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Introduction

In this article I put forward what might appear as a counterintuitive argument that in the deportation-regime (De Genova and Peutz, 2010) children's rights are increasingly mobilised for governing and controlling, rather than enabling, vulnerabilised migrant children's territorial presence and mobility. Drawing on ethnographic fieldwork in Sweden and the UK among undocumented migrant families and children, I have earlier shown how children's rights are one of few resources available for these families to look to in their everyday life struggles (Lind, 2018). However, this fact does not do away with the possibility that these same rights also could be mobilised for controlling territorial presence and mobility, enabling problematic delimitations of migrant categorisations and defining what is considered appropriate and problematic types of childhoods and parenthoods. Central to these processes are the creation, defining and governing of migrant children's vulnerabilities.

In the contexts of migration and childhood, "vulnerability" is mainly used as a descriptive term that evades problematisation. Many migrant children do experience vulnerabilities of different kinds and much earlier research has rightly argued for sensitive responses to these vulnerabilities (see for example Eastmond and Ascher, 2011; Liamputtong, 2007). However, several authors have pointed out the risks of essentialisation or determinism when speaking about "vulnerable groups" and suggested that vulnerability should be understood and analysed as a *process* of "vulnerabilisation" (Casalini, 2016; Karin et al., 2012) and that research should focus on understanding the "dynamics, meanings and power relations underlying actual instances and processes of vulnerability and harm" (Zarowsky, Haddad, & Nguyen, 2013: 3).

Following this, the main interest of this article is to study how understandings of migrant children's vulnerabilities, and their connections with children's rights logics, are mobilised by states for agendas that aim to control and govern certain groups of migrant children. To enable a discussion on this issue, based on three different studies conducted in Sweden (by myself and together with colleagues Anna Lundberg and Maria Persdotter), the article will engage in a theoretical discussion about the role of "vulnerabilisation" in migration politics. Here the concept is used to capture state practices that create the dire conditions out of which actual experiences of vulnerability originates. However, the concept also points at the state's privilege to then define and attribute vulnerability to certain groups. Furthermore, it also highlights how this creation and labelling of vulnerability makes possible the governing of said groups. The article argues that the political process of vulnerabilisation is a crucial aspect of governing in the contexts of deportability, childhoods and human rights.

In Sweden, children's rights and the Convention on the Rights of the Child (CRC), which acknowledges children as both vulnerable and competent agents have gained a relatively strong position and children's competencies have been emphasised in different national legislations since the creation of the convention (Sandin, 2012). Arguably, this fact makes Sweden specifically interesting to study in relation to what effects a strong children's rights and agency discourse may have when state sovereignty and the best

interest of children are negotiated. Research on the situation of unaccompanied minors has shown how children's expressions of agency has sometimes been used as an argument against hospitality and for their deportation (Vacchiano & Jiménez, 2012) and can become a politicised public policy issue used against children (Terrio, 2010). Migrant children in families also express agency (Lind, 2017a), but it does not to the same extent appear to be seen as problematic.

The research projects that this article draws upon have all focused on children in families rather than children migrating alone. In this article the groups mainly discussed under the label "vulnerabilised migrant children" includes, but is not limited to, asylum-seeking children from countries outside of the EU, Eastern European EU-citizen children (often Roma) migrating to other EU-countries (who in Swedish political discourse are called "vulnerable EU-citizen" children) and undocumented children who have no legal right to remain in the host country and who may or may not ever have migrated themselves. When talking about "undocumented children" the article refers to children who may have had their and their family's asylum application rejected and then stayed in the host country illegally, but they can also be EU-citizen children who have stayed in another EU-country for more than three months without permission and therefore become undocumented.

The article continues with a discussion about earlier research on humanitarian and affective forms of governing in the deportation regime and builds on this to create a theoretical framework around the concept of vulnerabilisation. After a discussion on methodology, a number of contexts in Sweden are analysed where it is suggested that children's rights have been central for the governing of vulnerabilised migrant children's territorial presence and mobility and the defining of appropriate forms of childhoods and parenthoods.

