that is, a certain mixture of Ukrainian and Russian, while Kenneth spoke English. The two excerpts were selected based on their differences in terms of the positioning of the applicants—in fact, they constitute the two extremes in our collected material (although the duty sequence in Michail’s interview is similar to the remaining three). Michail’s case officer, among all of the case officers in our data, produces the most verbatim rendering of the duty sequence as it is presented in the Migration Agency template. By contrast, the duty sequence in Kenneth’s case stands out in terms of how much the case officer deviates from the formulations in the template. Indeed, the sequence taken from Kenneth’s interview is an example of how the asymmetric relations between case officer and asylum seeker can be reduced. In the analysis, I mainly compare the duty sequences from Michail’s and Kenneth’s asylum interviews, but some references are also made to the corresponding

sequences in the remaining three asylum interviews which we have observed in our larger research project.

To answer the research questions, I started with a detailed analysis of the two selected sequences in order to identify specific discursive means (including linguistic, paralinguistic, and discursive devices on several linguistic levels) affecting positioning in the cases. According to Hornscheidt & Landqvist (2014:157–58), almost all linguistic categories may be used to realise positioning. I identified an abundance of positioning devices (some of which are also presented by Hornscheidt & Landqvist), mainly pronouns, modality, discourse markers, conjunctions, deixis, vocabulary (legal–colloquial, formal–informal), distance markers, explanations and clarifications, propositional content, directness, level of formality, speech acts, tone of voice, degree of dialogue, and influence of written language, and also how the case officers address the applicant and how they refer to themselves. Next, in light of these findings, I re-examined the two sequences and included a complementary focus on face-saving and face-threatening acts and on footing (Goffman 1981). Guided by the concept of recontextualisation, I also analysed the excerpts in relation to the EASO (2014) guidelines and the Migration Agency template presented above.

RESULTS OF THE ANALYSIS: CONTRASTIVE POSITIONING

In both Michail's and Kenneth's asylum interviews, the duty sequences took place approximately two minutes into the meeting. The case officers spoke in short chunks to facilitate the interpretation. The division of the case officers' statements into numbered turns in the excerpts below are based on the interpreters' turns in the interaction. However, the interpretation has been excluded from the transcripts as this is not an interactional study but a study focusing on the case officers' positioning power as it appears in their statements. When reading the excerpts below, it is nevertheless worth keeping in mind that all of the utterances were interpreted, and that the interactions are therefore more complex than what these transcripts actually reveal.

In the excerpts, each utterance is reproduced in the original language, followed by an English translation where I have strived to be literal rather than idiomatic, in order to make the analysis transparent. When quoting from the excerpts, I use the English translation and in a few cases I also reproduce the original Swedish words. To refer to a specific utterance, I use the number of the current excerpt followed by a colon and the number of the utterance.²

Legal language, distance, and formality

In Michail's case, the duty sequence, reproduced here as excerpt (1), lasted for about two minutes and ten seconds.

(1) Michail (C: case officer; A: applicant)

