NAPSA 2024 **Introduktion till paper**

Hej, och tack för att du läser min text. Den utgörs av forskningsplan för mitt avhandlingsprojekt som rör hur socialarbetare i civilsamhället stödjer människor i myndighetskontakter och hur de praktikerna interagerar med utveckling på ett övergripande plan rörande tillgång till sociala rättigheter.

Under konferensen vill jag framför allt ha input på min forskningsdesign (men är tacksam för alla inspel). Mitt mål är att öppna upp för diskussion av och bättre förståelse av de stödinsatser civilsamhället gör i myndighetskontakter genom att utforska dem med relativt stor öppenhet och sedan diskutera dem i ljuset av diskussioner om legal mobilisering och sociala rättigheter i Sverige och internationellt.

Frågor:

* + - 1. Vad tänker du kring forskningsdesign i förhållande till syfte och frågeställning?
      2. Nu spelar teori en begränsad roll i design av den empiriska studien som är öppen och explorativ. Det innebär t.ex. att den kritik som finns mot legala strategier, som nämns inledningsvis och i tidigare forskning, inte ryms i frågeställningarna. Därmed kan också studien leda till slutsatser som inte förutsatts kring vad praktikerna innebär. Vad är dina tankar kring det upplägget?
      3. Tankar kring upplägget med en etnografisk fältstudie på plats i en organisation och sedan fokusgrupper för reflektion kring praktiken och för att placera studien i större sammanhang i civilsamhället? På vilka sätt kan det öppna upp för eller avgränsa en senare teoretisk diskussion av rättighetspraktiker och civilsamhällens stöd i myndighetskontakter? Har du några tankar om metod för analys av materialet?
      4. Hur förhåller sig min studie till tidigare forskning om civilsamhällen och legala strategier, eller civilsamhällets sociala arbete, om du känner till sådana? Fungerar det att låna ett begrepp som används inom sociala rörelser/rättssociologi och använda det för att förstå yrkespraktiker för socialarbetare?

Ser mycket fram emot din input under konferensen!

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Civil society social workers negotiating social rights – legal mobilization for people in marginalized situations

### Research problem

Civil society organizations (CSOs) in Sweden play an important role in supporting people in marginalized life situations in getting access to social rights, trough individual support practices claiming legal or moral entitlement to rights from public authorities. It can be described as forms of legal mobilization (as defined by Zemans, 1983). The everyday practices of social work in civil society take place at an intersection of drastic changes in the Swedish welfare state. On the one hand social rights are increasingly limited by state policies and new or strengthened boundaries regarding who are entitled to those rights (Norberg, 2022; Vamstad, 2018; Vamstad & Karlsson, 2022). On the other a ‘rights revolution’ is taking place in Scandinavia where human rights are increasingly recognized in courts (Brännström, 2017; Karlsson Schaffer et al., 2023) and many civil society organizations are increasingly using legal mobilization to claim rights (Brännström, 2017; Sager & Kolankiewicz, 2022). This means that the number of people that turn to civil society for support are growing fast, and are experiencing increasingly desperate life situations, at the same time as new opportunities for rights claiming might appear. This study concerns the everyday professional practices that take place in civil societies at the intersection where increased limits and boundaries to access social rights for people in marginalized positions meet the turn towards human rights by courts and claimed turn towards the law by CSOs. It will contribute to the understanding of the relation between civil society and the state, the relation between rights-bearer and state and the effects of the human rights discourse on people in marginalized life situations.

The starting point for this exploration is partly questions raised regarding the impact of human rights on individuals and society in my personal experience as a deacon in the Church of Sweden, utilizing various forms of legal mobilization to support rights-holders. In an earlier study regarding access to rights for undocumented migrants we found that local negotiations concerning rights played an important role in their realization, and interacted with regulations in law and at an international level (Hermansson et al., 2019; Hermansson et al., 2022). I am interested in further investigating how such local interactions function and if similar conclusions regarding the importance of negotiations can be drawn regarding the realization of social rights in a more general sense.