Humanitarian governing through rights in the deportation-regime

The focus of this article is governing (through rights [Sokhi-Bulley, 2016]) on a detailed level, often expressed through "indirect modes of managing persons" (Hiemstra, 2010: 76) and therefore *governmentality* (Foucault, 1991) in its specific sense, rather than *governance* as the more "broadbrush, state-centered ways in which populations are controlled" (Hiemstra, 2010: 76). I take heed of William Walters' (2015) warning that governmentality is such a dominant perspective in migration research that it risks becoming a filter rather than a lens, which instead of highlighting certain patterns, filters out other forms of perhaps unexpected aspects of the world. However, I also agree with Walters that governmentality is still useful since it analytically focuses on "rationalities, technologies and subjectivities" (Walters, 2015: 19). Inspired by this, I theoretically discuss how, in the context of undocumented migration, children's and human rights can become entangled in humanitarian and affective governing in the deportation-regime, which, according to De Genova and Peutz (2010), has recently achieved an unprecedented prominence globally.

Central to the position of migrant children is that their future is often undecided and open, as Seeberg and Goździak argue: "Although everyone seems to agree that 'children are the

future', there is less consensus on whose future [migrant children] are" (2016: 5). Thus, state responses to migrant children are expressed primarily through paternalism, as an expression of governing and controlling the "becoming" child or future citizen (Arce, 2015: 13). Today's society prefers to speak about suffering and compassion rather than about interests or justice, according to Didier Fassin, and the humanitarian responses to suffering primarily functions as legitimisations of the way these groups are being governed. "Humanitarian government is indeed a politics of precarious lives", Fassin argues (2012: 4). Arguably then, positioning migrant children as innocent "becomings" enables their governing through "protection" (Nakata, 2015: 44), which usually is expressed through various forms of humanitarianism.

Children's rights are a crucial part of how vulnerability and humanitarianism as well as agency are negotiated in migrant childhoods. However, children's rights studies have mainly been preoccupied with questions regarding implementation of the CRC (Arce, 2015) rather than these negotiations. Didier Reynaert and colleagues problematises this approach, and call for more analysis of "the underlying norms, values and logics" shaping children's rights practices today and "the diverse interpretations that are given to the underlying logics" (Reynaert, Bouverne-de-Bie, and Vandeveld, 2012: 196). Similarly, Ann Quennerstedt (2013) calls for the need to contextualise children's rights and this text is a response to these calls (as well as an answer to the ambitions of this Special Issue of *Childhood*).

Earlier research has pointed out the complex position of undocumented migrant children as rights-holders and potential victims of harm in need of state support, and simultaneously breaching immigration laws making them eligible for deportation, where protection from harm is used to motivate increased immigration controls (B. Anderson, 2012). Children's rights are used both to motivate children's right to stay as well as the opposite (Josefsson, 2017a). This article develops this discussion further by looking in detail into how children's rights logics specifically are mobilised for increased control. Rightlessness is both a production of, and can be challenged within, the human rights paradigm (Douzinas, 2007). Wendy Brown argues that human rights are an "aspect of governmentality" and "a crucial aspect of power's aperture" (W. Brown, 2004: 459). Human rights in their contemporary dominant form are not only simply rules and defences against power and their practice is not only responsible for de-politicisation, but they "can themselves be tactics and vehicles of governance and domination" and "produce and regulate the subjects to whom they are assigned" (W. Brown, 2004: 459). This gives rise to a paradoxical situation where the more specified rights are for a specific group, the more likely they are to cement the definition of said group as subordinate and vulnerable.

According to Fassin, the "governmentality of migration" is characterised by border policing, racialisation, surveillance, detention and deportation regimes, and the decline in the right to asylum that has been replaced by discretionary humanitarianism. These logics, he argues, "are embodied in the everyday work of bureaucracies as well as in the experience of immigrants" (Fassin, 2011: 213). Undocumented migrants live with an ever-present threat of deportation, in a state of "deportability" (De Genova, 2002), which can be understood as a technology that states have employed to an increasing extent in recent years to make irregular migrants "govern themselves" into returning into their

country of origin. Eithne Luibhéid argues that when migrants are being designated “illegal” they, at the same time, “become constructed as having caused their own vulnerability and exploitability” (Luibhéid, 2013: 2). This does not only apply to undocumented migrants who live with an ever-present threat of deportation, but also asylum seekers, mobile EU-citizens and other variously positioned migrants for whom deportation is also a threat, even though perhaps more distant. Self-governing is the primary goal of migration regulation that emphasises the need for “voluntary return” and the affective governing, through hostile policies that always remind migrants of the threat of deportation, is crucial in the logic of this self-governing.