- 1 C: då börjar jag med sån här allmän information som vi alltid ger till alla sökanden innan vi drar igång med utredningen,
'ok I will start with this kind of general information which we always give to all applicants before we start the investigation.'
- 2 C: du har sökt asyl och åberopat att du har behov av skydd i Sverige,
'you have applied for asylum and claimed that you need protection in Sweden.'
- 3 C: och du kommer nu under den här utredningen få³ lämna dom uppgifter om dom skäl som du har för din ansökan,
'and during this investigation you will have the opportunity to/be allowed to/have to provide information about the reasons for your application.'
- 4 C: och du kommer nu under den här utredningen få lämna dom uppgifter om dom skäl som du har för din ansökan,
'and during this investigation you will have the opportunity to/be allowed to/have to provide information about the reasons for your application.'
- 5 C: och även ditt offentliga biträde kommer få möjlighet till att ställa frågor.
'and also your public counsel will be given the opportunity to ask questions.'
- 6 C: tjänstemän på verket och även tolken har tystnadsplikt,
'officials at the Agency and also the interpreter have a duty of confidentiality.'
- 7 C: vilket innebär att dom uppgifter som du lämnar inte kommer lämnas till nån som inte har rätt att ta del av dom,
'and consequently, the information you provide will not be provided to anyone who does not have the right to access it.'
- 8 C: och du lämnar alla uppgifter under sanningsplikt och straffansvar,
'and you provide all information under the duty of truth and criminal liability.'
- 9 C: vilket innebär att du kan bli dömd för brott enligt utlänningslagen om du lämnar oriktiga uppgifter
'and consequently you can be convicted of a crime under the Aliens Act if you provide false information'
- 10 C: och ett uppehållstillstånd kan också återkallas om den sökande medvetet lämnar-lämnat oriktiga uppgifter,
'and a residence permit can also be revoked if the applicant knowingly provides-has provided false information'
- 11 A: Mhm
- 12 C: eller om han låter bli att lämna uppgifter som är av vikt i ärendet.
'or if he withholds information that is important in the case.'
- 13 C: och det här kan vara det enda tillfället som du får möjlighet att muntligen lägga fram dina asylskäl
'and this may be the only opportunity you will have to present your grounds for asylum orally'
- 14 C: och du är skyldig att lämna alla skäl- uppgifter som du vill att vi ska ta ställning till.
'and you are obliged to submit all reasons- information that you want us to consider.'
- 15 C: och det är därför viktigt att alla- samtliga asylskäl kommer fram under dagens utredning.
'and it is therefore important that all- each and every one of the grounds for asylum become apparent during today's investigation.'

- 16 C: okej det var all information
 'okay that was all the information'

By using the pronoun 'we' in the introductory sentence (1:1), the case officer signals that he is not the principal of the following statements. The pronoun is used here in an exclusive way, that is, excluding the applicant; 'we' refers to the case officer and his colleagues or maybe the Migration Agency as an institution (which he represents), while the applicant is positioned as 'one of all applicants', in other words, 'those who are not we'. Further, the case officer indicates that what he is about to say should not be taken by the applicant as something personal; he does this through the use of the semantically comprehensive adjective 'general' followed by the adverb 'always' and the pronoun 'all' (1:1), both denominating totality. Moreover, the use of the phrase 'this kind of' (1:1) could be interpreted as an act of bonding, as this formulation indicates that they both know what kind of information he is talking about and that they are both aware of the case officer's obligation to mediate it. In summary, by using an exclusive 'we' combined with the expression 'this kind of', the case officer marks both distance and closeness to the applicant in this first utterance.

However, from all that is said in the sequence in excerpt (1)—and from how it is said—it is very clear that the case officer and the applicant are not equals in the ongoing communicative project. Throughout the sequence, the case officer speaks in a quite monotone voice, as if he is reading from his computer screen or is repeating something that he has memorised. As previously mentioned, this sequence is an almost verbatim reproduction of the Migration Agency template presented above. A couple of times, the case officer even interrupts himself to adjust to the exact wording in the template (1:10, 1:15). The case officer's monotone voice, in combination with his abundant use of continuation intonation in this sequence, creates the impression of a person who is obliged to give all this information and who dutifully delivers a quite lengthy list without being very engaged and without caring about the uptake, thereby enacting what Heffer (2013) calls ritualistic behaviour. Indeed, he does not even end the sequence by asking if the applicant understands the information or if he has any questions, a measure which is implemented by three out of five case officers in our collected data. What is more, in the middle of the sequence, the case officer (in accordance with the template) delivers an utterance where the applicant is positioned as a possible liar and even a potential criminal who can be sentenced in a court of law (1:8–10).

According to the EASO guidelines, the assurance that 'this is something we say to all applicants' should preferably be used in immediate connection with the applicant being informed about their obligation to tell the truth. But in excerpt (1), this utterance is instead connected to a larger entity of speech referred to as 'general information' (1:1). After having stated the general character of the details he is about to provide, the case officer delivers several chunks of information (interwoven with the interpreter's translations). Thus, it takes about one minute between utterance 1:1

and utterance 1:8, where the applicant is informed about his obligation to tell the truth. This lengthy time span downgrades the initial hedging expressed in 1:1, making it less powerful as a face-saving speech act in relation to the face threatening information delivered in utterance 1:8–10. Hence, the recontextualisation of the EASO guideline applicable for this part of the interview includes a rearrangement of the discursive elements; the downgrading statement is indeed uttered, but not in immediate connection to the most face threatening statement. Worth noting is that unlike the EASO guidelines, the Migration Agency template (which is otherwise followed quite rigorously by Michail's case officer) does not propose any downplaying of the face-threatening statement informing the applicant about their obligation to tell the truth.