At the same time these local interactions connect to wider theoretical questions regarding human rights and their meaning for people in marginalized life situations. Different theoretical critical perspectives on human rights have been forwarded in face of the rapidly expanding reach of rights language in many sectors. The first such critique concerns the use of human rights to exert power in a tradition building on Foucault. Bal Soki-Bulley has argued that ‘rights are dangerous’ because although rights can defend against power they can also be mobilized as tools of governance and power (Soki-Bulley 2016 cited in (Lind, 2020). Human rights can depolitize structural conflicts about resources and be presented as a solution to the marginalization of a group and that the group now have equal life opportunities (Spade, 2015). According to Wendy Brown the rights discourse in a liberal capitalist culture transforms social, structural, problems into private problems and hides potentially political contests about distribution of resources and the access to decision making. Social problems become individualized and dehistoricized. Importantly the language of rights changes issues into matters in which no harm if there is no responsible agent and no violated subject (Brown 1995 cited in (Spade, 2015, p. 38). The promotion of legal strategies and framing of disputes in human rights language has also been framed as ‘legal imperialism’ a practice where existent, colonial, power imbalances and structural inequalities are upheld (Matthews, 2023).

Secondly, there are questions raised about the risks for civil society, and rights-holders, in the deeper societal effects of a legal approach to institutionalizing social rights and whether civil societies advocating on behalf of marginalized people should be cautious of actions contributing to categorizations and furthering legal solutions to political problems. ‘Framing’ where categorizations of people as a particular group, even in a rights discourse, can contribute to them, as a group, being subjected to further marginalization and violence (Butler, 2009). So while law is often necessary for protection of vulnerable groups, the use of law to achieve political goals places social movements in a ’discursive paradox’: demands must be formulated in legal terms to be understood by the legal system while at the same time discursive transformation and formalization risk law overtaking the discourse and in some cases can subject the group that make demands to further vulnerability (Gustafsson & Vinthagen, 2011) (see also Dahlstedt et al 2022).

Thirdly, human rights, especially codified as law, are affected by notions of citizenship and nations, and the rights discourse risk reinforcing such boundaries. Hannah Arendt (1973) has argued that a tension between citizenship, nations, and universal human rights has been a central part of the human rights field since at least the end of the 18th century. Whereas rights have sometimes been effective as means to increase protections and provisions for some groups they have also excluded others. For some groups such as stateless or undocumented migrants it becomes a question of the right to have rights, and the existential threat of being regarded as not having rights and thus losing their perceived humanity (Arendt, 1973). The law then become a bureaucratic tool to exclude rather than grant access to rights (Bauman). Such bureaucratic violence is not only directed towards migrants but could also be seen in other fields as access to rights for people with disabilities (Norberg, 2022).

Studying the access to rights for people in marginalized life situations can contribute to further exploration of such critical themes regarding rights. But these questions raised regarding the effects of a human rights discourse and legal mobilization might not point to a general rejection of legal strategies as means to achieve social rights. Rather they show such interactions and strategies as deeply complex, and a subject that needs more research. Using legal mobilization and human rights has also been a successful strategy in many social struggles. Legal strategies have been used since at least the abolition movement and continue to be used to raise social rights claims (Vanhala & Kinghan, 2018). Instead of total rejection there is a need to examine the historical conditions that can undermine or promote practices of guaranteeing equal rights and where rights are claimed (Butler, 2009; Gündogdu, 2014).