The political process of “vulnerabilisation”

Earlier research has shown how the state is implicated in the construction of certain migrant children vulnerabilities, although the state’s role in producing vulnerability is “invisibilized in favour of its role as a protector” against harm (B. Anderson, 2012) and state policies aiming at ameliorating vulnerability *themselves* can be a risk to the targeted populations (K. Brown, 2015; Mackenzie, 2014). Arguably, affective governing in the deportation-regime is a source of experienced vulnerability and humanitarian governing is then rationalised as a response to this vulnerability first created by the state. This practice, of first creating vulnerability and then utilising this vulnerability to rationalise governing, I call “vulnerabilisation”. Through my discussion on this concept I aim to contribute with a problematisation of the political and paternalistic character of the process of “vulnerabilisation” in migration politics to current debates on vulnerability as a key concept for protecting rights (Turner, 2006), accomplishing social change (Butler, Gambetti, & Sabsay, 2016) and promoting justice in migration (Straehle, 2018).

Kate Brown argues that vulnerability has been advanced as a concept that can both potentially enable social justice as well as be stigmatising, psychologise and individualise social problems and invoke problematic paternalism (K. Brown, 2015: 3). Autonomy or agency is not always opposed to vulnerability. However, certain *situational* (in contrast to *inherent*) vulnerabilities (Mackenzie, 2014) can be expressions of abuse. What vulnerabilities that are to be considered problematic, or “surplus vulnerabilities”, is a political question in any given situation (J. Anderson, 2014). The labelling or attributing of vulnerability by defining what is to be considered surplus, or “pathogenic” (Mackenzie, 2014) vulnerability is central to this process since policies are embedded in discourses that define certain groups as more or less vulnerable. In this way, labelling certain groups as vulnerable becomes part of the governing of these groups. Nick Mai has suggested that being “vulnerabilised” is being “constructed and addressed as vulnerable” (Mai, 2014). In this article I suggest a use of the word vulnerabilisation as relating to an analysis of how these processes, constructions and addressing of vulnerability are part of the governing of certain vulnerabilised groups through the political processes of creating the conditions for, defining and attributing vulnerability, which enables the governing of the “vulnerabilised”.

According to De Genova (2002), protracted vulnerability is a characteristic of the state of deportability. Deportability can then be understood as a form of “vulnerabilisation”. Central to vulnerabilisation through deportability is the way the state tries to put the blame on the migrants themselves for causing their own vulnerability and how the state

consequently tries to make undocumented migrants “govern themselves” into so called “self-return”. This process could be understood as the state suppressing the migrant through hostile policies and by shrinking its means and capacity for survival in an attempt to “squeeze out”, or force out the agency that the state believes the migrant still possesses to enable its self-return. However, this suppression creates further vulnerabilities and most self-return that it accomplishes are the results of desperation and lack of alternatives, not a new-found capacity to return and dwell in one’s country of origin.

This process I understand as an act of creating situational vulnerability, which the state then reacts to through governing by blaming the migrant for creating its own vulnerability and illegality. I argue that this is the privilege of the state, or the “vulnerabiliser”; to detach its creation of vulnerability from its definition and assignment of the label of vulnerability. In the analysis below, I explore empirically how governing takes place in deportability through the process of vulnerabilisation. I enquire into how the state creates real and felt vulnerabilities by stripping migrants of rights and creating an affective state of fear and stress. I also look into how it assigns labels of vulnerability to certain groups to enable governing through practices concealed as protection. In this sense I study how certain groups of migrant children are “vulnerabilised” in a similar way as they are *irregularised* or *undocumented*, meaning that vulnerability is something that has primarily been bestowed upon them, as structural limitations on their capacity and possibilities to live as full participants in the society. In the analysis below, I highlight a number of instances where practices put in place and arguments (seemingly) formulated to strengthen children’s rights, and consequently ameliorating their vulnerability, are mobilised by different state actors to instead govern migrant children’s territorial presence and mobility and become expressions of vulnerabilisation.

