

Ellen Torjussen

A HISTORICAL PERSPECTIVE ON CHURCH ASYLUM

-What are the reasons for the decline of church asylums after the 1990's?

Thesis submitted for the

Master Degree in International Social Welfare and Health Policy

Summer term 2008

Faculty of Social Sciences

Oslo University College



Image not shown

*First picture: Illustration photo, accessed at Microsoft Office, August 2008.
Second picture: Pakistani refugees in church asylum in Kvitseid church.
From Vest-Telemark blad, August 2008.*

Abstract

Church asylum is a phenomenon that has a long history. Especially in medieval times it had a wide extent, and was also recognised within secular law. With the reformation the religious functions of the church buildings changed. As time went by and the democratic government developed and became stronger, this also contributed to that the church asylums lost much of their original importance. The *open, acknowledged* form of church asylum disappeared. Through different conflicts, churches have though served as *hiding places* for persecuted people, for example during the Second World War and the Vietnam War.

The focus for the thesis is the open, acknowledged church asylums. These came into being again in the USA and Europe in the 1980's. In Norway it was especially in the beginning of the 1990's that the phenomenon got attention. At the end of the 90's, and after year 2000 there have been a decline in interest and in actual numbers. The thesis aims to point to possible factors that can explain the varying numbers of church asylums.

Church and public dissatisfaction with current refugee policies are put forward as important for church asylum coming into being. It is however claimed that this do not automatically influence on the number of church asylums. It is further claimed that the authorities' attitudes and reactions are important for the *occurrence* of church asylum, but it is questioned whether this can explain *the varying numbers*. It is asserted that the experiences that the Church of Norway gained in the 1990's were mainly negative, and as a result the local churches have become reluctant to accept new people. The conclusion is that the church's changing attitude has been decisive for the varying number of church asylums.

Finally, it is claimed that the church has a history of opposing different governments' refugee polices as too strict, and that they still do so. Because of the negative experiences from the past, it is however questioned whether future asylums will occur. It seems evident that Church of Norway does not want to use church asylum as a mean to express opposing opinions, but that they rather want to express their dissatisfaction through "critical solidarity and dialogue" with the national authorities (Church of Norway - Bishop's Conference (Bispemøte) 1999, case 03/99).

Acknowledgments

First of all I want to thank my supervisor Professor Frank Meyer for constructive feedback and with engagement assisting me through this process.

I am also very grateful for useful contributions from all my informants. Thanks for patiently answering my questions.

Great thanks also to my friend Mona for answering my questions and giving me advices throughout the year.

Last, but not least, I want to thank my closest family, Hans Morten and Elias, for patiently keeping up with me during this busy year.

Oslo 09.09.08

Ellen Torjussen

TABLE OF CONTENTS

Abstract.....	iii
Acknowledgments.....	iv
PART I: GENERAL ISSUES - ABOUT THE THESIS	1
Chapter 1: Introduction	1
1.1 What is church asylum?	2
1.2 Research question.....	4
1.3 Clarifications and limitations	4
Chapter 2: Data and methods	6
2.1 Collection and selection of data	6
2.2 Methods.....	8
PART II: BACKGROUND ABOUT CHURCH ASYLUM.....	11
Chapter 3: Church asylum internationally	11
3.1 From asylums and sanctuaries in general to church asylums.....	11
3.2 Church asylum in Europe	13
Chapter 4: Church asylum in Norway from the 1980's.....	14
4.1 Statistics	17
Chapter 5: Background factors: Refugee policies, number of asylum seekers and public opinion about these issues.....	18
5.1 Development of refugee policies and varying numbers of asylum seekers	19
5.2 Asylum decisions and deportations.....	21
5.3 Public opinion about refugee policies and occurrence of church asylum	22
5.4 Have these factors influenced on the number of church asylums? If so - how?	24
Chapter 6: The authorities' role in relation to church asylum	28
6.1 The authorities attitudes and reactions	28
6.2 Have the Norwegian authorities' attitudes and reactions influenced on the number of church asylums? If so – how?	30

Chapter 7: The Church of Norway's experiences and attitudes to church asylum	34
7.1 The local churches experiences and attitudes to church asylum	34
7.2 Expressed attitude to church asylum by central church bodies.....	36
7.3 Have the church's experiences and attitudes influenced on the number of people in church asylum? If so - how?	38
PART IV CONCLUSION.....	42
Chapter 8: Summary of previous sections and future perspectives on church asylum	42
Appendix I: Table of databases, search word(s) and number of hits used when collecting data.....	45
References	47

List of tables:

4.1 Statistic of church asylum occurrence in Norway.....	17
5.1 Number of asylum seekers to industrialized countries.1993-2007.....	19
5.2 Number of asylum seekers to Norway.1985-2007.....	20
5.3 Asylum decisions.1984-1998.....	21
5.4 Asylum decisions.2003-2007.....	22

PART I: GENERAL ISSUES - ABOUT THE THESIS

Chapter 1: Introduction

The topic of this thesis is church asylum. Church asylum is a phenomenon that has long historical roots. In Norway it got renewed interest in the 1990's with a group of Kosovo Albanians refugees seeking refuge in churches after their asylum applications had been refused by the immigration authorities and the temporary stop of returns from 1991 was lifted in February 1993. The public authorities' assessment was that it would be safe for them to return. The Kosovo Albanians disagreed and expressed fear for their lives if returning. Many humanitarian organizations expressed similar views, and opposed the authority's assessment about the region as a safe place. This caused media attention and public debate. In end of February 1993 the first Kosovo Albanians seeked asylum in a church in Tromsø. The aim was to try to avoid forced deportation. It spread and reached its peak with about 700 people in 110 different churches in November 1993 (Vetvik 1998, 212). After communication and negotiations between central church bodies and representatives for the Department of Justice, a sort of agreement was reached in the end of November 1993. As a result of this, the number of people in church asylums declined dramatically. It however continued to be a considerable number of people in church asylums throughout the 90's. Today there are however only somewhere between 5 and 10 people in church asylum in Norway.¹

Since the extent of church asylum today is very limited, it may seem strange to write a thesis about such a small scale situation. Critics also say that church asylum is an anachronism, a phenomenon that was only important in older time when there was no well functioning constitutional government. They claim that the case with the Kosovo Albanians was something extra ordinary, and that there is no reason to believe that church asylum as a phenomenon will have the same extent again. I will in my thesis, however, discuss whether that kind of assertion prove correct, and try to make a prediction about whether it is true that the numbers will continue to be low.

¹ This is an estimate from August 2008, made by Inger Nesvåg, Immigration Consultant in Church of Norway. It includes church asylums both in Church of Norway and free churches all over Norway. For further information about the numbers, see section 2.1 and 4.1.

There are a considerable number of people in Norway that lives without proper documents. Statistics Norway has estimated that by 01.01.06 there were about 18.000, by whom about 12.000 were previous asylum seekers (Statistics Norway 2008). Those people that are in church asylums are a part of this group. If we compare the number of illegal residents and the numbers of people in church asylum, it can seem like people rather live underground instead of seeking refuge in the churches. If this is the case, it can be asked why it is so. Church asylum is just one mean to avoid forced deportation.

My personal interest for choosing this subject is that I have background as an active member of Church of Norway. I have also been working abroad, and have thereby developed an interest in refugee issues. In Norway I have also been working as an assistant for refugees. By choosing to write about church asylum I feel that I have been able to combine two important fields that have been of great personal interest. My personal interests and experiences may have made me prejudiced in favour of the refugees and the church. I have however consciously looked for literature with opposing views and different points of departure. Whether I have managed to have a broad and balanced approach to the topic, is however left for the reader to evaluate.

I would claim that most Norwegians are familiar with the notion of church asylum, probably because of all the Kosovo Albanians who seeked asylum in the churches in the 90's. When talking with international peer students, I have however realized that not everybody is familiar with the concept. I will therefore start with explaining how church asylum can be understood, and briefly give examples of some implications.

1.1 What is church asylum?

To be able to explain what church asylum is, it can be useful to split the word into two. Asylum means a place where a person can seek refuge. In modern parlance the term is used to mean a place of safety (Encyclopaedia Britannica 2008). It is important to be aware that the word asylum historically and internationally can have other meanings as well. For example mental hospitals have been named asylums and children homes likewise.

In my thesis I will however look at those who flee their own country to seek political asylum in another country. When they enter a new country and deliver an asylum application they will be called *asylum seekers*. Church asylum takes place when the asylum seekers get refused by the immigration authorities and then seek asylum in a *church* instead. Church asylum can therefore be defined as a kind of interior, within the state, asylum (Grimen 2003, 15). By seeking asylum in a church the refugees hope to avoid deportation to a country where they claim to be persecuted. Because the church is considered to be a special place, politicians have been reluctant to send the police to enter the churches to detain the asylum seekers. By seeking asylum in a church many of the asylum seekers, at least in Norway, have thereby actually avoided forced deportation. Considerable media attention and public pressure has also resulted in that some of them have been granted a possibility to appeal one more time, and occasionally with positive outcome by being granted residence permits.

Church asylum is debated publicly. Critics claim that church asylums undermine the judicial system by not accepting the decisions made by official bodies. They are referring to the fact that asylum seekers have had their application assessed thoroughly, and in most countries also have had the possibility to appeal. They say that church asylum is civil obedience that should not be rewarded by giving the refused asylum seekers a new review of their asylum application. Adherents are however objecting that no judicial system is perfect, and that church asylum is a result of very restrictive immigration policies which are not fully securing people from deportation to unsafe countries. They claim that this kind of arrangement is actually an important “safety valve” in a modern democracy.²

The term *sanctuary* is also sometimes used in the literature, especially in American literature. As far as I understand sanctuary is a broader term that in principle can include all kind of religious asylums. Most often in present literature sanctuary however refers to asylums in churches, and the terms can therefore be seen as overlapping. I will use both terms, but since most of my literature is from Europe I will mainly use the term church asylum.

² Examples of critics and adherents will be specified in chapter 5-7.

1.2 Research question

In my thesis I do not want to continue the debate about whether church asylum is a good or bad arrangement. The aim of my thesis will be to look at church asylum from a historical point of view. My research question will be: “What are the reasons for the decline of church asylum after the 1990’s?” By having a section about church asylum historically, I want to show that church asylum has a long tradition internationally. When doing the analysis I will however emphasise on church asylum in Norway from the 1980’s. Based on the experiences from that period, combined with knowledge about refugee situation and refugee policies, I also hope to be able to say something about the likelihood that church asylum will take place in the future. A possible sub question could be: “Is it likely that we will see new waves of church asylum? Why/ why not?”

1.3 Clarifications and limitations

The analysis will mainly focus on Norway. I will however try to make some references to other (mainly) European countries when I consider it relevant. Another important limitation is the time dimension. I have chosen to focus on the period from the 1980’s, with main emphasis on what happened in the beginning of the 1990’s. By focusing on this time period I hope that it will be easier to say something about the likelihood of church asylum occurrence in the future. A longer time horizon would not necessarily contribute to a more thorough analysis when seeking to answer the research question. I will come back to this in section 2.2.

The historical overview in chapter three will show that there have been different types of church asylums through history. Sometimes the churches have acted as asylums by *hiding* persecuted people. In my thesis I will however emphasise on those kind of church asylum where there has been an *openness* about whom that has sought asylum. I think those cases are the most interesting ones since it is in these instances that the churches have been understood to challenge public policy. I find this very interesting from a political science point of view.

It should probably also be noticed that I have chosen to focus only on the refused refugees that have sought asylum in the churches. There have been examples of criminals seeking refuge in churches. There have also been examples of people trying to avoid other official departments’, for example child care authorities decisions by seeking asylum in the churches.

I will however focus on the refugees that have sought refuge in the churches after they had their asylum applications turned down by the immigration authorities.

Another important point is that when I refer to *the church* I mainly refer to the Church of Norway. When I use the word church in plural I refer to the local churches and congregations that belong to the Church of Norway. I have chosen to focus on the Church of Norway since this is the largest church in Norway, but also because 75% of the church asylums that occurred in the 1993 were in congregations belonging to Church of Norway (Vetvik and Omland 1997, 39). It was also representatives from Church of Norway that negotiated with the authorities to get the church asylums wound up in 1993. I would also claim that the fact that Church of Norway is a part on the Norwegian state apparatus makes it an even more interesting case. The situation with Church of Norway accommodating refused asylum seekers can be seen as “the state against the state”.