Throughout the sequence, the case officer addresses the applicant in a direct manner, using the singular second-person pronoun 'you', which is the common way of addressing someone in a formal Swedish conversation. An exception is utterance 1:10, in which the case officer—apparently following the Migration Agency template presented above—uses a noun instead of addressing the applicant directly. The use of the phrase 'the applicant' could be interpreted as a strategy applied to downplay the face threat inherent in the utterance, which implies that the applicant is a potential liar. However, the previous utterance (1:9), informing the applicant that he could be convicted of a crime under the Aliens Act if he provides false information, could arguably be considered just as face threatening, if not more, and yet the case officer addresses the applicant directly with 'you' in this utterance, still adhering to the template. There is nothing in the template explaining why these two different strategies of addressing are recommended in relation to two similarly face threatening speech acts. Worth noting is that no other case officer in our material refers to the Aliens Act and only one other includes the information that the applicant is bound by 'criminal liability'.

However, while downplaying a face threat, the case officer's use of the phrase 'the applicant' also marks a distance between the two main parties in the conversation (the case officer and the applicant). In addition, a couple of other characteristics of the current sequence convey distance: first, the case officer's monotone and disengaged tone of voice; and second, the case officer's use of vocabulary clearly inspired by written language, with formulations such as 'and consequently' (1:7, 9), and influenced by legal discourse, with expressions including 'duty of truth and criminal liability' (1:8) and an explicit reference to 'the Aliens Act' (1:9).

Clearly, the applicant is positioned as a person with legal responsibility. An additional interpretation could be that he is also positioned as a legally versed person and someone with some basic knowledge of Swedish society, as explanations given in relation to the legal vocabulary and content are scarce in this sequence. However, as the case officer has no obvious reason to assume that the applicant is either legally versed or familiar with Sweden, a more probable interpretation is that the applicant is positioned as a person who does not need to understand all of the information.

In conclusion, in Michail's case, the officer enacts a limited degree of transformative power as a recontextualising agent in the duty sequence, given that he reproduces the statements of the Migration Authority template almost verbatim. In line with this, the positioning of the interlocutors in his statements could be categorised as performative (i.e. unquestioned rather than negotiated; Harré & van Langenhove 1991). When combined, the discursive means used by the case officer add to the framing of the situation in a particular way, creating an atmosphere that is neither friendly nor respectful but rather authoritative and disinterested. This is hardly in line with the EASO guidelines, which state that case officers should always bear in mind the danger of being perceived as disinterested.

Colloquial language, closeness, and empathy

In Kenneth's case, the duty sequence, reproduced here as excerpt (2), lasted for about three minutes.

(2) Kenneth (C: case officer; A: applicant)

- 1 C: okej, då vill jag börja med att gå igenom lite information då som sagt,
'okay, so I want to start with going through some information then as I said,'
- 2 A: okay,
- 3 C: och anledningen till att vi träffas idag Kenneth det är ju för att du har ansökt om asyl
i Sverige,
'and the reason for us meeting today Kenneth is because you have applied for
asylum in Sweden,'
- 4 A: yes.
- 5 C: så här idag är det mest du som ska få berätta för mig varför du inte kan återvända till
ditt hemland,
'so here today it is mostly you who will have the opportunity to/be allowed to/have
to tell me why you can't return to your home country,'
- 6 C: och jag kommer också ha en del frågor till dig om var du har bott och hur ditt liv har
sett ut.
'and I will also ask you some questions about where you have lived and what your
life has been like.'
- 7 A: okay.
- 8 C: okej, jag och ditt biträde och tolken vi har ju något som heter tystnadsplikt,
'okay, your counsel and I and the interpreter are all bound by something called pro-
fessional secrecy,'
- 9 C: och det betyder ju helt enkelt att vi får inte berätta för någon som inte har med ditt
ärende att göra om det som vi säger under samtalet.
'and this simply means that we are not allowed to tell anyone who has nothing to do
with your case anything about what we say during the conversation,'
- 10 A: okay.
- 11 C: du har ingen tystnadsplikt däremot så du får berätta för vem du vill om det vi pratar
om under samtalet,