The proposed study will therefore turn to the everyday and everyday practices of rights claiming to investigate the impact of using law, and social rights, for rights holders in marginalized positions. Empirical studies of the role of rights claims in everyday practice and legal mobilization will contribute to answering the theoretically inspired questions. This means the study will explore activities that constitute legal mobilization in a wider meaning then what is studied when the focus is only on litigation and court processes. When social workers, legal practitioners, and other actors advocate on behalf of people seeking their support, it can be described as using legal mobilization in its broadest meaning to invoke “legal norms, discourse, or symbols to influence policy or behavior [...] or to challenge a violation of their rights” (Lejeune, 2017, p. 42); see also (Hermansson et al., 2022). The study departs from an exploration of how activities by social workers in civil society is interwoven with issues around the law as a means of political action at an individual level (Zemans, 1983), and collective, social movement, level (Gustafsson & Vinthagen, 2011; Sager & Kolankiewicz, 2022). Field study of everyday practices can further the understanding of these complexities. Understanding how civil societies reflect on and experiences interactions between their practice and the welfare state as provider of social rights can contribute to better understanding of how these interactions interplay.

### Aim and research questions

The aim of the study is to explore how social workers in civil societies support people in marginalized positions in contact with authorities in their everyday practice, how they reflect on their work and the role of civil societies and how the practices can be understood in relation to the role of civil societies in the welfare state. Such practices can be understood as forms of legal mobilization and use of legal strategies in a wider meaning than just taking cases to court. Thus, the study strives to explore the concept of legal mobilization further and contribute to the understanding of under what circumstances such strategies are successful in increasing the access to social rights for people in marginalized life situations. The study also strives to contribute to increased understanding of how the support of CSOs in contact with authorities in individual cases relates to their understanding of the role distribution in welfare support (social rights) between public sector and CSOs.

1. How do social workers in civil societies use different work practices and strategies in their everyday practices to support people in contact with authorities?
2. How do social workers reflect on their practices, interactions with the welfare state, and boundaries regarding access to social rights?
3. How do social workers and civil society organizations identify the conditions of their support work and the conditions for people in marginalized positions in relation to access to social rights?
4. How can the interplay between local actions by civil societies and conditions on a societal level be understood in relation to how civil society organizations identify conditions for their work and people seeking their support?

### Earlier research

According to Frances Zemans’ definition: “law is mobilised when a desire or want is translated into a demand as an assertion of rights” (Zemans, 1983).In practice legal mobilization needs to be seen as a continuum of dynamic and dialectic activities, where taking cases to court is just one aspect (Gustafsson & Vinthagen, 2013; Hermansson et al., 2022). This understanding is of critical importance for the study since it aims to move beyond explicit use of human rights in social work practice and social rights provision/claims to understanding the phenomena of claiming something as a right in a broad meaning. In the following section the proposed approach of the dissertation will be put in relation to earlier research on civil societies in Sweden, emerging opportunities for legal mobilization in Scandinavia and how actors in civil society utilize them, the much wider international field of research regarding legal mobilization, and research that has tried to contextualize and widen the understanding of legal mobilization beyond the court room.

There has been ongoing research on how civil societies have adapted since the Swedish government in the early 1990s promoted them as a complementary, or even substituting, solution to welfare provision earlier provided by the welfare state (Herz, 2021; Meeuwisse & Sunesson, 1998; Wijkström & Einarsson, 2006; Wijkström & Lundström, 2002). While the emergence of the concept of ‘civil society’ was strongly contested in Sweden, and in other contexts, and argued to be part of a neo-liberal agenda to weaken the welfare state, the concept was in rather quickly de-politized, and increasingly seen as a legitimate research concept (Trägårdh, 2008).