In my thesis I will often use the words *asylum seekers* and *refugees*. When I just say asylum seekers without any more notice I refer to those who have sought the national authorities about political asylum in the country. Those who later sought refuge in the churches had been refused by the authorities, and were therefore not acknowledged as refugees either. The way Norwegian immigration authorities interpret the Refugee Convention is however debated, and many humanitarian organizations claim that the authorities’ understanding is not in line with the convention. The people themselves will in any case define themselves as refugees, and are also often acknowledged as so by the public. In my thesis I will use this broad, everyday understanding of the term. When I refer to *the authorities* I most often refer to the immigration authorities. This includes the Norwegian Directorate of Immigration (UDI), but also the varying ministries that have been in charge of immigration politics and policies.

A note should also be made that in my thesis there is no specific theory chapter where I focus on specific *theories* related to my topic. This is a deliberate choice. I would claim that in most master theses the theory chapters’ main purpose is to give a framework for the topic. Because of the nature of my research question, I assess that it is more relevant with a historical framework instead of a traditional theory chapter. Part II in my thesis intends to give background knowledge and serve as a framework for the rest of the thesis.

Finally, I want to point out that a possible weakness with my work on the thesis is that I may have narrowed it too much and put too many limitations on my work. By doing so I have maybe lost interesting aspects along the road. I however hope that all these limitations will increase my chances of giving a competent answer to my research question, given the restricted time and extent of the master thesis.

Chapter 2: Data and methods

The aim of this chapter is to outline the data sources my thesis is based on, and how I selected the literature. I also want to say something about the methods that I have used to answer my research question.

2.1 Collection and selection of data

When I started searching for relevant literature I first started quite broad. This was useful to get an impression of the field. I however realized quite soon the importance of having a clear research question, and let the research question guide the literature search. The number of hits varied considerably (see appendix I where there is a table that illustrates the different databases, search words and number of hits). Among the Norwegian databases *NorArt* turned out to be a very valuable source. It contained many references to articles about church asylum with high scholarly quality and relevance.

In addition to these data bases, I also searched for literature through different organizations', departments', and institutions' web pages. When I searched for literature from official bodies, I also searched by the names of former ministers and other politicians of whom I knew had expressed views about church asylum. After reading some literature I also found more literature in the reference lists. I became aware of several important articles this way. Many of the articles I have used were published in *Kritisk Juss (Critical Law)* in 1993 and 1994. The articles presented both pro and cons to church asylum.

After substantial literature search I realized that it was very little literature that directly related to my research question. It was a considerable number of articles on the issue of church asylum in general, and articles looking at church asylum from a legal point of view. Much of the literature was also quite normative arguing for the right of church asylum, or the other way around. Torunn Omland is a person that has written about church asylum more in general. She wrote a post-graduate thesis about church asylum in 1997, and was also central in a research project that aimed to look at the churches' experiences with church asylum in 1993-1995. This resulted in the report "Kirkefaring med kirkeasyl" ("Church experiences with church asylum", my translation, 1997) which is co-written with Einar Vetvik. I will refer to findings from this report in several chapters, but mainly in chapter 7 where I look at the churches' experiences and attitudes to church asylum. Omland and Vetvik have also written several smaller articles about the subject. Their arguments have been of great interest and utmost useful for my work with the thesis.

Because there initially was a lack of literature, I found it useful and interesting to get in touch with some informants. The informants were chosen because I knew they had been working a lot with the subject academically and /or had been active organizing church asylum in the 1990's. My aim was mainly to collect background information and get advices about relevant literature. Since I am writing about the *phenomenon* church asylum on a structural level I considered it more relevant to interview people who had arranged church asylums, instead of the refugees themselves. I managed to get in touch with two informants with church background and also two who had been active with church asylum as members of anti-racist organizations. I also talked to one that is working for the National Police Immigration Services (Politiets Utlendingsenhet). I originally wanted to get in touch with one informant representing the Immigration Authorities as well. In the beginning, however, I had problems figuring out whom it could be relevant to talk to. Due to the peak of summer vacation it was not possible to arrange interviews. On the other hand politicians and people working in the bureaucracy are often reluctant to express strong views orally. I therefore think and hope that their views are well presented in written. It should also be noted that the information that I received from the other informants was mainly background information and will, with few exceptions, not be referred to. My answer to the research question will therefore mainly be based on review of literature.

To get statistics of occurrence of church asylum was essential for me, as the issue of the total numbers is at the core of my research question. It however turned out to be somewhat difficult to access statistics. Statistics Norway's do not have statistics since those staying in church asylums are considered to be illegal residents and Statistics Norway only makes statistics about legal residents. Statistics Norway however actually referred to one of the persons that I had myself identified as a useful person to talk to. She works for Church of Norway as an Immigration Consultant in Oslo Diocesan Council. In a church document from 1998 it is written that Oslo Diocesan Council should have a special responsibility for registering the church asylums (Church of Norway – Guidelines 1998). It also turned out that the Immigration Consultant for several years had been the leader of the “Norwegian Ecumenical Forum for Immigration issues”(Norsk Økumenisk Forum for Innvandringspørsmål), and therefore had enough knowledge to include the free churches in the estimate. While I was waiting for response from her, I called the headquarters of the most prominent free churches in Norway to get their numbers. The information I got from them suits with the information I got from the Immigration Consultant in the Church of Norway, and I therefore assess the estimate to be reliable.

Finally, I want to mention a possible weakness with the collection and selection of the data. Most of the literature is from the 90's when church asylum was at its peak. Quite often through the process of working with my thesis, I have felt frustrated of not having more updated information. I have wondered whether my conclusions about the present situation can be valid when so much is based on material from the 90's. Have there for example been discussions more recently that have been of great importance but that are not in written form yet, and that I am therefore have not been aware of? My impression from talking to my informants is however that this is not the case. The most recent document is a master thesis written by Hanne Johansen in 2004. It should be noticed that also her references are mainly from the 1990's.

2.2 Methods

According to Chambliss and Schutt social science is: “The use of logical, systematic, documented methods to investigate individuals, societies and social processes, as well as the knowledge produced by these investigations” (2006, 19). They further put forward that the

four most important goals of social research are description, exploration, explanation and evaluation (ibid, 19).

In the introduction I stated that my aim is to explain why the numbers of church asylums have varied. My thesis can therefore be said to be *mainly* explanatory. It can also be said to be mainly inductive, since I did not originally had a theory about what the cause for the varying numbers was. I would claim that this was something that I became aware as I read the literature and talked to the informants. At the same time it can be objected that I had a prediction that the church's attitude was the main reason for the varying numbers, and that I used the literature to deduce that this was the case. It is possible that my prediction and pre-understanding influenced on the selection of data. I would however argue that the prediction did not have the form of being a determined statement or a theory (instead of just being a prediction), and that the thesis therefore is mainly inductive.

The method I have chosen for being able to explain the differences, is through doing a diachronic, historical comparison. As mentioned I want to compare two different sequences in time, the 1990's and the period after year 2000. Knut Kjelstadli is a historian who argues very strongly for use of diachronic comparisons. Through comparisons, he argues, (as contrary to traditional historical research), a new and broader insight will be gained (1988, 435). The validity, both causal validity and generalizability (see Chambliss and Schutt 2006, 12), will increase when comparisons are made. Kjelstadli further refers to John Stuart Mill, and says that comparisons can be made in two different ways. The first way is as a Method of Agreement. When using this method, the focus is on what the different cases have in common, in spite of some diverging variables. By the Method of Differences the focus is more on the differences. Many factors, variables can be the same, but the result is different. The aim is then to point to which variable(s) that differ, and that therefore also results in different outcome (ibid, 438-439).

Method of Agreements:

	Case 1	Case 2	Case 3	
Variables	a	d	g	
	b	e	h	Differences
	c	f	i	
	x	x	x	\

Phenomenon	y	y	y	/

Method of Differences:

	Positive case	Negative case	
Variables	a	a	
	b	b	Similarities
	c	c	
	x	not x	\

Phenomenon	y	not y	/

From Kjelstadli 1988, 439

My research design is based on the Method of Differences. My departure point is that I have one object, the Norwegian society in the beginning of the 1990s with many church asylums, and another one, the Norwegian society after year 2000, with very low occurrence of church asylums. I have to find variables that are similar, but my main focus will be those variables that are diverging and that may explain the varying numbers of church asylums. The different factors/actors that are mentioned in chapter 5-7 can be understood as my variables.

For being able to do a historical comparison, it is essential that the things that are being compared are not too different, but sufficiently similar (ibid, 440). In chapter three it will become clear that church asylum has a history back to the antique and medieval times. The historical overview will however also show that church asylum had a completely different function in medieval time societies, compared to the Norwegian society in the 1980's and later on. The context is radically changed, and I would argue that these time periods are too different to make a meaningful comparison. Chapter 3 therefore only aims to give an introduction to the theme, and will not be decisive for the discussion later on. The Norwegian society anno 1990 contra the Norwegian society after year 2000 are, however, generally very similar and should therefore also be possible to compare.

PART II: BACKGROUND ABOUT CHURCH ASYLUM

Chapter 3: Church asylum internationally

In the introduction I mentioned the difference between asylum in general, and the terms sanctuaries and church asylums. I explained that the term asylum covers both religious and non-religious asylums, while sanctuary (at least in principle) covers all kind of religious asylums. Church asylum is the term used for specific Christian sanctuaries.

Herman Bianchi, a Dutch lawyer, claimed in his book “*Justice as Sanctuary*” that sanctuaries can be traced back to the origins of human civilization. He says that caves with prehistoric drawings may be explained as sacred places where fugitives tried to invoke help from the spiritual world for their protection (1994, 138). It seems however quite sure that at least already in Germanic and Slavonic faith we can trace the idea about certain asylums.

According to Germanic and Roman religion persecuted people could seek refuge in some appointed temples. Also in Jewish tradition we find the idea about sanctuaries or asylum places. The Old Testament writes about six cities that were supposed to serve as asylums for people who by mistake had killed another person (Book of Numbers, chapter 35.12 and Book of Deuteronomy, chapter 4.41; 19.2). Asylum in these specific cities should secure them against blood vengeance from the bereaved (Church of Norway - Oslo Diocesan Council 1996, 30; Oftestad 1996). These historical findings can be said to confirm that the notion of asylum places is not a solely religious or Christian thought. It also indicates that asylum places were traditionally not for *migrants*, but functioned as asylum for *citizens* that accidentally had become criminals or people that unfairly had been accused for various crimes.

3.1 From asylums and sanctuaries in general to church asylums

The idea in Roman religion about specific asylum places was endorsed by Christianity and developed to what has become known as *church asylum*. Church asylum became institutionalised around AD 400 when the Roman emperor established in the secular law the right to church asylum (ibid, 30). From this follows that the church asylums were “open”; they were acknowledged by the state. The church asylums could guarantee both the offender and the victim a period of cooling down to prepare negotiations and reach a settlement in tranquillity. Later in medieval times the right to church asylum to a larger extent became

restricted by laws and regulations. Various laws defined what the person had to do to qualify for protection, and what kind of protection it was. There were also rules about how long a person could be in the asylum, about proving his case and conditions for extradition to the public authority. In some countries persons who were Jews and Turks for example, were excluded from the right to seek Christian church asylums (Leer-Salvesen 1994, 37).

In general the right to church asylum was based on two assumptions:

- 1) The church was considered a sacred place, where only the Lord should be the Master. It should not be spilled blood, and secular power should not be used at this place. For example no one that entered a church was allowed to carry weapons. Often churches were also built on places where miracles or martyrdoms had taken place, or where a holy person was buried. This reinforced the holiness.
- 2) There was a common belief in the Bishops' possibility to intercession. The bishop had the right to intervene and demand a fair punishment for a criminal (Church of Norway - Oslo Diocesan Council 1996, 31).

At first it was only the altar that was considered holy but later the area considered holy increased; the whole church building and 50 meters around became considered as immovable. Monasteries were also considered holy. The wide extent of the church asylums, combined with increasing abuse made it a tense subject between the church and the state.

With the reformation the religious functions of the church buildings changed. The new Protestant doctrine no longer implied permanent presence of God in particular places. According to the new doctrine God was believed to be present wherever his name was invoked. The reformation thereby weakened the church asylum's significance. Through the reformation the King also increased his power at the expense of the Bishop. State and church became quite intertwined and there were less space for a church justice system parallel with that of the state. It is however interesting to notice that in spite of this, the right to church asylum was present in Catholic canon law as long as until 1983 (Olsen 2006).