- 'but you are not bound by professional secrecy so you may tell anyone you like about what we say during the conversation.'
- 12 A: okay.
- 13 C: däremot har ju du något som kallas för sanningsplikt,
'you, on the other hand, are bound by something known as the obligation to tell the truth,'
- 14 C: och det säger jag inte för att jag misstänker att du kommer ljuga utan det måste jag också informera om.
'and I'm not saying this because I suspect that you are going to lie but because it is something that I also have to inform you about.'
- 15 A: okay.
- 16 C: och det betyder ju helt enkelt att det man berättar för Migrationsverket ska vara sant och det ska ha hänt i verkligheten.
'and this simply means that what a person tells the Migration Agency needs to be true and must have happened in reality.'
- 17 A: okay.
- 18 C: jag säger det också för att om det skulle visa sig att man får ett tillstånd att stanna i Sverige men att det är grundat på att man har lämnat falska uppgifter då kan också Migrationsverket ta tillbaka det tillståndet.
'I am also saying this because if it turns out that a person has been granted a permit to stay in Sweden but that it is based on the fact that they have provided false information then the Migration Agency can also take back that permit.'
- 19 A: okay.

From the very start of the interview, the case officer positions himself as an individual agent, using the singular first-person pronoun 'I' to refer to himself (2:1). In addition, he modifies his statement by using a verb indicating willingness: 'want to' (2:1). In this way, the case officer appears—at least partly—as an individually responsible actor with a certain degree of power to design and adjust the interaction based on his own judgment of the current situation, that is, as an author in Goffman's sense. In other words, following Heydon (2013), he uses his 'professional voice', as he rewords the phrases in the Migration Agency template. In doing this, he enacts what Irvine (1996:157) calls an 'intricate lamination of participant roles', since he appears both as an institutional representative and as a person with a will of his own. Further, in the case officer's utterances in the duty sequence in excerpt (2), a more personal relation is constructed between the officer and the applicant, in contrast to what was the case in Michail's interview. This is marked not only by the case officer referring to himself as 'I' but also through several other features. For instance, the case officer initially does not speak to the applicant in general terms about what the Migration Agency 'always says to all applicants' but instead he focuses exclusively on the individual applicant, addressing him by first name (2:3) and including him in the plural first-person pronoun 'we' (2:2, 11).

Moreover, Kenneth is positioned in a more equitable way vis-a-vis the case officer, compared to Michail in excerpt (1), especially due to the communicative strategy used by Kenneth's case officer when providing the information about

professional secrecy and the obligation to tell the truth (2:8–9, 11, 13–14). The case officer's formulations in this part of the interview underline the fact that the interlocutors have mutual obligations towards each other. Further, in addition to emphasising that the applicant is not bound by professional secrecy, he clarifies what this means. He thereby positions the applicant as someone who has rights and—what is more—as someone who is entitled to do something which none of the others in the room can do, that is, talk freely to others about what is said during the asylum interview. In this sense, the case officer positions the applicant as the 'owner'—and possibly also as the principal—of the emerging asylum narrative. Through first stating what the applicant 'is not obliged' to do (keeping quiet about what is said during the asylum interview) and what he 'is allowed' to do (talk freely), and then what he 'is obliged' to do (telling the truth)—and furthermore connecting these statements with the adversative conjunction 'on the other hand' (2:13)—the case officer softens the fact that the applicant has an obligation, since most people probably see it as reasonable that a person who has rights also has obligations. Accordingly, the case officer positions the applicant as a person who has both rights and obligations and implicitly as someone who is expected to understand and accept this fact.