However, it could be argued the initial critique against the promotion of civil society might not be entirely without merit, at least not concerning people in marginalized positions (Olofsson & Karlsson, 2022). Several recent studies have investigated the expanding role of civil society concerning people in precarious situations. Direct food support through food banks is growing in importance as a solution for the most vulnerable groups in Sweden and the Nordic region (Herz, 2021; Leo Sandberg et al., 2022; Silvasti & Tikka, 2020). It has been suggested that a new division of responsibility for provision of welfare is emerging in Sweden where civil societies, which is guided by *universal human* rights, takes increasing responsibility for groups that are denied support from the public sector, which is guided by *citizen social* rights or rights connected to active participation on the labor market (Vamstad, 2018; Vamstad & Karlsson, 2022). Similar developments have been seen in other Nordic countries (Kananen, 2012; Sevelsted, 2023; Silvasti & Tikka, 2020). Thus, according to Trägårdh (2008) rather than viewing civil society as something static in its role to the state studies should focus more on the interplay between state and civil society, private and public, and the particular and universal. Other scholars also stress that these changes in the relation between civil society and state in Sweden are complex. They criticizes the description of civil society as being de-politized where social support is put against (previous) political work (as introduced by Wijkström & Einarsson, 2006), and argue organizations continue to pursue political aims while providing social support (Olofsson & Karlsson, 2022). These findings also support my experiences in the field where these two roles are more supplementary and continuing (dynamic and context-bound) than rather than linear and exclusionary.

Its role in the provision of welfare, and the choice of either providing direct support, focusing on legal support, or advocacy work for marginalized groups is actively being discussed within civil society itself (Nyberg, 2022; Olofsson & Karlsson, 2022). Many civil society organizations frame their work as based on human rights; what has been called ‘a rights-based approach’. While the meaning of this can vary it usually contains the notion that social needs should be provided by the state based on rights rather than based on charities. It has been elaborated and defined for instance as one of the guiding principles of the Sustainable Development Goals (UNSDG 2024). That means the responsibility for upholding social rights for everybody is ultimately placed at the state and the role of civil society then becomes to help rights holders to claim these rights from the government. But the connection between the rights-based approaches and actual justiciable rights is vague and it is hard to show if these approaches actually improve the situation for rights-holders (Alston, 2020; Broberg & Sano, 2018).

Sweden has been called a corporate state, where the relationship between vital civil societies and a strong state is built more on peaceful co-existence rather than conflict (Arvidson et al., 2018; Trägårdh, 2008). This might be changing. There is a rapid emergence of constitutionalized social rights recognized by courts in the Nordic region, due to developments such as the incorporation of the European Convention on Human Rights (ECHR) and the UN Convention on the Rights of the Child (UNCRC) and the increasing importance of EU law. These drastic changes in the courts have even been called a ‘rights revolution’(Karlsson Schaffer et al., 2023), or an ‘explosion of rights’ (Gustavsson 2018 in Dahlstedt et al 2022 p 24), and can be seen as a challenge to the Swedish model (Bruzelius, 2020a). In practice there is also a strong trend of expanding use of law as a solution of conflict both within social work and society in general, which means problems tend to be individualized and in the individual case the perspective narrow to a certain legal provision rather than the social situation on a whole (Dahlstedt et al 2022(Gustafsson & Vinthagen, 2011)).

In practice access to rights might be limited for marginalized groups. Kjellbom and Lundberg (2018) has shown that while international, and European, human rights law explicitly guarantees basic human rights to everyone, regardless of legal status, the Swedish Supreme Court in a key ruling focuses narrowly on legal status instead of the Social Services Act provision of basic rights. That can be interpreted as a narrow focus on national law where human rights are not interpreted by national courts but expected to be transformed into law by the parliament rather than incorporated (Karlsson Schaffer et al., 2023).

Civil societies are part of these developments through increasingly providing legal support to rights holders, through both specialized actors such as the Anti-discrimination Agencies and Barnrättsbyrån, and as part of the work of large actors as the Swedish City Missions and the Church of Sweden, something that have until recently been sparsely researched in Sweden (Karlsson Schaffer et al., 2023; Sager & Kolankiewicz, 2022; Vamstad & Karlsson, 2022).