Historians point to medieval times as a period with a weak and little developed system of justice, and where accidental violence occurred quite often. Church asylum was therefore

important to protect the individuals from this violence. As time went by and the democratic government developed and became stronger, the church asylums lost much of their original importance (Oftestad 1996; Olsen 2006). The open, acknowledged form of church asylums disappeared.

Churches have through several conflict and wars situations been hiding persecuted people. This type of church asylums continued also even if the open form of church asylums got wound up by the reformation and the development of democratic government. In the slavery era the churches in the Southern States of the USA for example served as asylums for deserted slaves until they were able to reach safety in the Northern States (Vetvik and Omland 1997, 25). Also during the Second World War churches served as hiding places for persecuted people. Church asylum also got a revival during the Vietnam War when churches in the USA were hiding conscientious objectors.

It is however mainly from the 1980's that open, acknowledged form of church asylums came into being again. In 1982 the Sanctuary Movement was established in the USA. It was established as a reaction to the USA policies in Latin America, which many congregations strongly opposed. The Sanctuary movement in the USA can be understood as both a religious and political movement. The movement flourished between 1982 and 1992, and more than 500 congregations were involved (Wipfler 1992). Also Canada and Australia witnessed church asylum in this period (Wikipedia 2008).

3.2 Church asylum in Europe

The Sanctuary Movement spread to Europe, where also the tradition with open church asylums came into being again in the last part of the 1980's. As in the USA, the concern was refugees. Refused asylum seekers sought refuge in churches to get focus on their situations, or simply to avoid forced deportation. Germany, France, Switzerland, Austria, Denmark, Sweden, Netherlands and Norway are examples of countries where church asylum has taken place (Vetvik 1998, 210). In Germany from 1983 to year 2000 more than 2000 people who had been refused political asylum were in church asylum. They were accommodated by more than 200 Protestant and Catholic churches. In the Netherlands Tamils and Armenian refugees have also sought asylum in churches (Leer-Salvesen 1994, 36; Tranholm-Mikkelsen 1992, 123). The most well known example of church asylum in Denmark is from Copenhagen

in 1991 when 60-70 Lebanese Palestinians sought asylum in a church. After about half a year a special law was introduced, and the Palestinians were granted residence permits in Denmark (Vetvik and Omland 1997, 26). In general it can be said however that both in Denmark and Sweden it was more rarely that refugees sought asylum in the churches. Nevertheless in Denmark many church members and priests strongly opposed immigration policies and participated in an organization aiming to help refugees living underground (“*Flyktninger under jorden*”). In Sweden it happened that congregations assisted refugees by hiding them. In Sweden it is not illegal for a private person to accommodate an illegal refugee as long as it is not done for profit, and the refugees have not committed any crimes (Church of Norway - Oslo Diocesan Council 1996, 77-78).

The overview so far indicates that churches have had a quite large involvement into asylum and refugee issues. This engagement has led to the establishment of international organizations like INLIA (International Network of Local Initiatives for Asylum Seekers). INLIA was established in 1988, aiming to coordinate church asylum work and related issues in different parts of Europe. The organization had its’ origin in Netherlands, but consists of 700 groups from whole of Europe (Tranholm-Mikkelsen 1992, 125).

Chapter 4: Church asylum in Norway from the 1980’s

In Norway the first example of church asylum in modern time occurred in 1987 when asylum seekers from Iran and Chile sought asylum in Lambertseter church in Oslo (Vetvik and Omland 1997, 26). They started a hunger strike to make the public aware of asylum seekers situation in general, which they argued was very difficult. Through the hunger strike in the church they achieved a lot of attention, and there was arranged a meeting between representatives for the Church of Norway and the Minister of Justice. The asylum ended after two weeks (ibid, 211). There were also some other individual cases of people seeking refuge in some churches in the 1980’s. It was however in 1993 that the extent of church asylums became significant when the temporary stop in return for refused Kosovo Albanians from 1991 was lifted, and the Kosovo Albanians were told to leave the country. In July 1992 Sweden had made a similar decision, and asylum seekers who had been refused in Sweden had started moving to Norway. The Norwegian authorities perceived this as a particular

problem.³ The day after the Norwegian government's decision, the Church of Norway published a statement where they made it clear that they disagreed with the government's decision, and that they did not consider it safe for the Kosovo Albanians to return (Church of Norway – Council on Ecumenical and International Relations 1993). Many humanitarian organizations expressed similar views.⁴ A man who lived in Tromsø and who was involved in anti-discrimination work had knowledge about the church asylum in Copenhagen in 1987. He discussed with his fellows in the anti-discrimination organization whether church asylum could be a possible response to the Norwegian government's decision. They called one of the churches in Tromsø and asked whether they would welcome refused asylum seekers. They received positive response from the church, whereupon the anti-discrimination organisation called the closest reception centre and informed about this. 14 Kosovo Albanians from the reception centre decided to seek asylum in the church (Vetvik 1998, 211). The number of church asylum seekers increased rapidly the following weeks and months, and spread to different parts of the country.

The occurrence and the increasing extent of church asylums gradually led to a tense relationship between the churches (here understood as both local congregations belonging to the Church of Norway and free churches) and the authorities. From the leadership of the Church of Norway it was claimed that they did not encourage people to seek asylum in their churches, but that they did not either want to refuse people that were asking for help. They were referring to the Christian duty to help people in need.

The number of people living in church asylums rose and was in November 1993 close to 700, of whom half of them were children (Vetvik 1998, 212). Neither the government nor the churches were satisfied with the situation. Representatives of the Church of Norway and representatives from the Government therefore, during the Church of Norway's Synod in Bergen, started negotiations that resulted in an agreement (most often referred to as "Fellesuttalelsen" in Norwegian), dated November 19th, 1993. In the statement the government promised all the Kosovo Albanians that had arrived directly to Norway before this date a new and more generous review of their asylum application. Those who had come

³ Can be seen in a statement that the Minister of Ministry of Justice, Grete Faremo, gave to the Parliament 18.06.93(Ministry of Justice 1993(a)).

⁴ Amnesty Norway and the Norwegian Refugee Council are two examples. They are mentioned in document no. 8:11 (1993-1994), from the Parliament (Parliament 1993-1994). See also Sommerfeldt 1993, 217.

to Norway via Sweden should also get a new review, however not that generous as for those that had come directly to Norway. A condition was however that the asylum seekers should leave the churches before December 1st, 1993. The reactions differed, but within December 1st virtually all church asylums were wound up. Later more than 600 of those who had been in church asylum were granted residence permits. The statement embraced all Kosovo Albanians that fulfilled the criteria mentioned above, and as a result about 2350 asylum seekers in total who had negative decisions, were granted residence permits (Vetvik and Omland 1997, 38).

However it soon became clear that church asylum as phenomenon was not ended. Already in January 1994 new asylum seekers wanted to seek refuge in churches. Many of them were Kosovo Albanians that had been refused by Swedish immigration authorities. In April 1994 the number of people in church asylum had become 200 (Vetvik 1998, 214). These new church asylums caused intense debates within the churches, but also made the relationship between the churches and the government tenuous. In April 1994 the Swedish government decided to grant residence permits to Kosovo Albanian asylum seekers that had children. This made a turning point. There were established negotiations between Norwegian and Swedish authorities on the Kosovo Albanians who had come to Norway through Sweden, and what kind of rights they should be granted.⁵ As a result of these conversations, most asylum seekers from this group returned back to Sweden. By the summer of 1994 there were only about 10 persons left in church asylums in Norway. By spring 1996 the number had increased to 75 (Vetvik 1998, 214).

The group of refugees that was in church asylums after 1994 was more heterogeneous than earlier. There were people from many different countries. The media attention decreased, and this resulted in that the duration for those people actually staying in church asylum became longer. Many of the problems deriving from living in a poorly equipped church with no freedom of movement were reinforced as a result of this, and it was reported about extensive mental problems caused by the difficult life situation and living conditions. Within the Labour Party, which by then was in government position, it was also an increasing dissatisfaction with the immigration policies that were claimed to be too strict. In December 1996, after a lot

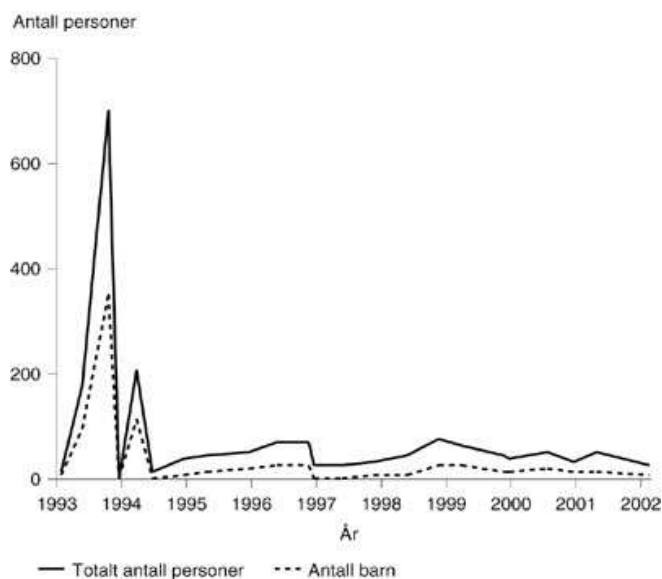
⁵ The Ministry of Justice sent a letter to the local chief constables 15.04.94 where this was described (Ministry of Justice 1994).

of public and political pressure, those families in church asylum that included children, were granted temporary protection and were promised a new revision of their applications. 11 out of the 15 families were later granted residence permits (Omland 1998).

4.1 Statistics

I have so far just stated that the number of church asylum decreased after 1993, without giving any exact numbers. Table 4.1 however shows clearly that there was a considerable decrease.

Table 4.1



From Mathisen 2002, 1679.

Vertical: The number of people in church asylum. The upper line shows the total number, while the lowest line shows the number of children in church asylum.

Horizontal: The year when the church asylum occurred.

I have not found any statistics after 2002. The estimate about somewhere between 5 and 10 persons in church asylum (estimate from the Immigration Consultant in Church of Norway, refer section 2.2) however includes the period 2002-2008.

PART III: POSSIBLE EXPLANATIONS FOR DIFFERENCES IN OCCURRENCE OF CHURCH ASYLUM

I have so far focused on the history of church asylum and given a quite descriptive overview of the occurrence and the debates that have taken place. I will now try to be more analytical and discuss which factors that may have been important for the occurrence of church asylum and that possible can explain the differences in the numbers as well. My main aim will be to try to explain why the numbers now are so much lower compared to in the 1990's.

When looking at possible explanations I will first look at background factors that indirectly can have influenced on the number of church asylums. This can for example be the refugee situation world wide and different refugee policies. It can in this context also be useful to look at the numbers of asylum applications and refusals. I will further point to surveys supposed to reflect peoples' satisfaction/dissatisfaction with refugee policies. This because it can be argued that if people consider refugee policies too restrictive, it is more likely that they will see church asylum as a positive phenomenon and that the number of church asylums increases as a result of this. I will thereafter look at how national authorities and the church have reacted to the existence of church asylums. In chapter 8 I will try to sum up. It is further important to mention that the factors I focus on are just examples of factors that are relevant to elaborate on. The refugees' individual motivation for choosing or not choosing to seek church asylum, is an example of a factor that just briefly will be assessed. While working on my thesis I have become aware of other factors that also may have influenced on the occurrence of church asylums. My hope is though that I have chosen to focus on the most relevant ones, and that my answer to the research question therefore will be sustainable.

Chapter 5: Background factors: Refugee policies, number of asylum seekers and public opinion about these issues

I will start with looking at different (mainly European) refugee policies and the varying number of asylum seekers from a historical point of view. This is important because it potentially can be a part of the explanation for the existence of church asylum. If there were no restrictions to enter and work in a country, there would probably be no need for refugees to seek church asylum. In section 5.3 I will point to surveys that reflect peoples' support or not

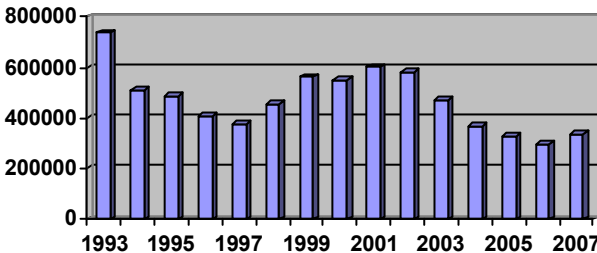
support for the national authorities' refugee policies and I will also point to some surveys where people explicitly have been asked their opinion about church asylum. In section 5.4 I will discuss the different factors relevance for church asylum. In the discussion I will also briefly point to other elements that can be of importance, such as religious affiliation and human rights awareness.