Throughout the sequence, the case officer's vocabulary is somewhat colloquial and his formulations are concrete. While Michail's case officer talks about 'the investigation' where Michail will have the opportunity to 'provide information about the reasons for your application' (1:3), Kenneth's case officer uses the formulations 'today' and 'tell me why you can't return to your home country' (2:5). Instead of the more formal 'and consequently' (1:7, 9), used in excerpt (1), Kenneth's case officer initiates his clarifications with 'and this simply means' (2:9, 16). In addition, Kenneth's case officer provides concrete information about the content of questions he will ask during the interview, that is, 'where you have lived and what your life has been like' (2:6), whereas this kind of information is not given to Michail. What is more, Michail's case officer uses not only more abstract words but also passive constructions leaving out the grammatical subject of the phrase ('be provided' 1:7, 'be revoked' 1:10), thereby blurring questions of agency and responsibility. In contrast, Kenneth's case officer uses colloquial verb phrases (in bold) connected to explicit subjects (underlined): 'we are not allowed to **tell** anyone anything' (2:9), 'then the Migration Agency can also **take back** that permit' (2:19). By using colloquial language with a minimal number of legal references, Kenneth's case officer de-dramatises the communicative situation.

Kenneth's case officer also uses the distance marker 'something called' to signal that 'professional secrecy' (2:8) and 'obligation to tell the truth' (2:13) are technical terms which might be unfamiliar to the applicant. In doing so, he positions the applicant as a person who is not necessarily expected to know these concepts. At the same time, by using the concepts, even though the applicant might not know them, he positions the applicant as someone who will at least be able to understand them once they are clarified. At the same time, in mentioning these specific legal

concepts, he marks their importance and signals the legal framework of the interview. Hence, in excerpt (2), the applicant is positioned both as a fellow human being and as a party in a legal context.

What makes this part of the sequence particularly intricate is the case officer's use of the Swedish modal particle 'ju' (in utterances 2:8, 9, 13, 16). The short Swedish word *ju* has an interpersonal function. It might be inserted into a statement to indicate knowledge of the addressee's knowledge base, that is, in order for the speaker to imply that they are aware that the listener already knows—or at least might know—the fact that is stated. According to Aimer (1996), the use of *ju* is characteristic of an interactive, colloquial style. She argues that the interpersonal function of the word is 'to demand the hearer's approbation and to establish rapport and harmony' (Aimer 1996:421), and she points out that, in this respect, *ju* is similar to the interpersonal *you know* in English. Accordingly, when the case officer uses the word 'ju' in utterance 2:8, he implies that Kenneth might already know the concept of 'professional secrecy' or at least be aware of the fact that there are restrictions in place regarding the information the professionals in the room may pass on about what is said during the asylum interview. Hence, this is a way of the officer positioning the applicant as (potentially) knowledgeable. Further, by using the adverbial 'simply' (2:9), the case officer indicates that the concept 'obligation to tell the truth' is not as complex as the technical term might suggest. By using colloquial language, Kenneth's case officer de-dramatises the communicative situation, thereby potentially making the applicant feel more comfortable.

As mentioned above, Kenneth's case officer does not initiate the duty sequence by emphasising the general character of the upcoming information. Rather, he focuses on downgrading the most face-threatening statement (about the applicant's obligation to tell the truth, conveyed in 2:13–14), as recommended in the EASO guide. Instead of offering a vaguely downgrading utterance as Michail's case officer does in the beginning of the duty sequence (1:1), he explicitly states that he is providing the information about the applicant's obligation to tell the truth NOT because he sees the applicant as a potential liar but because he is obligated to provide it (2:14)—and because the Migration Agency can revoke a permit to stay should it transpire that it has been granted based on false information (2:18). In this way, the threat, that is, the fact that a permit to stay in Sweden could be revoked, is downplayed, since it is not phrased as a typical threat ('if an applicant does x, the consequence could be y') but as an explanation ('I am saying this because it is important that you know that if an applicant does x, the consequence could be y').

By stating that 'I'm not saying this because I suspect that you are going to lie' (2:14), the case officer is explicit about the content of the potential face threat, and consequently he can also dismiss it while showing empathy (which, according to Pounds (2019), is an essential expressive dimension of rapport). What takes place in utterance 2:14 is an instance of accountive positioning (Harré & van Langenhove

1991:396), where the case officer accounts for his actions and is explicit about the fact that he is forced to say certain things. The categories ‘forced’ and ‘deliberate’ positioning are also relevant here, since the case officer deliberately engages in an accountive positioning to explain and justify that he is obliged to say certain things which would have involved forced positioning without the accounts (cf. Harré & van Langenhove 1991:399–404).