Methodology

In this article I discuss and draw together findings from several different research projects. The primary source of knowledge is an ethnographic study I conducted in Sweden and the United Kingdom between 2014 and 2017, which consisted of participant observation and interviews with children as well as their parents. The creation of biographical timelines (Adriansen, 2012) together with the children enabled me to talk about their deportability without having to talk specifically about their legal status as their change in status often coincided with them moving houses for example (see [Lind, 2017b] for an in-depth discussion on the ethical considerations in this project). Through these methods I identified intricate everyday examples of how children in an irregular situation negotiate being positioned as “deportable” and express political agency in the process (Lind, 2017a). However, the children and their families were not just managing to express agency in a hostile context, they were also constantly vulnerabilised by it. This prompted me to engage in additional studies focusing on the state.

In the article so far, the notion of “the state” has mainly been used to refer to the overall policies and practices of governments. In practice, however, the state is constituted by many different parts, institutions and individuals and not all state representatives or state actors have the same power or authority in the governing of migrant childhoods. In the empirical analysis below, the article discusses different specific state institutions and actors with different responsibilities (such as the Migration Agency, the Social Services,

the Border Police and Government-appointed commissions of inquiry) as well as the government itself and highlights how they separately seem to work in the same direction of increasingly mobilising rights and vulnerabilities in the governing of the mobility and territorial presence of migrant children in families.

This analysis of state practices and argumentative logics draws on two additional studies, apart from my ethnographic fieldwork, that I conducted together with Anna Lundberg and Maria Persdotter separately. The first additional study was performed by Lundberg and me in 2014 and concerned assessments of the asylum applications of children seeking asylum together with their families at the Swedish Migration Agency (Lundberg and Lind 2017). It has been debated for many years whether the CRC should be incorporated into Swedish law and a recent Swedish Government Official Report (SOU 2016:19) has suggested potential legislation for such an incorporation. Lundberg and my study was ordered by the inquiry responsible for the governmental report where we studied 100 asylum decisions of children seeking asylum together with their families and conducted 10 interviews with 20 asylum officers at the Swedish Migration agency. The asylum assessment is a very important aspect of the vulnerabilisation of migrant children in Sweden. Many children get their asylum applications rejected and live as undocumented migrants for four years until they again are allowed to submit a fresh asylum claim (however, if no new circumstances in their case can be presented, the likelihood of getting asylum is very low under current legislation). In this way, in Sweden, the children affected by the asylum assessments are to a very large extent the same children that later experience being positioned in an undocumented position.

In the second additional study, Persdotter and I carried out a critical comparative reading of two different sets of government reports (SOU) and how they argued around the right to education for different categorisations of vulnerabilised migrant children (Lind and Persdotter, 2017). SOUs are produced by Government-appointed commissions of inquiry¹ and often make suggestions for new laws or amendments in current legislation, such as SOU 2007:34 and SOU 2010:5 that we studied, which preceded the law from 2013 that established the right to education for “all children who reside in Sweden without permission”. The other SOU that we studied was published in 2016 as a response to the increased presence of Eastern European, mostly Roma, EU-citizens begging on the streets of Swedish cities. It argued that so called “vulnerable EU-citizen” children should not have the right to education in Sweden (SOU 2016:6). I suggest that the mixed methods this article builds upon give it increased validity by employing a kind of triangulation where different aspects of governmentality in vulnerabilised migrant childhoods are studied from different perspectives and at different scales.

Vulnerabilisation through the implementation of vulnerability assessments

Asylum applications can be understood in terms of vulnerability as an asymmetric negotiation between the claimant and the state, represented by its asylum officers and court system, where, most often, the state representatives – more or less explicitly – acknowledge that the claimant would indeed be exposed to increased vulnerability if it would return to its country of origin compared to if it would be allowed to stay in the host

country. The negotiation then centres around if this level of vulnerability could be tolerated or if the host state is obliged to supply protection. This negotiation around the level of vulnerability of individual cases sometimes also, in parallel, plays out in the media (Josefsson, 2017b). Jonathan Josefsson has shown that, in the Swedish Migration court of Appeal, only in a small minority of cases the best interest of the child has been used as the primary normative source to enable positive asylum decisions (Josefsson, 2017a). My experience, based on my ethnographic study with undocumented migrants, is that for those who are refused asylum, a choice between two evils, or vulnerabilities, then remains: to return to the country of origin and risk increased vulnerability (or even death) there or to remain clandestinely in the host country and endure the protracted vulnerability which is a characteristic of deportability. The asylum process is thus the entry point where the Migration Agency and the Migration Courts position some children as deportable and a place where some children who are already in a vulnerable position from having fled persecution are further vulnerabilised through an exclusionary system (Squire, 2009).