An important clarification has to be made at this point. By the term refugee policies I mean those policies that influence on refugees' or potential refugees' situation. The term, as I define it, therefore also includes policies for asylum seekers. My main focus will be those policies that influence on whether refugees are able to seek asylum in a safe country, and whether they are granted residence permits or not. At times I will use the term immigration policies synonymously. This is a broader term which implies policies towards work immigrants as well. I will use the term *immigration policies* if the authors I refer to have used that term, but also if I make statements which are more general and therefore imply a broader term.

5.1 Development of refugee policies and varying numbers of asylum seekers

In the end of the 70's the number of asylum seekers in Europe was about 30.000 per year, while at the end of the 80's the numbers had become about 300.000 per year (Punternvold Bø 2002, 61). As a reaction to the rising number of asylum seekers, many European countries in the beginning and the middle of the 80's introduced visa requirement for people from countries where a certain number of immigrants or asylum seekers previously had arrived. The authorities thereby hoped to stop people from reaching the countries' border to seek asylum. This turned out to be a particular efficient means.

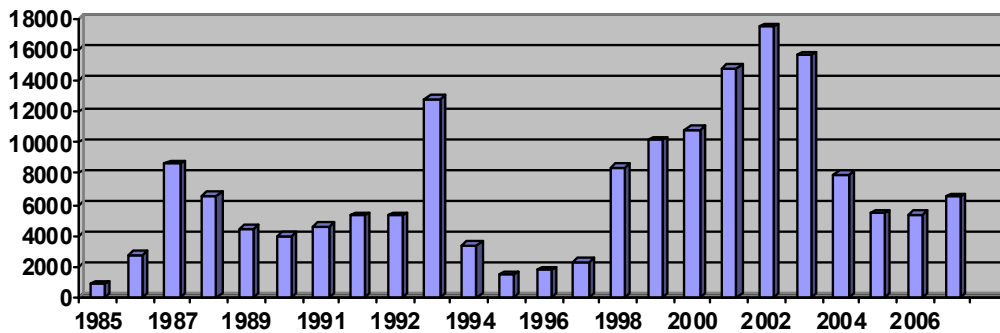
Table 5.1: Number of asylum seekers to industrialized countries. 1993-2007.



1993	735 611
1994	510 387
1995	484 931
1996	409 015
1997	377 854
1998	456 464
1999	561 304
2000	551 304
2001	602 284
2002	582 279
2003	471 032
2004	368 204
2005	331 600
2006	299 790
2007	338 350

Source: Norwegian Refugee Council 2007, 159; Norwegian Refugee Council 2008,159

Table 5.2: Number of asylum seekers to Norway 1985-2007



1985	829
1986	2722
1987	8613
1988	6602
1989	4433
1990	3962
1991	4569
1992	5238
1993	12876
1994	3379
1995	1460
1996	1778
1997	2271
1998	8374
1999	10160
2000	10843
2001	14782
2002	17480
2003	15613
2004	7950
2005	5402
2006	5320
2007	6527

Source: Puntervold Bø 2002, 52; Flyktningehjelpen 2007, 160; Flyktningehjelpen 2008, 160.

From 1987 to 1997 there was generally a pronounced decrease in the number of asylum seekers. But around 1990 it increased again, and reached a peak in 1992 when there were more than 690.000 asylum applications to Europe (Puntervold Bø 2002, 610). The high numbers must be seen in relation to the wars in Eastern Europe. From 1992 to 1994 the number of asylum seekers in Europe declined again, from 690.000 to 319.000 (ibid, 378). In Norway the decrease however first occurred after 1993. The trend with decreasing numbers continued until the end of the 90's, when the numbers again started to rise. This must be understood in connection with new wars in former Yugoslavia and deteriorating conditions in countries like Somalia, Afghanistan and Iraq. When the number of asylum seekers rose again, it led to a renewed concern on means to control the flow. Transporters were for example put in charge of checking travel documents, and could be fined if they made mistakes and accepted people without proper travel documents. From 2003 the numbers of asylum seekers declined again. This trend continued until 2006 when the number of asylum seekers again raised. In Europe the total increase from 2006 to 2007 was 10 percent (Norwegian Refugee Council 2008, 15). But in spite of the general increase in the number of asylum seekers, it differs considerable from country to country whether the number of asylum seekers has increased or not. For example in Sweden the number increased by 49%, while in Germany it decreased by 9 %. From 2006-2007 the number of asylum seekers to Norway rose with 23%,

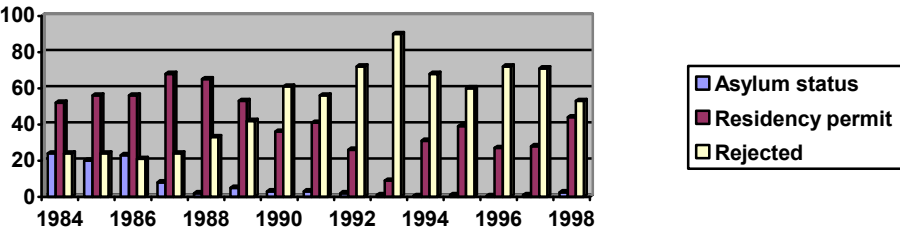
from 5320 to 6527 (ibid, 15). This increase has continued in 2008 as well. The Norwegian directorate of Immigration (UDI) estimates that the total number of asylum seekers in 2008 will be 15.000 (Aftenposten, 17.07.08). The last years most of the asylum seekers coming to Norway have been from Iraq, Russia, Serbia and Eritrea (Norwegian Directorate of Immigration 2007(a), 18).

Punternvold Bø has in her doctoral thesis emphasised on different immigration policies that developed in Norway and Europe as a response to the increasing numbers of asylum seekers. The Schengen Agreement and the Dublin Convention are important arrangements in that respect. The Schengen Agreement regulates movement between the member countries and control of the external borders (Norwegian Directorate of Immigration 2007(b), 8). Because of strong control with the external borders, critics claim that Western Europe have become a “Fortress Europe”; which is difficult for outsiders to enter (Taranger 1993, 208; Lahav 2004, 48) and that “real” refugees are prevented from fleeing persecution. The Dublin Convention regulates responsibility for asylum seekers and review of their applications. The purpose of the Dublin Convention has been to prevent multiple applications for asylum in different states (Norwegian Directorate of Immigration 2007 (b)).

5.2 Asylum decisions and deportations

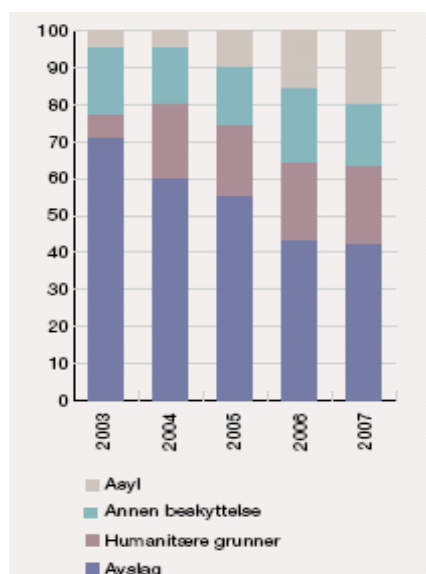
As table 5.2 (above) shows, there have been large differences in the number of asylum seekers. The percentages of people being rejected and being granted refugee status has also varied quite a lot. As mentioned in the introduction these two factors can potentially influence on the number of people that seeks church asylum. Table 5.3 shows the different decisions in the period 1984-1998, while table 5.4 includes the numbers for the period 2003-2007.

Table 5.3: Asylum decisions. 1984-1998.Percent.



Source: Punternvold Bø 2002, 53.

Table 5.4: Asylum decisions. 2003-2007. Percent.



From Norwegian Directorate of Immigration 2008 (a), 16, table 32

Violet: Refusals Pink: Permits based on humanitarian grounds Green: Permits based on other form of protection Grey: Asylum

According to statistics from the Norwegian Directorate of Immigration it seems that the percentage of the asylum seekers in Norway that has got a positive answer has increased since 2003, and that also more people has been granted asylum status. In 2003 for example the number of rejected asylum applications was 71%, while in 2007 it had become 42%. The number of people being granted refugee status increased from 5% to 20% in the same time period (Norwegian Directorate of Immigration 2007(a), 16). It is however important to be aware that the statistic only shows those applications that actually have been looked upon. For example all those that have been sent away from Norway according to the Dublin Convention are not included. In 2007, 13% of the applications were not looked upon in accordance with the Convention (ibid, 17).

5.3 Public opinion about refugee policies and occurrence of church asylum

It must be presumed that church asylum is dependent on public support. It can therefore be essential whether people are satisfied or dissatisfied with current refugee policies. This will probably also influence on how they perceive church asylum.

In the 90's there were made several surveys where people were asked what they thought about refugee policies in general and also specific about church asylum. In February 1993, after the government had decided to send home the Kosovo Albanians and after the first refugees had started seeking asylum in the church in Tromsø, Norsk Gallup made a survey where they asked whether people supported the government's decision. 52% of those that were asked disagreed with the government's decision, while 32% agreed. The rest did not know/did not have any opinion (Vetvik 1998, 217). In the same survey 62% said that it was positive that the church let the refused asylum seekers seek shelter in the church buildings (ibid, 217).

In August the same year MMI ("Market and Media Institute", another Norwegian research institute, my translation), made another survey where questions about church asylum were included. People were asked if they thought church asylum was acceptable, refer their asylum applications had been refused. This survey showed somehow other results. 55 % expressed themselves negative about church asylum, while only 27, 5 % expressed support (ibid, 217). Vetvik in his article "Kirkeasyl i Norge" (1998) points out that this maybe indicated a turn in public opinion as time went by and church asylum had increased in number and received more attention (ibid, 217). But at autumn 1993 it can look like the public opinion turned and became more positive again. A survey from Norsk Gallup in November showed 50 /50 support/not support to the institution of church asylum (ibid, 217). This survey also showed that the most positive were those who were active churchgoers, those who were members in religious or humanitarian organizations and/or political radical persons (ibid, 217). In summer 1998 a new survey was made by Opinion (a third Norwegian research institute) among people living in Oslo. 48% expressed that it was wrong by the churches to accept people that had had their applications turned down. 27 % expressed support (ibid, 217).

I have tried to find more recent surveys about church asylum, but have unfortunately not accessed any. This can maybe be seen in connection with the general decline in interest for this subject. Statistics Norway however every year makes surveys where they ask questions that are supposed to reflect peoples' attitudes towards immigrants and refugees. They are asking (more or less) the same questions every year. In the period 1993-1999 they asked for example "Do you agree or disagree that refugees and asylum seekers should be given residence at least at the same extent as today?" (Statistics Norway 2000(a), my translation).

The numbers show that generally there was an increase in the number of people that agreed on this. The percentage increased from 49 % in 1993 to 64% in 2000 (ibid).

From 2002-2007 the question have been more specified. They have then asked “Compared to today, should it be easier for refugees and asylum seekers to obtain a residence permit, should it be more difficult, or should access to residence permits remain the same as today?” (Statistics Norway 2007(a)). In general the majority has been in favour of the “same as today”. There has however been a considerable decline in the number who has thought that it should become more difficult, from around 53% in 2002 to 39 % in 2007. In the period 2002-2007 the percentage of those that think it should become easier has varied between 5 and 9 % (ibid).

In several comments by Statistics Norway they draw lines between control means already introduced, and that this combined with the number of asylum seekers seems to influence on peoples attitudes (Statistics Norway 2000(b), Statistics Norway 2004, Statistics Norway 2007 (b)).