By using the singular first-person pronoun ‘I’ and discursively establishing himself as a first-person participant in relation to the verb ‘suspect’ (2:14), the case-officer positions himself as an individual and not just a representative of the Migration Agency. By emphasising that he has an obligation, he further positions himself as a person who has commitments not only related to the applicant (as discussed above) but also related to others, thereby implicitly illuminating the communicative situation’s intersecting frames and the multiple dialogical relations (cf. Irvine 1996). In contrast to the previous example, Kenneth’s case officer is more obvious about the way in which his power is circumscribed. (When Michail’s case officer talks about ‘general information which we always give to all applicants’ (1:1), he is not explicit about the necessity for case officers to provide this information.) Once again, this contributes to the creation of more equitable power relations between Kenneth and his case officer relative to that between Michail and his case officer.

Throughout the sequence, the applicant reacts and responds to the case officer’s utterances by saying ‘yes’ (2:4) and ‘okay’ (2:2, 10, 12, 15, 17, 19), thereby positioning himself as a person who understands the information provided by the case officer (and mediated by the interpreter) and as a person with enough confidence to take up this space in the conversation. It could be argued either that he is given this opportunity or that he takes it. I lean towards the interpretation that the two main parties in the conversation, that is, the case officer and the applicant, commonly construct the interaction, that is, it is dialogic. In giving the applicant space to respond verbally (note the many utterances characterised by terminal intonation contours, marked by full stops in the transcript), the case officer positions the applicant not only as a listener but also as an interlocutor, and not only as person who is to undergo a ritual but also as a person who has the need and right to understand the prerequisites and conditions of the interview. Hence, I argue that in excerpt (2), the applicant is both positioned as—and positions himself as—a participant in a dialogue.

However, some information is missing from excerpt (2), when compared to the Migration Agency template. Kenneth’s case officer does not state that it is only when applicants KNOWINGLY provide false information that there may be negative consequences. He neglects to do this, despite the EASO guidelines emphasising its importance. It might be that in Kenneth’s case, there was less need for such a calming assurance since there was little tension in the room. (As an observer, I felt that the atmosphere in the room was quite relaxed, and this experience was later also expressed by the asylum interview participants during our ethnographic

interviews.) In addition, Kenneth's case officer does not say anything about the fact that the applicant needs to provide all relevant information or can be found criminally liable. Nor does he stress how important it is that all relevant grounds for asylum come to light during the interview (cf. 1:15). Finally, he does not highlight the fact that the asylum interview might be the only opportunity for the applicant to provide information orally (cf. 1:13). However, at the end of the interview, Kenneth's case officer poses a direct question to Kenneth to ensure that all his grounds for asylum have been submitted.

SUMMARY AND DISCUSSION

When comparing the two case officer's statements analysed above, I am suggesting that Kenneth is constructed not only as an applicant but also as a fellow human being to a greater extent than Michail. Notably, Michail's case officer meticulously follows the Migration Agency template, reproducing it almost verbatim. In fact, he is the only case officer in our material that does not leave out any propositional content from the template. Furthermore, he reproduces the duty sequence from the template almost verbatim, even though it contains some quite face-threatening formulations. This results in a communicative situation clearly dominated by moral positioning, foregrounding the institutional aspects of the interaction (Harré & van Langenhove 1991:397). It results in the case officer constructing a distant and authoritative relationship with the applicant in a way that does not leave much room for empathy. Moreover, the way Michail's case officer reproduces the phrases from the template (in a quite monotone voice as if enunciating something he has memorised) could be characterised as an act of recontextualisation that has led to a 'move from communication to magical incantation' (Heffer 2013:220), meaning that the words from the template are reproduced in a formalistic way while the negotiation of meaning is backgrounded. In sum, Michail's case officer acts only as an animator and not as an author. Following Heydon (2013), he does not use a 'professional voice', since he does not adjust to the prevailing communicative situation by rewording phrases in the template.

Kenneth's case officer, however, exercises quite a lot of transformative power as a recontextualising agent; he deviates from the template in relation to phrasing and content, since he both adds and excludes some content. In addition to presenting himself as an institutional representative, he appears as an individual. Consequently, not only moral but also personal positioning (Harré & van Langenhove 1991:397–98) plays a significant role in the duty sequence in Kenneth's interview. In terms of speaker roles, Kenneth's case officer assumes the role of both animator and author, whereas Michail's case officer only appears as an animator. Using a personal voice and adding certain content, Kenneth's case officer also appears as a principal to some extent, most notably in relation to utterance 2:14, where he clarifies that he does not see Kenneth as a potential liar. Hence, Kenneth's case officer seems to succeed in reconciling what has sometimes been perceived as

conflicting demands during the legal interview processes, that is, rapport building and ‘proper’ information gathering (cf. Pounds 2019:96; Stokoe, Antaki, Richardson, & Willott 2020).