In courts the impact of legal support can be drastic on an individual level. A Swedish study found that the chance for positive outcome increases almost five-fold in administrative court proceedings with a counsel, for people that lack resources, compared to representing oneself – despite a provision in the law that oblige administrative courts in Sweden more carefully investigate cases where no counsel is appointed by the government (Lorentzon et al., 2022). Another study, of court proceedings regarding income support, found only 2% of negative decisions were taken to court, and very few, 3% of those were actually changed to a positive outcome (Johansson 2020 in (Johansson & Kjellbom, 2023). In a review of court cases from higher administrative courts it was found the stronger part (the municipality) is often at an advantage in the court cases regarding income support, and the impartiality of the courts can be questioned (Johansson & Kjellbom, 2023). These earlier studies do not investigate the cases that never make it to court or where conflicts regarding access to social rights are managed through for instance negotiations but indicate much closer investigation is needed of the outcome of the law for people in marginalized positions.

Outside of Scandinavia there is an established research field of law and social movements (Boutcher & Chua, 2018). International research on legal mobilization shows that the results from promoting social rights in courts are mixed (Handmaker & Matthews, 2019; Vanhala & Kinghan, 2018). For example, it can amplify inequality because different groups differ in access to legal means. That tends to disadvantage marginalized groups (Ferraz, 2010; Galanter, 1974; Madlingozi, 2014; Matthews, 2023; White, 2021). This effect, that formal equality before the law tend to increase the advantage for rich over the poor has been noted by early sociologists such as Max Weber and Eugen Ehrlich (Galanter, 1974, p. 104). While other research has been a bit less pessimistic about the opportunities of legal mobilization to contribute to social change, especially as part of a wider social movement (Gustafsson & Vinthagen, 2011; Vanhala & Kinghan, 2018; Vanhala & Kinghan, 2022), fundamental critique about using the law remains. Spade (2015) has for instance raised questions regarding the turn to law in the LGBTQ+ movement in the USA. Spade claims the choice to pursue formal legal recognition through anti-discrimination law and legal mobilization, have narrowed the struggle. Even the victories that have been achieved in courts for privileged groups of lesbians and gays have had no impact on the populations vulnerable to the worst harms of homophobia because the law itself is limiting the demands that can be made (Spade, 2015).

Historically the research around legal mobilization have to a large extent concerned the USA and originated in study of the use of law by the civil rights movement (Vanhala & Kinghan, 2018), thus the research mainly concerns countries characterized by legal constitutionalism, that give more power to the judiciary in defining and protecting social rights, and not countries belonging to the political constitutional tradition, which primarily allocate power to the popular sovereign in determining rights (Bruzelius, 2020a). It is argued that there is generally a need for more empirical research on legal mobilization because the dynamics of the use of law by civil societies are not well understood (Ferraz, 2010). That is especially the case in a Scandinavian context (Karlsson Schaffer et al., 2023; Lejeune, 2017). Interesting earlier studies in Sweden investigate the use of legal mobilization by anti-racism movements (Sager & Kolankiewicz, 2022) and how legal mobilization has been used in Sweden from within the bureaucracy in disability rights (Lejeune, 2017).

Evaluation of the effects of social rights justiciability and legal mobilization (in a broad sense) has been argued to be strongly context dependent and that bottom-up perspective and empirical data is lacking, thus, in many studies very little is said about the actual effects of justiciability of rights on the ground (Ferraz, 2010).

Earlier studies on when actors use legal mobilization as a strategy have shown personal values and convictions from the actors involved play an important role in choice of strategy in a specific case (Lejeune, 2017), although the variation between different countries means it is difficult to make general conclusions (Lejeune & Spire, 2021). Recently studies have also been made on the role of third parties in relation to social rights claims for EU-citizens (Bruzelius, 2020b; Ratzmann & Heindlmaier, 2022). To further understand the everyday use of law more attention might be directed towards sociolegal studies (Merry, 2006).

This first exploration into earlier research still points to a lack of studies regarding the use of law by civil societies in their everyday practice. Therefore, the approach in this study will be exploratory as pointed out above to capture legal mobilization as a continuum of various activities. It means a focus on the everyday rather than the strategic, but also study of how these everyday actions could be considered to interplay with the law regarding access to social rights for people in marginalized life situations.