5.4 Have these factors influenced on the number of church asylums? If so - how?

Culture similarity, geographical closeness and financial costs are probably essential factors that influence upon where the refugees go. However, it also seems evident that different countries' refugee policies to a high extent affect on where people go. I think this can be exemplified when looking at Europe in recent years, refer there is a big difference in whether the European countries have experienced a decrease or increase in the number of asylum seekers, independently on whether they earlier have received a high or low proportion of refugees. The Norwegian Refugee Council in their report from 2008 also points to different refugee policies as the decisive explanation for the differences in the number in the European countries (23).

Intuitively I would think that the number of church asylums in a country has some relationship to the number of asylum seekers in the country which again, I have argued, is a result of the current refugee policies. Since only asylum seekers who have been refused have to consider church asylum, the number of refused asylum applications are also essential. If looking at the situation in 1993 this way of arguing can seem to be right. After the Norwegian

authorities introduced visa requirement for Bosnians for example, the number of new asylum applications decreased dramatically (Tjelmeland and Brochmann 2003, 305). In 1993 the percentage of refused asylum applications was also very high, 90 % (Punternold Bø 2002, 53). Peoples' dissatisfaction with the refugee policies was also quite extensive. Of those asked in February 1993, 52 % expressed dissatisfaction with the decision about sending the Kosovo Albanians back home. These factors were probably essential for church asylum coming into being again. But it can be objected that in accordance with this way of reasoning, Norway should also have experienced an increase in the number of church asylums for example at the end of the 1990's when the total number of asylum applicants again increased. The percentage of asylum applications that were turned down was still considerable. The case with the Afghan refugees from 2005-2006 is also interesting. Many of them were refused by the immigration authorities because it was assessed that it was safe to return to certain parts of Afghanistan. Several humanitarian organizations expressed themselves critical to this assessment, and so did other actors.⁶ The Afghan refugees, however, did not seek church asylum. There are many factors that differ between the Kosovo Albanians and the Afghans, but I would claim that there were many similarities as well. So, why did not the refused Afghans seek asylum in the churches?

My assertion is that refugee policies seems to be an important background factor for the occurrence of church asylum, but while there is a clear causal relation between refugee policies and the number of asylum seekers, there is no direct correlation to the numbers of church asylum. The experiences with the Afghans also indicate that there is no clear causal relationship between the extent of public support and the number of church asylums either. It can be objected that because of geographical closeness to the wars on Balkan, the public support were probably higher compared to the one the Afghans experienced. But even if there is no unambiguous correlation between refugee policies, public support and the number of church asylums, I would argue that church asylum still has to be seen in a refugee policy context. It is quite obvious that peoples' involvement in the 1990s' had its root in disagreement with the authorities' refugee policies, which were assessed to be too strict. It should also be noted that both the Christian Democratic Party (Kristelig Folkeparti) and the Centre Party (Senterpartiet) explicit expressed that they considered church asylum to be a result of too restrictive refugee policies (Omeland 1998). It is also worth remembering that the

⁶ Prominent Norwegian newspapers, for instance "Dagbladet" have also expressed themselves critical to forced returns of Afghans, for example as late as 23.01.2008.

Church of Norway strongly opposed the decision about sending the Kosovo Albanians back home, and at several occasions criticised the authorities' assessment of the situation. Thus it seems evident that church asylum would not have occurred in the great extent that was experienced in 1993 if the church did not oppose the refugee policies in general and the decision to return the Kosovo Albanians in particular. The Church of Norway did, however, express herself critical to the forced returns of Afghans.⁷ I will discuss the case with the Afghans and the Church of Norway more thoroughly in chapter 7. This indicates that factors like strict refugee policies which both ordinary people and the church disagree with, cannot fully explain why a response such as church asylums comes into being or not.

So what is then the explanation? To try to find an answer it can be relevant to look at who the refugees are. It could be adjacent to think that religious affiliation influence on whether people seek church asylum or not. Could it be that the Afghans did not seek church asylum because they are Muslims? The last years refugees from Iraq have been the largest group of asylum seekers to Norway. They are also traditionally Muslims. Does this religious affiliation explain the low number of church asylums? There is no reason to believe so. Most of the Kosovo Albanians who seeked asylum in the churches was also Muslims. After 1994 the persons in church asylum were, as mentioned in chapter 4, more heterogeneous (see also *Aftenposten* 03.11.96). Moreover, it is important to remember that there have been many examples of Christians, who have applied for political asylum and got refused, for example a considerable number of Christian Iranians, but who still did not seek refuge in the churches. Therefore it is possible to question the importance of religious affiliation as decisive explanation for the varying numbers of church asylums.

Since the end of the 80's there has been an increasing awareness of human rights, both among scholars and the public. In the debate about the church asylums in the 1990's, adherents argued that the church asylum had brought the asylum seekers legal protection more in accordance with human rights.⁸ My impression is that the awareness of human rights has increased even more the last decade. The most prominent human rights conventions were for example first in 1999 brought into Norwegian law through the Human Rights Act (*Lov om*

⁷ See for example the statement from several Bishops and from the Council on Ecumenical and International Relations, Church of Norway 2007(a).

⁸ I. a. manauensis Terje Einarsen at Faculty of Law, University of Bergen, is for example a person that has expressed views like this. See for example an article in *Bergens Tidende* 11.11.98 (a).

styrking av menneskerettighetenes stilling i norsk rett, May 1999). If increasing awareness of human rights was decisive for the church asylums in the beginning of the 90's, there should maybe had been even more incidences of church asylum after year 2000, since there is still restrictive asylum and refugee policies, and an even higher awareness of human rights. But as stated, the number of church asylums has actually decreased.

A related question is how well grounded the national democracy is, and whether people trust the state apparatus in general. It can be claimed that if people trust the authorities, they will probably think that the legislation and the authorities' assessment of asylum applications are in compliance with human rights standards. If they do not trust the system, they may more often tend to see church asylum as a way of ensuring human rights. Since there are so few church asylums today, does this mean that people trust that the asylum seekers interests are taken care of, and are in accordance with human rights standards? This way of arguing presupposes that there actually is a link between public opinion and the number of church asylums. As mentioned above the statistics from 2003 show a decrease in the percentage of refusals and an increase in the percentage of permissions. Changes in proportions can substantiate the previous claim. One of my informants alluded to something similar. He said that the immigration authorities may have taken into consideration earlier critic, and that practice today therefore are maybe more in accordance with human rights standards.⁹ I do not have any statistical information that can prove this assertion. It can also be objected that if human rights awareness actually has increased, people will probably have an even more critical view on refugee policies compared to in the 1990's. Feeling of injustice and break of human rights is probably of importance for church asylums coming into being, but based on the information and arguments presented so far, I question whether differences in human rights awareness can explain the different numbers of church asylums.

The points I have discussed above are all more general issues. To conclude, my claim is that refugee policies, public support and human rights awareness are important for the occurrence of church asylum, but do not explain the varying numbers. I therefore now want to move my focus to two of the main actors. I want to pay attention to the Church of Norway and the

⁹ Telephone conversation with assistant chief constable Knut Øvregård at National Police Immigration Service, August 2008.

Norwegian authorities and see if, eventually how, their experiences, attitudes and actions can explain the varying number of church asylums.

Chapter 6: The authorities' role in relation to church asylum

In Norway there has been debated whether church asylum can be said to be part of the judicial system or not. Some point to earlier practice, and claim that church asylum has become a common law.¹⁰ My impression from reading the literature is that most authors do not agree with this perception. Based on this, it can seem strange that authorities in modern history have accepted open church asylums. I will try to explain this by reviewing different literature. First I will look at how church asylum from a national, political level was perceived. Thereafter I emphasise on how church asylum administratively was handled, for instance by the police. I end the chapter by discussing if, eventually how, Norwegians authorities' attitudes and reactions (both at the political and the administrative level) have influenced on the occurrence of church asylum.

6.1 The authorities attitudes and reactions

The Minister of the Ministry of Justice and the Police, Grete Faremo, in June 1993 stated unmistakable that church asylum is not a legal right (Engstad 1993, 169). But at the same time the Ministry made instructions saying explicitly that the police as a main rule should not enter the churches to detain refused asylum seekers.¹¹ This instruction was said to be based on the respect of the churches. In the instruction it was further amplified that the instruction only included asylum seekers and not other groups. It was also stressed that it was not a permanent instruction, but that it could be changed if social considerations deemed that necessary. Politicians and people working in the government however verbally opposed church asylum. Minister Faremo for example consistently expressed herself critical to church asylum. In an open letter to Bishop Ola Steinholt in Nord-Hålogaland diocesan in December 1993, she expressed concern about the church asylums may undermining the democracy:

As you have seen, both you and the church administer a powerful weapon through the holy room. When this weapon is used in a political struggle, both you and the rest of

¹⁰ As far as I understand Herman Bianchi for example argues this way, see "Sanctuary" 1994.

¹¹ See guidelines that the Ministry of Justice sent to the different police districts 05.07.93 (Ministry of Justice 1993(b)).

the Church challenges the democracy. The holy room is a sphere beyond the ordinary scene of the democracy and the one that uses this in a political dispute, is also taking on a large responsibility (Grete Faremo 02.12.93, quoted in Jakhelln 1994. My translation).

Minister of Ministry of Education, Research and Church Affairs, Gudmund Hernes, also verbally strongly opposed church asylum. At Church of Norway's General Synod (Kirkemøte) in 1993, he reprimanded the church:

Is it so that a group that after individual assessment not has been entitled to protection, because the person has sought refuge in a church should be given a special treatment?.... Should those that enter the church gate be treated in another way compared to those that are coming through a custom station? (Hernes 16.11.93, quoted in Bjertnes 1997, 40. My translation).

Also other well known politicians representing central authorities expressed themselves very critical. Parliamentary Secretary to Minister of Justice, Nils Asbjørn Engstad, for example described church asylum as an anachronism (1993, 170). The leader of the Conservative Party (Høyre), Jan Pettersen, expressed a similar view (Aftenposten, 25.06.96). The leader of the Labour party (Arbeiderpartiet), Thorbjørn Jagland, in a speech to a regional division (Troms) said that he did not want "a state within the state" (Nordlys, 25.02.97). After a debate in the Parliament in 1994 it was, however, evident that the government would have all the political parties, except the Progressive Party (Fremskrittspartiet), against them if they entered the churches by force (Omland 1997, 159).

Generally speaking, church asylum was verbally opposed by Norwegian authorities, but the instruction from July 1993 about not entering the churches was complied with. Omland put forwards that the authorities tried to solve the situation with the church asylums by negotiations instead of using force (ibid). As mentioned in chapter 4, the relationship between the authorities and the church however became tenser when new church asylums took place in 1994, in spite of the agreement (Fellesuttaelsen) between the authorities and the church from November 1993.

In Norway no one have been fined or taken to court because of their involvement with the church asylums.¹² The Progressive Party has however by several occasions asked for police interference in the churches. Their suggestions were however turned down in the Parliament.¹³

In Norway the instruction about not entering the churches were followed very consciously by the local police departments. There were for instance some examples where local churches for various reasons asked for police assistance to remove the asylum seekers from their churches, for example Holmen church, Asker and Åsane church, Bergen (Aftenposten, 9.3.1999(a) and Bergens Tidende, 11.11.98(b)). The police resisted to help the churches, by reference to the instruction from July 1993. This caused reactions, and as a result it was in March 1999 amplified that police can enter the churches if it from “competent church organs” is asked for (Aftenposten, 9.3.99(c). My translation).

6.2 Have the Norwegian authorities’ attitudes and reactions influenced on the number of church asylums? If so – how?

The outline in the previous section indicated that the Norwegian authorities verbally opposed the church asylums, but at the same time they accepted it, refer the instruction about not sending the police into the churches. Their actual actions have therefore been in sharp contrast to their way of arguing.

The next question is then *why* the authorities did not intervene by for example sending the police into the churches. My impression from reading the literature is that the most common explanation is that the authorities feared the public’s and the congregations’ reactions to such kind of act. It can seem like there in the Norwegian society, also among non-Christians, has been a comprehension about the church as a special place. In Omland’s post-graduate thesis she asserts that the politicians considered the political expenses to be too high to actually intervene (1997). The court case in USA in 1985 made the Sanctuary Movement better known and the number of adherents actually increased as a result of the police interference (Vates 1996, 24 referred to in Omland 1997, 29). Omland claims that this is also the case in

¹² At least as far as I know. I have not seen any references to this in the literature, rather the opposite. My informants have also rejected that this has happened.