In our study of the Swedish asylum system, Lundberg and I identified how assessments of children's best interest were persistently addressed through negating formulations in negative asylum decisions, such as: "The decision is not in contradiction with the best interests of the child"; or "it would not contradict the best interests-principle to go back home"; or "it cannot be considered negative for the child to go back home with her/his parents". These formulations leave unanswered the question of what the best interests of the concerned child actually *are*. The logic behind these formulations is that children's rights are *primarily* used for defining the worst possible living conditions, or vulnerabilities, in the country of origin that can still be tolerable to return a child to, or what the lowest possible level of protection entails. Still, the official position of the Migration Agency is that children's rights are being properly assessed throughout the process². We did identify a very limited number of instances in the 100 asylum decisions where children's best interests were assessed in a positive manner (see also Josefsson, 2017a). However, in our study, Lundberg and I highlighted one intricate process of talking about children's best interests in a negating way that can explain in detail how children's rights, in the Swedish asylum system at the time of our study, were mainly used to enable the exclusion of children seeking asylum together with their families. The practices of mobilising children's rights logics for primarily defining the worst possible living conditions in the country of origin that can still be tolerable to return a child to, and ignoring the question of what the best interests of these children actually *are*, withhold a potential source for decreasing vulnerability (that children's rights were intended to be) from already vulnerabilised asylum seeking children. By refusing asylum seeking children a proper assessment of their rights, while claiming to do a proper assessment and as such invisibilising the problem, the children are further vulnerabilised by the asylum authorities.

Most undocumented migrant children in Sweden have at some point been refused asylum, and as they enter into irregularity, they fall outside of much of the Swedish welfare system, which is a key source of their increased vulnerabilisation. One exception to this is the fact that the municipality of Malmö has since 2013 put in place regulations that allow undocumented migrants to apply for social financial support at the Social Services (see Nordling, 2017). However, in November 2016 the border police in

Southern Sweden took the unprecedented decision to request information about postal addresses of undocumented migrants from the Social Services in Malmö (Mikkelsen, 2016). This forced many families, including many participants in my ethnographic study, to leave their homes. My participants explained to me that the actions of the police undermined the possibilities of the Social Services to provide support to undocumented migrants since it effectively scares people, who are afraid of having their information being shared with the police, away from seeking support. Less than a year later, in August 2017, the border police in Southern Sweden yet again provoked controversy as they entered a summer camp for migrant families organised by the Church of Sweden in Malmö (Mikkelsen, 2017). 30 police officers and dogs surrounded a scenic hostel in a national park and as a result five families with children of different ages were deported (four of which were participants in my ethnographic study). Both the provision of social financial support by the Social Services and the organisation of summer camps by the church are based on fundamental children's rights principles. In this way the border police utilised the possibilities "provided" for them through these enactments of undocumented children's rights; Address information collected to ensure that undocumented children's right to a reasonable living standard was secured and activities arranged to support the right to leisure and health for traumatised families and children where used by the police to enable efficient deportation work. Arguably then, in these cases, the information and the administration of children's rights were used by the border police to govern the territorial presence of undocumented migrant children and, as a consequence, their experience of vulnerability was further increased.

The border police act on the decisions made by the asylum system, and align with the assessments that the increased vulnerability caused by rejections is tolerable. A recent governmental inquiry suggested that it could actually be considered a "humane intervention" to try and catch these families as a way to "help them get their lives in order, even if it can lead to deportation" (SOU 2017:93, my translation). Such patronising language is indicative of the multifaceted character of vulnerabilisation where the government first create vulnerability by stripping undocumented migrants of rights, then define what vulnerabilities are intolerable (staying illegally in Sweden rather than returning to one's country of origin and risk persecution) and lastly rationalise and conceal its response of governing migrants' territorial presence and mobility in the form of humanitarian interventions. Similar exclusionary argumentative logic clothed in humanitarian language can be found in arguments for and against undocumented children's rights.