### Method

The study needs to be open and exploratory to enable an understanding of how actors use legal mobilization in its broadest meaning. Sally Engle Merry advances ethnographical studies to explore the intersection between legal human rights principles and local communities and how they interact. The study object must be carefully considered. “The challenge is to find small spaces of interaction where meanings are being produced that are amendable to this kind of research.” (Merry, 2006, p. 980). Through an ethnographical approach it is possible to find such interactions and connect them to the wider context and field of social rights mobilization in Sweden. As both the practices of social workers in civil societies and their meaning in relation to wider society are of interest the project consists of two empirical parts. The first part consists of an observation study with an ethnographic approach. Ethnographic studies are characterized an openness and are often aiming to understand everyday practices in a way not easily captured in interviews where answers will be more clearly directed to the interviewer and important aspects might be lost. Therefore, a close contact with the field is needed (Delamont, 200)(Eldén, 2020; Wästerfors, 2019). It will enable exploration of the professional practice of social workers, what strategies they use and how they reflect on their practice. The second part consists of focus groups. That enable a deeper study of the reflections of social workers on their practice, how they identify conditions for civil societies in supporting people in marginalized life situations, and the interplay between local work and overarching societal level. The project is designed with two separate studies to enable identification of different aspects of the practice but also progressively where the first part identifies and explores the field, and the second part deepens the study and contribute to the interpretation of themes and problems that appear in the first part.

The first part will be carried out in an open practice where people seek support from a civil society organization in their contact with authorities. I want to observe the whole process from the observation of a social rights issue (identification of an issue where support according to the social worker, or the person seeking their support, should be given by authorities) until the social worker or legal practitioner and/or the person seeking support considers the support work finished. It will follow the everyday work of the employed social workers and their meetings with people seeking support, contacts with authorities, unit meetings, and formal and informal discussions of cases to enable observation of aspects of rights-claiming, actions, and considerations that might not be evident from interviews. Observation could also contain materials such as complaints and other documents. The selection of situations and work processes to study will be made in dialogue with social workers and the unit manager at the organization.

Being present in the field in the way discussed here will likely affect the actions of the people observed, as will any ethnographic research. However, through continuous critical and ethical reflection, and a reflexive approach, even in cases where my presence will affect the result this will be part of understanding of the observed phenomena. Reactions need to be observed and recorded and be part of the analysis. Previous ethnographic studies have found effects of the researchers presence decrease with time (Lindwall, 2020).

Observations are planned to take place during approx. 300 observation hours depending on the circumstances and findings of the ethnographic part of the study. I already have contact with a civil society organization in my network that has expressed interest in cooperating in this part of the dissertation.

The study will take an open approach to the empiric findings during the field observations, where findings might affect both what processes are considered for further study and the questions asked. That is a common practice within qualitative methods and ethnography where credibility and quality of the research increases by reflexivity and continuous documentation of understandings, choices and dilemmas (Delamont, 2007)(Alvesson & Sköldberg, 2017; Tracy, 2010). Observations will be documented in field notes and complemented by a research diary to increase transparency of choices and ethical considerations.

The second part of the study will consist of focus groups with invited research participants that work with support in contact with authorities within different civil society organizations. A strategic selection of respondents both from larger civil society organizations and specialized organizations will be made based their experience of legal mobilization as a strategy and their experiences from fields where civil societies play a role through support in contacts with authorities in the welfare state such as disability rights, children’s rights, social support and migrant rights. I already have a network of contacts in several such organizations that can help me find relevant participants. That can be complemented by finding other participants through snowballing (Aspers, 2007). The focus groups aim to deepen and complement observations and reflections made by participants in the first part of the study. The different themes they will discuss around their work with people seeking their support are thus to be further identified after the observational study but will be directed towards the research questions of the study. Themes will thus include: their work, it’s implications for social rights access, their interactions with the welfare state and the interplay between their local actions and developments at a wider societal level. Five to eight groups of five to ten participants are planned. All focus groups will be recorded, transcribed and pseudonymized and facts that can connect the result to a certain place or person will be changed in presentation.