¹³ See for example documents from the Parliament for further information about the Progressive Party’s suggestions. See for example document no. 8:1, 1998-1999 and document no. 8:11, 1993-1994 (Parliament 1998-1999; Parliament 1993-1994).

European countries where the police actually entered the churches, or priests were fined (1997, 30). It could be that the Norwegian authorities were aware of these experiences, and that this made them even more resistant to intervene. Further research is however needed to clarify this assumption.

As mentioned in chapter 4, about 2500 refused Kosovo Albanian asylum seekers were granted residence permits as a result of the negotiations between the church and the authorities in 1993. Also in 1996 families with children were granted residence permit after church asylums. TV2 in September 1999 stated that 90 % of those who had been in church asylum in the period 1993-1999 had been “rewarded” by getting residence permits.¹⁴ Also in Germany it is stated that as many as 75% of the church asylum cases between 1999 and 2001 ended successfully (German Ecumenical Committee on Church Asylum 2008). According to these numbers, church asylum seems to have been a very successful mean for those involved. It is however important to be aware that after 1996, the Norwegian authorities have not given any general amnesties or review of specific groups applications. I would therefore think that the success, refer the numbers from TV2, was mainly because of the high numbers before 1996.

Omland in her thesis claims that the authorities’ general resistance to intervene can be seen as a sign of exhaustion; they did not really know how to handle the situation, but also tactics to make the churches exhausted (1997). As the duration of the asylums after 1996 became longer, it can seem like this tactic succeeded. In this period church asylum more often was also denoted as “no solution” (e.g. Church of Norway 2004). It can be objected that after 1996 the group of people in church asylum were more heterogeneous and that the pressure towards the politicians therefore probably became weaker. It is an interesting question whether the authorities’ tactic would have worked if a new, large homogenous group had seeked asylum in the churches. Implied in this question is also whether there is strength in number that is relevant. Would the authorities’ attitudes and reactions would had been the same if an even *larger number* of people seeked asylum in the churches? Would the instructions have been identical or similar? The answer on this question will probably also be important for eventually future occurrence of church asylum. I will discuss this more thoroughly in the last chapter.

¹⁴ It is referred to this in a document from the Parliament, document no. 8:01, 1998-1999 (Parliament 1998-1999).

I started with saying that it seemed strange that they did not intervene when they so clearly stated that church asylum is no legal right. On the other side, if a large part of public opinion were in favour of church asylum, it makes more sense. It can be said to be understandable, logical and a tactical smart thing not to provoke potential voters. In Europe practice has however differed. In Switzerland, Austria, Netherlands church asylum has been declared illegal, but the police have not entered the churches (Vetvik 1998, 210). In France and Germany church asylum is not declared illegal, but police has entered the churches by force (Omland 1997, 29). In Denmark the police have not entered the churches, but some priests have been taken to court (Dachs 2000). In Sweden in November 1993 a monastery was entered by the police. This caused a lot of media attention and was criticised (Church of Norway - Oslo Diocesan Council 1996, 78).

Why does it seem as if the support for church asylum was comparably strong in Norway? Does this indicate that people in Norway are more religious oriented? Or is it because Norway has a state church? It can be objected that both Germany and France have a state church, but that in these countries the police actually by several occasions entered the churches. These points are interesting, but given the limited timeframe for my thesis, I am unfortunately not able to discuss them more thoroughly.

One informant that I discussed with suggested that changes in police routines when it comes to deportations are one important reason for the differences in the numbers of church asylums.¹⁵ The assumption is that the police have become more efficient in sending refused asylum seekers out of the country, and that the refused asylum seekers therefore do not have time to seek asylum in a church. There is for example a clause in the Immigration Act (1988) that says that a person can be detained if “there are reasons to believe that he will oppose orders about leaving the country” (paragraph 41, my translation).

A relevant question is then whether this clause is more often used these days. I have tried to find written information about this, but did not succeed. I however talked with a person who works for the National Police Immigration Services (Politiets Utlendingsenhet).¹⁶ They are among other things, responsible for sending refused asylum seekers out of the country. The

¹⁵ Conversation with professor Bente Puntervold Bø, Oslo University College, July 2008.

¹⁶ Phone conversation with assistant chief constable Knut Øvregård at the National Police Immigration Service, August 2008.

person I talked to has been working with these issues several years. He refused that there has been any considerable changes in the routines. He actually claimed that it is easier for a person to hide away from the police these days, compared to earlier. He explained this by a considerable increase in the number of immigrants and refugees. He further emphasised that the immigrants often have a larger personal network because there are larger immigration communities. I tried to check with various refugee organizations whether they have noticed any changes in the routines. I called the Norwegian Organization for Asylum Seekers (NOAS), but they were not aware of this.¹⁷ I also called another interest organization (SEIF - Selvhjelp for Innvandrere og Flyktninger) and the person I was connected with, had actually been active with the church asylums in the 90's.¹⁸ This person also refused that there has been any changes in the police's routines. He on the contrary emphasised that the Norwegian authorities have problems with sending refused asylum seekers out of the country because Norway lacks agreements on returns with many countries. If this is the case, those people who are in this group will not need to hide away from the authorities, and thereby are not in need for church asylum either.

Only based on these phone calls, I should probably be cautious about totally rejecting that changes in routines can be an explanation for the low occurrence of church asylum. I however consider the viewpoints presented by my informants reasonable. In the introduction I also mentioned that there are a considerable number of people living without proper documents in Norway. If the police had changed their routines and had become more "efficient", one would have thought that the numbers of people living underground would have decreased.

To conclude, the authorities' attitudes and reactions have probably been essential for letting church asylum take place. It seems evident that if the police had entered the churches, there would most likely not had been any following, open church asylums. My claim is therefore that the authorities' attitude and reactions are essential for the occurrence, but can not explain the differences in the numbers, as the attitudes and actions seems in all essence to have been the same, while the numbers of church asylums have differed in the same time period.

¹⁷ I made several phone calls in beginning of August 2008. I talked to two persons at the head office, and also one person working for NOAS at a national reception centre for asylum seekers.

¹⁸ Phone conversation with Jon Ole Martinsen in SEIF, August 2008.

Chapter 7: The Church of Norway's experiences and attitudes to church asylum

A last issue to discuss is whether the low numbers of church asylums today are caused by resistance from the churches to let people seek asylum in their buildings. If that is the case it has to be explained why the churches have become negative to church asylum. To be able to answer the questions I will first look at the local congregations and their experiences.

Thereafter I will elaborate on how superior, central church bodies perceived church asylum, and which guidelines they gave to the local churches. Finally I will discuss whether, and eventually how, the experiences from the local churches and the central church bodies have influenced on the number of church asylums.

The Church of Norway is organized with a central administration which exists of several councils and boards, and in addition also different regional levels that embrace the about 1600 local churches (Church of Norway, 2008(a)). Some decisions are made by the central church bodies, while in other areas the regional levels and the local churches have a high degree of independence. Acceptance or non-acceptance of church asylums finally has to be decided by the local churches.¹⁹ This is important to remember when the discussion about the church's significance in relation to the number of church asylums continues.

7.1 The local churches experiences and attitudes to church asylum

In 1997 Vetvik and Omland made a survey which aimed at collecting and reflecting the local churches' experiences with church asylum in the period 1993-1995. The respondents were priests or leaders of the parish's councils (Menighetsråd), but the respondents were also from free churches. The results are presented in the report "Kirkeerfaring med kirkeasyl" (1997). The report embraces both ideological principles and practical challenges. To provide financially for the refugees is one example of a practical challenge that is illuminated in the report. It, however, seems that this was not a considerable problem for the churches. The churches got what was needed by arranging extra collects, and many also received economic support from individuals in the neighbouring districts (Vetvik and Omland 1997, 76, 94, 133, Vetvik 1998, 215). According to the report it seems to have been a larger problem for the churches that much time and space was used for the refugees, and that this superseded

¹⁹ It is not said explicit, but it is stated implicit in several church documents. See for example Church of Norway – Bishops Conference 1993, case 24/93 and a statement from 08.01.04 (Church of Norway 2004).

assembly halls and personal resources that could have been used for other diaconal activities (Vetvik and Omland 1997, 94, 134).

As the duration of church asylum became long, probably longer than both the church members and the refugees originally had thought, also other negative aspects became clearer. For many of the refugees, experiences of the past combined with living with uncertainty about their future and having a very restricted freedom of movement, caused and/or escalated mental problems (Mathiesen 2002, 1678). It seems like this became an important ethical consideration for the helpers.²⁰ The metaphor of church asylum as a prison also more often was used, both among the refugees and their supporters. One of my informants said that to be in a church asylum is even worse than being in a prison, because you do not know when you will be able to exit.²¹ It is probable that these experiences made church asylum a less “attractive” option for the refugees. The situation for the children was also problematic. Save the Children Norway made a report where their focus was the children’s situation in the church asylums (1993). They concluded that church asylum caused severe problems and that the children in church asylum needed help (Save the Children Norway 1993, 48-50). They also encouraged the church to take more responsibility for the situation. It is likely that these contributions influenced on the church’s attitude. The long duration of the asylum also had the negative effect that many church asylums got less attention and fewer people volunteered to help (Vetvik and Omland 1997, 93).

A positive aspect that has been emphasised by several authors and scholars is that the church asylums brought many different people together (Omland and Vetvik 1997, 65-69, 75, Bjertnæs 1997, 39). Church people who traditionally may were perceived as conservative and old fashioned, worked together with radical leftists. There were also examples of individuals from the political right that were involved. It has further been pointed out that the church asylums were a very concrete and practical way for the individuals and the church to show engagement, and that the asylums therefore were vitalizing for the congregations (Jakhelln 1994, 72).

²⁰ This can be seen for example in the guidelines that were made by Church of Norway in 1998 (Church of Norway – Guidelines 1998). In Norwegian “Kirkeasyl – erfaringer, dilemmaer og veien videre”. Hanne Johansen in her master thesis (2004, 120) also says that this was an important consideration for her informants.

²¹ Telephone conversation with Henrik Broberg, Regnbuen Antirasistisk senter, Tromsø, June 2008.

Omland and Vetvik in their report also show that among their respondents as many as 78 % argued that the reason for their engagement was based on the Christian duty to help people in need, while only 22 % used the argument about the holiness of the building as point of departure (1997, 135). This differs from how the central church bodies with their main emphasis on the holiness originally argued. I will come back to the relevance of this point in the section below.

7.2 Expressed attitude to church asylum by central church bodies

In the introduction to this chapter I mentioned that the way the Church of Norway is organized, allows local congregations to have different views and practices when it comes to an issue like church asylum. At the same time I will argue that the central leadership of the Church of Norway is quite well respected, refer for example the fact that all church asylums got wounded up after the Common Statement (Fellesuttalelsen) in 1993. For getting a more complete understanding of the church's role, I therefore consider it important to also focus on how central church bodies perceived the church asylums. It should also be noted that the central church bodies are also the ones that outwards present the church's official views. This was also the case when the church asylums increased in extent.

My impression is that, especially in the beginning, central church bodies expressed themselves positive about the occurrence of church asylum. In a letter from the Bishops' Conference to the local congregations in October 1993, it was for example written:

The right to asylum is grounded on that the person concerned is situated on a holy place. Even if the right has not existed as written law in Norway after the reformation, it has survived in peoples' consciousness. The church is perceived as a place dedicated and delivered God and where God alone is the Master, a place beyond the authorities' power sphere..... When people with fear for persecution comes to the church ask for help, the congregations should not meet them with a closed door, if they do not have special reasons for this. It is natural to remind that also Jesus, together with Josef and Maria, experienced how it was to be a refugee (Church of Norway - Bishops' Conference 1993, case 24/93. My translation).

At the same time as central church bodies expressed a positive attitude to the occurrence, they however also emphasised that the church asylums should not be organized and thereby institutionalised. There are probably different reasons for this. It seems however quite evident that they were afraid that church asylum should develop to become a competing system of justice,²² as the critics argued that it was. As a result of this they were also reluctant to give guidelines about whether to accept or not accept people that wanted to seek asylum in the local churches. In 1998 the Council on Ecumenical and International Relations distributed some guidelines ("Kirkeasyl – erfaringer, dilemmaer og veien videre", April 1998). Critics have however argued that central church bodies generally were ambiguous and gave contradictory view points (e.g. Iversen 1995, 456).