Worth emphasising in this context is that asylum case officers have an extremely challenging task, not only as investigators in a general sense but also more specifically as recontextualising agents (cf. Cotterill 2000). The information that should be provided by the case officer is complex by nature. A striking example is the principle of the duty of confidentiality. During one of the asylum interviews included in our larger research project, the applicant tried to obtain additional guarantees that the information she provided would not be disseminated, but in the end the interview proceeded without her wish being fulfilled, as the case officer was unable to concisely define what the duty of confidentiality entails. This raises the question of whether it is at all possible to explain all relevant information in a simple way and within the strict time limit applicable for asylum interviews.

In all likelihood, the most crucial issue for the asylum seeker is the actual outcome of the asylum interview in terms of a decision, but that does not make positioning an insignificant matter. On the contrary, there are at least two critical reasons to pay attention to positioning in asylum interviews: First, several researchers claim that rapport-building, particularly through empathic and respectful communication, enhances the chances of gathering useful information during interviews in legal contexts (see Pounds 2019). Admittedly, this raises the question of whether strong rapport in itself could mitigate against any potentially negative effects of the case officer leaving out some face-threatening information in the duty sequence. Second, as argued at the beginning of this article, the way an applicant is positioned in and through the asylum interview is critical because it relates to the type of identity that is ascribed to them in their potential entrance into a new society. Being seen and treated with dignity is a crucial aspect of an individual’s identity construction, not least in a vulnerable situation.

A complicating factor in the Swedish context is that the Migration Agency template, if treated as a verbatim model, is not fully compatible with the EASO guidelines. This gives rise to the ensuing dilemma. On the one hand, a case officer who reproduces the template in a fairly verbatim way automatically positions the applicant as a potential liar, uses a discourse that is poor in empathy (at least verbally), and constructs a distant and authoritative relationship with the applicant. On the other hand, a case officer with a more flexible approach to the template might leave out (or risk forgetting to convey) certain information that may be important. A possible solution to this dilemma might be to reformulate the template. This responsibility would then rest with the Migration Agency as an official, powerful recontextualising agent with rights to regulate the movement of texts from the legislation context to the asylum interview situation.

A crucial task in further research would be to examine how the different forms of positioning that occur in the duty sequence influence the continuation of the asylum interview. However, this is not a straight-forward task, since it is complicated—not

to say impossible—to establish cause and effect relationships in these cases. As reported in the materials and methods section above, Michail seemed to have a worse starting position than Kenneth even before the duty sequence took place. Furthermore, as noticed during our observations, Kenneth had stronger communicative skills than Michail did, and could more easily participate in an interaction informed by a legal register. This is just to mention a few other factors that surely influence asylum interviews besides the positioning of the applicant in the case officer's statements in the duty sequence. As mentioned earlier, interpreting is another significant factor—and moreover one that would be necessary to take into account in an interactional study examining the positioning of the applicant in the asylum interview context (c.f. Wadensjö 1998). Additionally, a multimodal analysis, which takes into account not only verbal and paralinguistic elements but also factors such as facial expressions, gaze directions, gestures, and body movements, would provide a more comprehensive perspective. However, this would necessitate obtaining permission to film the asylum interviews. Nonetheless, the analysis presented above suggests how case officers' verbal contextualisation work in asylum interviews could be used strategically and constructively as a powerful resource not only to provide applicants with information and to structure the interview, but also in the endeavour to position asylum seekers in a respectful way.

APPENDIX: TRANSCRIPTION CONVENTIONS

- , continuing intonation
- . terminating intonation
- speaker interrupts themselves

NOTES

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²Transcription conventions are given in the appendix.

³The Swedish verb *få* has several meanings, and it is not possible to unambiguously define the meaning in the current context; see also utterance 4 in excerpt (1), and utterance 5 in excerpt (2).

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