Through the focus groups professionals practicing legal mobilization in civil society can take part in understanding, interpreting, and discussing the practice and its consequences. Focus groups open an opportunity for actors who meet these situations in different settings to reflect and analyze them together, and build further on each other’s reflections, which will help understand legal mobilization by the Swedish civil society more thoroughly than regular interviews and might challenge findings of the observation study.

Engaging as a researcher in a field where one has earlier been working is double-edged. On the one hand it gives access based on existing relations, trust, and knowledge about interesting places to study. A researcher with previous knowledge might recognize and understand things that might go un-noticed for an outsider. On the other hand, it will also mean many things are taken for granted and are difficult to note. It might also mean people share information that they are not comfortable with, or that they have high expectations regarding the result of the study. The role of the researcher and the aim of the research must be clear to all participants, as well as clear boundaries regarding what is studied.

## Ethics

The study object is civil society social workers’ legal mobilization and not primarily the experience of the people in marginalized or vulnerable life situations seeking their support. This choice must be carefully considered since it risks contributing to stigma, objectification, and the invisibility of the rights-holders. People in marginalized life situations are clearly primary agents in relation to the law when they seek resources to deal with difficult life situations, and might have very different views and experiences on the meaning of welfare law and social rights mobilization than social workers or lawyers (Sarat, 1990). At the same time studies of professional practices are important to critically reflect on such practices and how they interact with the agency of people seeking support. From a critical perspective no research is seen as objective or free from power relations between the researcher and the object of study and there is an ethical responsibility for the researcher to reflect on how their research can contribute to reduce vulnerabilities (see for example (Nordling, 2017; Pittaway et al., 2010). Engaging professionals in the field in critical reflection on their practices, and better understanding of legal mobilization within civil societies, can contribute to meaningful knowledge about access to rights for rights-holders.

The study will need to undergo an Ethical Review and follow ethical guidelines. But the role of a researcher in studies of people in vulnerable situations comes with further ethical dilemmas. As pointed out above, human rights work has been considered a dangerous strategy. It might enforce existing power structures but could also bring about social justice. That understanding needs to be integral to the study. Thus, this study requires a reflexive engagement with power and starts from “a particular ideal of knowledge production in academia – one that understands the role and significance of social science in reproducing, supporting and opposing power structures” (Agarwal et al., 2021, p. 3). It is important how the results of the research are received and by whom (Peuravaara, 2015). This is of crucial importance for my research since entering the field of legal mobilization by CSOs from a critical perspective can have effects on the human rights practice for these organizations. It might affect what decisions are made and contribute to further use of the law or the opposite. This further requires a move beyond a research ethics where it is enough not to do harm to a research that sees it as a responsibility to contribute to positive change (Pittaway et al., 2010). Great care must be taken to make sure the research does not harm people in vulnerable life situations, but also to contribute to opportunities of reducing vulnerability.

Ethical reflection is a continuous process before, during and after the research project (Israel, 2015). Ethnographic studies require assessments of new problems occurring during the study such as sharing information or presenting certain phenomena (Halse & Honey, 2007; Wästerfors, 2019). For example, it is important to consider what findings will be presented regarding for instance power relations between actors, language used, work culture and dependencies. An ethnography require such questions to be assessed as a seamless part of the study rather than as objects for an ethical review (Wästerfors, 2019) and be based less on abstract standards than on a continuous process in the context of lived experiences (Stout et al., 2020).

Informed consent will need to be acquired from research participants in both parts of the study. In the open context of the first part of the study there is both a need for clarity regarding the research for both professional participants and people that seek support at the organization. Clarity about the use of the material is especially important as participants might connect and trust me more as I have shared their professional role. Because my closeness to the field it will also be necessary to keep reflecting on distance and remind participants of my role and the right to not be part of the study. Sharing opinions and stories in a systematic way is part of a practice to respect the analysis of the participants. At the same time, as a researcher I will be responsible for analyzing the material and drawing theoretical conclusions.

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