Central church bodies were also active in the discussion on which principles church asylum should be based. Especially in the beginning they emphasised on the holiness of the church buildings, refer the letter from the Bishops' Conference in October 1993. It can look like they by this way of arguing hoped to avoid focus on the political aspects of the practice. Trond Bakkevig (who then was) secretary general for the Council on Ecumenical and International Relations for example argued that:

If we as a church and as society want to keep the holy room as a place to seek asylum, we must beware of doing church asylum to a political tool. If we do so, the respect for the holy room will soon end (Vårt Land 2.9.1993, referred in Bjertnæs 1997, 42. My translation).

Other prominent theologians however argued that this was not a correct or wise thing to do. Dag Nordbø, who was priest in the church in Tromsø where the first asylum in 1993 occurred, for example argued the following way:

To assert that the church asylums are not political is to hide the actual situation. This we have to admit and rather take a thoroughly discussion about the relationship between church and politics (Nordbø 1993, 607. My translation).

²² This can be seen in documents from the Bishops' Conference 1998, case 19c/98 and in 1999, case 03/99.

My impression from reading the literature is that central church bodies as time went by took into consideration this critic, and laid less stress on the meaning of holy place and the church as a sphere beyond the authorities (e.g. stated in the guidelines from April 1998).

In the end of the 1990's the documents about church asylum also seems to emphasise more on possible negative aspects of the practice (e.g. the guidelines from April 1998). In 1998 there was for example the case that some Serbs from East Slovenia seeked church asylum and some in their network encouraged others to do likewise. Central church leaders however strongly opposed this. They said that people who put this forward as a possibility were "giving extremely bad advises and act irresponsible" (Church of Norway 1999, my translation).

7.3 Have the church's experiences and attitudes influenced on the number of people in church asylum? If so - how?

In chapter 5 I discussed the importance of refugee policies and of people opposing the current policies. I also briefly mentioned that church asylums would probably not have occurred if the church did not oppose the policies.

In the section 7.2, I mainly referred to documents about church asylums. While working on my thesis, I have however become aware of a considerable number of documents where different church bodies expressed opinions about immigration and refugee policies in general. As early as in 1979 they for example expressed concern about the ban on immigration and that the ban could lead to racism (e.g Church of Norway – Bishops' Conference 1979, case 34/79; Sommerfeldt 1993, 216). Also in documents from 1980's they complained about the authorities being too restrictive in granting of refugee status (e.g. Church of Norway – Bishops' Conference 1980, case 23/80). In 1987 they also expressed concern about negative opinions in the Norwegian society towards immigrants (Church of Norway – Bishops' Conference 1987, case 35/87).

Also in the 1990's they continued to express political views. In 1999 bishop Steinholdt and the general secretary for the Council on Ecumenical and International Relations, Stig Utnem for example said:

To change Norwegian refugee politics in a direction that is more characterized by generosity and humanity is an important task (Church of Norway 1999. My translation).

In a letter from the Bishops' Conference the same year it is also expressed criticism towards what was understood as restrictive refugee and asylum policies:

In a world with a lot of refugees, the Bishops' Conference with great worry sees the tendencies in our community towards more restrictive refugee and asylum policies. Such attitudes seem partly to be a result of conscious political choices, but also partly as a result – for many unwanted – of international cooperation (Church of Norway - Bishops' Conference 1999, case 03/99, my translation).

In the same letter they also expressed concern about the Schengen Agreement, and underlined that the Norwegian authorities first and foremost were obliged to comply with human rights obligations (ibid).

When refused asylum seekers in 2004 lost the right to stay at public reception centres, the church expressed critic towards that decision, and again claimed that “Norwegian asylum policies generally are strict” (Church of Norway 2004, my translation). At the same time they however declared that church asylum cannot solve this kind of problems.

It should also be noted that in 2005 a 60 page long resource document about the church and asylum and refugee policies was prepared for the Church of Norway's General Synod.²³ Also in this document there are expressed critical opinions about the authorities' refugee policies. Further the Christian Council of Norway (Norges Kristne Råd) in 2005 established a church network that aims at promoting working with the integration of immigrants and refugees (Church of Norway 2008(b)).

Based on a review of diverse documents and the information above, I will therefore claim that Church of Norway has a tradition of being critical to Norwegian immigration and refugee policies. In 2007 they gave critical comments to the new Immigration Act that is under

²³ In Norwegian it is called: ”Kirkelig ressursdokument om asyl og flyktningepolitikk. Når så vi deg fremmed og tok imot deg?” (Church of Norway 2005).

preparation (Church of Norway 2007(b)). Also as late as in February 2008, the church expressed concern about the situation for refugees who live underground in Norway. They advocated for granting of right to basic health care, and also possible granting of residence permits for those that have been here for a long period (Church of Norway 2008 (c)). Based on the review of the documents from different time periods, I therefore doubt that the reason for the low occurrence of church asylum is that the church do not longer have opposing views or that they do not dare to express themselves critical.

I mentioned above that the local churches and central church bodies had some how different ways of arguing principally for church asylum. I would argue that these differences are important, because when defining some people as in need, an assessment with political implications is done. The church in modern times has only accepted refugees and not citizens of the country in church asylum. I would argue that it looks as if the central church bodies, by focusing on the holiness of the church buildings, hoped to be spared from making further assessments. They were, however, confronted by the consequences of this “non- political” way of arguing. Above, I concluded that the political aspects of the church asylum practice became more and more explicit as time went by. It has been claimed that in newer times in Europe there has not been any corresponding situation as extreme as with the wars on Balkan in 1993, and that this is the reason for why the church asylums came into being again. It can however then be objected that the historical overview show that *different groups* have seeked asylum in the churches. Refer the Palestinians in Denmark, the Armenians and Chechens in Netherlands and the El-Salvadorians in the USA for example. It should also be remembered that the first church asylum in Norway was with Iranian refugees, and that after 1994 the group was very heterogeneous. Some will maybe explain the church asylums as a result of restrictive refugee policies, combined with increased focus within the church on deliberation theology and social engagement.²⁴

But, why then has the numbers decreased? Vetvik and Omland claim that the local congregations after 1993 became more restrictive to church asylum because of the experiences that were gained in 1993-1994, but also because of the central leadership’s reservations (Vetvik and Omland 1997, 136). An inquiry that a prominent Norwegian

²⁴ In conversation with church historian Bernt Oftestad in June 2008, he did not make the connection to the refugee policies. He however emphasised that the church asylum probably has to be seen in the context of deliberation theology and increased social engagement.

newspaper (Aftenposten) made in December 1998 showed that 2 out of 3 Parish Councils in Oslo would be restrictive or actually not accept new church asylums (Aftenposten 09.03.99(b)). As showed in the sections above, many of the local churches' experiences were negative. I also said that it looks like central church bodies also became more restrictive. I think this is the reason for why the church did not want the Serbs from East Slavonia or the Afghans to seek asylum in the churches. It could also be noted that they have been reluctant to sending back Tamils to Sri Lanka (Church of Norway 1997). I argued previously in this section that the church still are critical to present refugee policies, and that lack of engagement therefore is not the reason for the decline. My assertion is that the church opposes current refugee policies, but that they do not want to use church asylum as a mean for this. My impression from reading several church documents is that the focus now is even more on integration and the church's importance in this process:²⁵

It is actual our task, and not the Government's, to convince the Parliament that there is better place in our shelters than what the Parliament so far has been willing to accept (Church of Norway – Council of Ecumenical and International Relations 1994. My translation).

At the same time it should be noticed that it looks as if the church does not totally reject the possibility of church asylum in the future. I think the statement from Church of Norway's General Synod in 2005 (below) shows this. I think this statement also summarise several of the elements mentioned in this chapter:

Church asylum can not be the final solution in an asylum case, and the committee recognizes that such a situation can be constraining for all involved. Still it is important to acknowledge that church asylum can be a possibility to composure, supervision about the reality, support and protection in an acute emergency (Church of Norway General Synod, 2005, case 06/05. My translation).

²⁵ See also the document from Church of Norway's General Synod 2006, case 11/06 "Immigration and Integration – Church of Norway's role in a multicultural society", my translation. In Norwegian "Innvandring og integrering – Den Norske kirkes rolle i et flerkulturelt samfunn".

PART IV CONCLUSION

Chapter 8: Summary of previous sections and future perspectives on church asylum

I have in previous parts of the thesis described and analysed church asylum historically and internationally. In part two I showed that church asylum has had a wide extent through different time periods. In three I narrowed my focus and emphasised on the occurrence of church asylum in Norway from the 1990's. I looked at different factors that can be of importance for explaining the varying numbers of church asylum. The focus in part two and three have been on previous and present time, respectively. In this last part, I will try to make the picture more complete by trying to say something about the likelihood of occurrence of church asylum in the future as well. Before doing so, I however think it is useful to first summarize the arguments and discussions presented in chapter 5-7, part three.

In chapter 5 I discussed the importance of different background factors. I argued that church asylum has to be seen in the context of different refugee policies. I said that dissatisfaction with refugee policies are decisive for the spring up of church asylum, but concluded that this cannot explain the *varying numbers* of church asylums. I used the example with the Afghan refugees, who I claimed had both church and public support but did not seek asylum in the churches, to substantiate my assertion. I also questioned the importance of increased human rights awareness. I ended the chapter by rejecting that religious affiliation is decisive for the occurrence of church asylum.

In chapter 6 I focused on the role of the Norwegian authorities. I said that in some ways it is difficult to explain why the authorities accepted church asylum, as they held it to be an anachronism without any present legal status. I asserted that the reason for why the authorities did not intervene was because they feared public opinion and potential voters' dissatisfaction. I concluded by saying that by not sending police into the churches, they made the way for the wide extent of church asylums. Simultaneously I pointed to the fact that the Norwegian authorities' actions and attitudes the whole period was more or less the same, while the

numbers varied. Based on this, I therefore questioned whether the authorities' management can explain the varying number of church asylums.

In chapter 7 I paid attention to the churches' experiences with church asylum. I argued that the local churches probably more and more realized the problems with the church asylums, and the ethical dilemmas that the asylums entailed. I also claimed that central church bodies became more aware of different negative aspects with the practice as time went, and that they also therefore became more negative. Further I argued that Church of Norway has a history of opposing different governments' refugee policies, and I also pointed to documents that indicate that they still do so. I however continued by saying that even if they do still oppose refugee policies, they do not want to use church asylum as a mean to express their dissatisfaction. I ended the chapter by asserting that the attitude of the church is the single reason that best can explain the low number of church asylum the last years. But even if I emphasise on the church's decisive role for the occurrence and the varying numbers of church asylum, I think the discussion in part three also shows that there are many other different factors and actors that can be of importance. This is important to keep in mind when moving toward discussing the likelihood of church asylums in the future.

Omland and Vetvik (1997) end their report by saying that church asylum can come into being again. They refer to their survey that showed that as 25 % of their respondents were very positive to new asylums, and additional 35 % expressed some support. In a report from Save the Children Norway (1993), 30% of the congregations that they had been in touch with also confirmed that they would be willing to accept new asylums (1993, 58) My interpretation of these numbers is that the numbers are not very high, but that they can still indicate a *potential* for new asylums. It is however important to be aware that the analysis and the numbers are from respectively 1997 and 1993. In a telephone conversation with Omland in August this year (2008) she stressed that the congregations' experiences were to considerable degree negative and that they therefore will be very reluctant to accept new church asylums. She however said that if a radical, restrictive change in refugee policies comes into being, and there is a big homogenous group that is hit by this, maybe new asylums will occur. When I asked this question to the person working for the National Police Immigration Service, he also suggested that if a radical change in refugee policies takes place, then maybe the numbers of church asylums will increase again.

In chapter 5 I showed that the number of asylum seekers in Norway since 2007 has increased. I would also say that as a result of increasing number of refugees' world wide (Norwegian Refugee Council 2008), it is naturally to think that the pressure towards Europe and Norway will continue. This will probably lead to a continuously discussions about refugee policies and the nature and extent of them. Further I would claim that since Church of Norway has a history of opposing the authorities' refugee policies, they will maybe also be willing to accept new church asylums if the policies changes radically. But as mentioned they will be reluctant to use this mean, and probably first and foremost try to influence by ordinary methods. This can be illustrated by the following statement:

To the extent that the church wants a change in Norwegian immigration politics and a more human treatment of asylum seekers and refugees, there are many other channels that are more suitable than church asylum to promote such demands (Church of Norway - Council on Ecumenical and International Relations, 1994. My translation).