Vulnerabilisation through argumentative logics of children's rights

When different actors, state as well as civil society representatives, discuss undocumented children's rights, an argument based on the non-discrimination principle in article 2 of the CRC is often proposed; Children should not be held responsible for the actions and decisions of their parents to stay clandestinely in a country and should therefore have a right to education and health care, for example. Even if this argument may be considered reasonable it is often taken further and turned into statements that pit undocumented parents and their children against each other. Arguments for the rights of

undocumented children have been put forward that attempt to strengthen children's deservingness by portraying their parents as *bad* parents who put their children at risk. For example, the language of SOU 2010:5, which proposed the legislation on undocumented children's right to education, implies a sense of responsibility on the parents for putting the children in a difficult situation: "Children who are staying in the country without permission have most often not chosen their situation themselves. Instead, it is the actions of the parents that have led to the often difficult situation of the children" (SOU 2010:5:149, my translation). Similarly, but in a much more patronising manner, a former Swedish migration minister argued that undocumented parents take their children as "hostages" (see Sager, 2014) and a proposition suggested that "it would be tempting [for parents] to use children in situations where the wish to migrate is strong, but the reasons for being granted asylum are not strong enough" (Regeringen, 1997: 247, my translation).

However, the views of the families' participating in my ethnographic study (Lind, 2018) were the complete opposite. While governmental representatives viewed the parents as putting their children at risk by "hiding" them, the parents viewed the government and its institutions as putting their children at risk by trying to deport them. In some cases, the parents expressed how it was not only up to them to decide if they should stay in the host country, the children would have refused to return if they would have suggested to them that the family should do so. Also, some of the older children supported their parents in their parental duties, often through translating for them, but also through taking responsibility for the family economy etc. Therefore, one has to take the intergenerational context of undocumented children's rights into consideration when arguing for them, or one risks marginalising the human rights of both children as well as adults. The interdependence of these families can be understood as a result of their mutual work to decrease their shared vulnerability. In arguments that pit children and parents against each other, children's rights are utilised to demonise undocumented parents, and as such, specific understandings of what is to be considered proper migrant parenthoods are implied – i.e. that these parents should not subject their children to the protracted vulnerability that characterises the irregular situation. Hence, when children's rights arguments are framed by paternalistic and demonising logics, these same arguments become part of the governing of these children's territorial presence and mobility and contribute to processes further vulnerabilising these families.

An adjacent argumentative logic about vulnerabilised migrant children's territorial presence and the actions of their parents has been employed in governmental reports regarding their right to education in Sweden. Persdotter and I compared the arguments of one governmental report (SOU 2016:6) that argued *against* (what the report calls) "vulnerable EU-citizen" children's right to education, with that of two other SOUs that argued *for* the right to education for undocumented migrant children (SOU 2007:34; SOU 2010:5). Central in this discussion is the categorisation of different groups of migrant children and, arguably, the labelling of "*vulnerable* EU-citizens" in state discourse as such is part of a process that enables certain kinds of logics for this group of migrants in relation to others. The report from 2016 discussed whether so called "vulnerable EU-citizen" children who overstayed their three months right of residence in Sweden should be considered "undocumented migrants" or not and as such be entitled to education in line with the 2013 law. The report warned against an "all too extensive interpretation" of

the universal right to education (SOU 2016:6, our translation) and suggested that if “vulnerable EU-citizen” children would be granted the right to education in Sweden it would become a source of increased vulnerability since the living conditions of most “vulnerable EU-citizens” in Sweden are so dire that these children would potentially be at risk of apprehension by the social services if they came here (SOU 2016:6: 51f). In this way the 2016 report mobilised children’s rights and children’s potentially increased vulnerabilities to enable migration control.

Even though the different sets of reports came to different conclusions regarding different categorisations of vulnerabilised migrant children’s right to education, they both shared a similar underlying logic. The 2016 report warned that if Sweden let “vulnerable EU-citizen” children go to school *here* they would not go to school *there*, in Romania or Bulgaria, where it argued, from a perceived humanitarian, caring perspective, that it would be best for them to go to school. In the reports from 2007 and 2010, which suggested that undocumented children do have a right to education, the argument was somewhat similar although reversed. They argued that there is no perceived *there* for undocumented migrants where their right to education could be fulfilled and therefore, when they are in Sweden, no other country can supply education for them. It is their temporary presence *here* in Sweden that is the basis for why they should be entitled the right to education. Under the current regime of migration control, arguably, deportation and deportability are what makes it possible for the Swedish government to grant rights on the basis of territorial presence without abandoning its commitment to regulate residence. For undocumented migrant children, deportability means that they are held in a position of extended impermanence, and they can have the right to education since it is only to be provided temporarily. For “vulnerable EU-citizen” children, the right to education is withheld in order to prevent their permanent settlement. In this way, children’s rights are integral to the governing of migrations to and through the European Union and defining and delimiting different categorisations of migrant children are central to this practice. Denying children education would generally be considered a fundamental source of vulnerability, however, in the negotiation between state sovereignty and migrant children’s rights, this principle can seemingly become questioned.

Conclusion

This article has put focus on examples in Sweden of how the vulnerabilities of migrant children in families have been mobilised for the governing of migrant children’s territorial presence and mobility through children’s rights logics. It has highlighted examples of where this governing takes place and is implied, including the Swedish asylum system, the collaboration between the Social Services and the Border Police and the argumentative logics expressed in Governmental reports and propositions. Arguably, these diverse sites where children’s rights are mobilised for the governing of vulnerabilised migrant childhoods all build, although more or less explicitly, upon a mutual logic of vulnerabilisation; The state is the creator of the administrative routines and conditions that lead to increased experienced, situational vulnerability, and then it utilises children’s rights logics to respond to this vulnerability it has itself created.

These logics build on a separation of parent's (perceived) problematic agency from the positioning of their children as vulnerable and not to be blamed for their parent's actions. In this way (parental) agency and (child) vulnerability are linked in this process where the (perceived) problematic parental agency motivates hostile policies that then further increases child (and parental) vulnerability. Furthermore, by labelling migrant children as vulnerable the state rationalises its own response of governing through patronising and controlling practices cloaked as humanitarian interventions. Through this process certain kinds of appropriate childhoods and parenthoods are implicitly defined where the fundamental problem is perceived to be the mobility and territorial presence of these families. However, I argue, as long as these families contest the territorial sovereignty of the state they will never be seen (at least in the eyes of the parts of the state engaged in migration control) as behaving appropriately no matter how "good" parents or children they are. Rather, what needs to be highlighted is how the vulnerability created by the state through hostile policies, makes parenting impossible and, consequently, childhood in this context unbearable.

A potential difference between children migrating alone and those migrating with their families emerges through these conclusions: In comparison, there seems to be a tendency that unaccompanied migrant children are governed more often through arguments around their (problematic) agency whereas children in families are more often governed through arguments mobilising their vulnerability, as their parents instead are the ones seen as expressing "problematic" agency. However, further research is needed on the topic as this is only a tentative observation based on a small number of studies with a limited scope.

Lastly, I want to point out that I still believe that promoting human rights can be an expression of an active critical-democratic politics, founded in the activity of right-bearers themselves (Wall, 2012). Rights always hold political potential and are invented and reinvented by rights-claimants (Ingram, 2008). What I want to highlight with this article however is that struggles for the human rights of vulnerabilised migrant children and families need to be aware of this dual character of rights: They can both be vehicles for governing vulnerabilised migrant childhoods and at the same time hold a radical potential in the struggle for justice and equality for vulnerabilised migrant children and families here and now.

Notes

1. <http://www.riksdagen.se/en/documents-and-laws/docs--laws/commissions-of-inquiry>
2. For example, in their annual report from 2012, the Migration Agency states that "children's best interests are considered in all parts of the [asylum] process" (my translation). <https://www.migrationsverket.se/Om-Migrationsverket/Vart-uppdrag/Styrning-och-uppfoljning/Redovisning-av-verksamheten.html>

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