In a letter from the Bishops' Conference in 1999, they also stress that the church first and foremost want a dialogue with the authorities.

For many years the Church of Norway has been engaged in influencing and developing Norwegian refugee and immigration politics in critical solidarity and dialogue with the authorities. (Church of Norway - Bishops' Conference 1999, case 03/99. My translation).

I started my thesis by stating that church asylum seems to be an almost "forgotten" phenomenon. Next year it is Parliament election in Norway. According to polls, parties from political right can maybe come into Governmental position. Hopefully eventual changes in the Parliament and Government, will not lead to further tightening of refugee polices and thereby a potential increasing interest for church asylums. Hopefully the church and the humanitarian organisations will manage to make an impact on the national authorities through their "critical solidarity and dialogue", and that it therefore will be no need for church asylums in the future.

Appendix I: Table of databases, search word(s) and number of hits used when collecting data

Summary of data bases, search words and number of hits

Database	Search word(s)	Number of hits
NorArt	Kirkeasyl	29
	Sanctuary	223
	Kirkeasyl + historie	0
BibSys	Kirkeasyl	27
	Kirkeasyl + historie	2
	Church asylum	2
Atekst	Kirkeasyl	3068
	Kirkeasyl + historie	141
	Kirkeasyl + flyktninger	567
	”Church asylum”	0
	Church + asylum	3
Google scholar	Kirkeasyl	17
	Church + asylum	41.800
	Church + asylum + history	37.900
Academic Search premier via Ebscho host	Church + asylum	3
	Sanctuary	5594
	Sanctuary + history	2
	Sanctuary + refugees	0
Library of Congress	“Church asylum”	0
	Church + asylum	56
	Sanctuary	2231
	Sanctuary + church	144
	Sanctuary+ church+ history	20
	Sanctuary + church +refugees	14
Jstor	“Church asylum”	6
	Church + asylum	136
	Sanctuary	4802
	Sanctuary+ church	4391
	Sanctuary+ church+ refugees	413

Social	“Church asylum”	2
Science	Church + asylum	7
Citation	Sanctuary	1927
Index	Sanctuary+ refugees	19
	Sanctuary+ history	87

References

Aftenposten 03.11.96. Asylanters skjebne belyses.

<https://web.retriever-info.com/services/archive.html?method=displayDocument&documentId=055004199611030105&serviceId=2> (accessed 16.07.08).

Aftenposten 25.06.96. 30 flyktningebarn sitter i kirkeasyl.

<https://web.retriever-info.com/services/archive.html?method=displayDocument&documentId=055004199606250017&serviceId=2> (accessed 20.08.08).

Aftenposten 09.03.99(a). Prosessen har tatt for lang tid.

<https://web.retriever-info.com/services/archive.html?method=displayDocument&documentId=055004199903090103&serviceId=2> (accessed 20.08.08).

Aftenposten 09.03.99(b). Oslo kan få flere i kirkeasyl.

<https://web.retriever-info.com/services/archive.html?method=displayDocument&documentId=055004199903090225&serviceId=2> (accessed 20.08.08).

Aftenposten 09.03.99 (c). Regjeringen har ombestemt seg. Kirkeasylanter kan pågripes.

<https://web.retriever-info.com/services/archive.html?method=displayDocument&documentId=055004199903090073&serviceId=2> (accessed 16.07.08).

Aftenposten 17.07.08. Tredobling av antall asylsøkere til Norge.

<http://www.aftenposten.no/nyheter/iriks/article2544950.ece?service=print> (accessed 17.07.08).

Bergens tidende 11.11.98 (a). Kirkeasylet styrker rettssikkerheten.

<https://web.retriever-info.com/services/archive.html?method=displayDocument&documentId=055005199811110056&serviceId=2> (accessed 20.08.08).

Bergens tidende 11.11.98 (b). Orket ikke mer.

<https://web.retriever-info.com/services/archive.html?method=displayDocument&documentId=055005199811110060&serviceId=2> (accessed 20.08.08).

Bianchi, Herman. 1994. *Justice as sanctuary*. Bloomington: Indiana University Press.

Bjertnæs, Marte Kristine, 1997. "Mellom regelverk og hjertelag – en analyse av kirkeasyl i moderne tid". Post-graduate thesis in sociology, University of Tromsø.

Bue, Bjørn. 1993. Kyrkjeasyl. In *Kritisk Juss* no. 4 (1993) p. 153-154. Oslo: Foreningen.

Chambliss, Daniel F. and Russell K. Schutt. 2006. *Making sense of the social world. Methods of investigation*. California: Pine Forge Press.

(Church of Norway – Bishops' Conference 1979, case 34/70). Bispemøte 1979, sak 34/79. Kirken og innvandrere.

Link to this document at: <http://www.kirken.no/?event=doLink&famID=3134> (accessed 16.06.08).

(Church of Norway – Bishops' Conference 1980, case 23/80). Bispemøte 1980, sak 23/80. Kristne assyreres flyktningsstatus i Norge.

Link to this document at: <http://www.kirken.no/?event=doLink&famID=3134> (accessed 16.06.08).

(Church of Norway – Bishops' Conference 1987, case 35/87). Bispemøte 1987, sak 35/87. Kirken og innvandrere.

Link to this document at: <http://www.kirken.no/?event=doLink&famID=3134> (accessed 16.06.08).

(Church of Norway – Bishops’ Conference 1993, case 24/93). Bispemøte 1993, case 24/93. Kirkeasyl.

Link to this document at: <http://www.kirken.no/?event=doLink&famID=3134> (accessed 16.06.08).

(Church of Norway – Council on Ecumenical and International Relations 1994). Komiteen for Internasjonale Spørsmål (KISP) under Mellomkirkelig råd for den norske kirke. 1994.

Kirkeasyl – en trussel mot demokratiet?

Link to this document at: <http://www.kirken.no/?event=doLink&famID=3134> (accessed 16.06.08).

(Church of Norway - Oslo Diocesan Council 1996). Oslo bispedømmeråd. 1996. Kirkeasyl i Oslo bispedømme 1993-1994. Dokumentasjon og rapport fra en arbeidsgruppe.

(Church of Norway 1997). Uttalelse fra Mellomkirkelig råd. Tilbakesending av tamiler (09.05.97).

<http://www.kirken.no/index.cfm?event=doLink&famId=5360> (accessed 20.08.08)

(Church of Norway – Guidelines 1998). Kirkeasyl. Erfaringer, dilemmaer og veien videre. Rapport fra et utvalg nedsatt av Mellomkirkelig råd for Den norske kirke. April 1998.

Link to this document at: <http://www.kirken.no/?event=doLink&famID=3134> (accessed 16.06.08).

(Church of Norway – Bishops’ Conference. 1998, case 19c/98). Bispemøte 1998, sak 19c/98. Kirkeasylsaken.

Link to this document at: <http://www.kirken.no/?event=doLink&famID=3134> (accessed 16.06.08).

(Church of Norway – Bishops’ Conference 1999, case 03/99). Bispemøte 1999, sak 03/99. Brev til menighetene om innvandringspolitikken.

Link to this document at: <http://www.kirken.no/?event=doLink&famID=3134> (accessed 16.06.08).

(Church of Norway. 1999). Uansvarlig å agitere for kirkeasyl (16.09.99).

<http://kirken.no/?event?showNews&FamId=5233> (accessed 22.01.08).

(Church of Norway. 2004). Et uverdigg asyltiltak (08.01.04).

<http://www.kirken.no/?event=showNews&FamId=4744> (accessed 22.01.08).

(Church of Norway. 2005) ”Når så vi deg fremmed og tok imot deg?” Kirkelig ressursdokument om asyl og flykningpolitikk. Desember 2005.

Link to this document at: <http://www.kirken.no/?event=doLink&famID=3134> (accessed 16.06.08).

(Church of Norway - General Synod 2005, case 06/05). Kirkemøte 2005, sak 06/05. Norsk asyl og flyktingepolitikk.

Link to this document at: <http://www.kirken.no/?event=doLink&famID=3134> (accessed 16.06.08).

(Church of Norway - General Synod 2006, case 11 /06). Kirkemøte 2006, sak 11 /06.

Innvandring og integrering – Kirkens rolle i et flerkulturelt samfunn.

Link to this document at: <http://www.kirken.no/?event=doLink&famID=3134> (accessed 16.06.08).

(Church of Norway 2007 (a)). Uttalelse om de afghanske asylsøkerne (24.06.07)

<http://www.kirken.no/?event=showNews&FamId=12645> (accessed 20.08.08).

(Church of Norway 2007(b)). Høringsuttalelse til forslag om ny utlendingslov (13.02.07).

Link to this document at:

<http://www.kirken.no/?event=doLink&famID=56805> (accessed 20.08.08)

(Church of Norway 2008 (a)). A short presentation of the Church of Norway

<http://www.kirken.no/english/engelsk.cfm?artid=11943> (accessed 25.08.08)

(Church of Norway 2008 (b)). Nye Norges Kristne Råd. 2008. Kirkelig nettverk for integrering av innvandrere og flyktninger

<http://www.norgeskristnerad.no/index.cfm?id=100653> (accessed 20.08.08)

(Church of Norway 2008(c)). Rettighetene til uretunerbare innvandrere må styrkes (11.02.08).
<http://kirken.no/?event=showNews&FamID=36479> (accessed 16.06.08).

Dachs, Heidi. 2000. Tyske præster frygter ikke straff for kirkeasyl. In *Kristelig Dagblad* 08.02.2000.
<http://www.kristeligt-dagblad.dk/artikel/236408:Kirke---tro--Tyske-praester-frygter-ikke- straf-for-kirkeasyl> (accessed 22.01.08).

Dagbladet 23.01.08. Farlig retur.
<https://web.retriever-info.com/services/archive.html?method=displayDocument&documentId=0550072008012308035545&serviceId=2> (accessed 20.08.08).

Encyclopaedia Britannica. 2008. The original version from 1911. Sanctuary.
<http://www.1911encyclopedia.org/Sanctuary> (accessed 02.08.08).

Engstad, Nils Asbjørn. 1993. Innledning om kirkeasyl i rettspolitisk forening 09.november 1993. In *Kritisk juss* no. 4 (1993) p. 167-170. Oslo: Foreningen.

German Ecumenical Committee on Church Asylum. 2008. Basic information on church asylum.
http://www.kirchenasyl.de/6_publication/6_1_unsere/download/kurzinfo_englisch.pdf (accessed 21.08.08).

Grimen, Harald. 2003. *Til forsvar for retten til indre asyl*. Oslo: Kolofon AS.

Iversen, Roald. 1995. Kirkeasyl I Norge: Praktisk solidaritet og kirkelig ambivalens. In *Kirke og Kultur* no.4 (1995) p.451-460. Oslo: Universitetsforlaget.

Jakhelln, Henning. 1994. Kirkeasyl – misericordia esclesiae: kirkeasylets rettslige stilling. In *Kritisk Juss*, no. 1(1994) p. 59-73. Oslo: Foreningen.

Johansen, Hanne. 2004. Kirkeasylets teologi. Et grasrotperspektiv. Master thesis. University of Tromsø.

Kjelstadli, Knut. 1988. Nytt av å sammenlikne. In *Tidsskrift for samfunnsforskning* (1988), no. 2, 435-448. Oslo: Universitetsforlaget.

Lahav, Gallaya. 2004. "Towards a people's Europe. An institutional analysis of immigration policy in the European Union". In *Immigration and politics in the new Europe. Reinventing Borders*, Lahav G. p. 26-58. Cambridge: Cambridge University Press.

Leer-Salvesen, Paul. 1994. Kirken som asyl. In *Mennesker og rettigheter* (12). No. 1 (1994) p. 35-40. Oslo: Universitetsforlaget og Institutt for menneskerettigheter.

Mathiesen, Erik. 2002. Helsetilbud til kirkeasylanter – en utfordring for helsevesenet.

Tidsskrift for den norske legeforening, no. 17 (2002), p.1678-81.

http://www.tidsskriftet.no/index.php?seks_id=568592 (accessed 22.01.08).

(Ministry of Justice 1993(a)). Justisdepartementet 1993. Forslag fra stortingsrepresentant Carl I Hagen om at Stortinget skal vedta en beklagelse fra justisministeren for sivil ulydighet i kirkeasylsaken. In *Parliament document no. 8:11, 1993-1994*.

<http://www.stortinget.no/dok8/1993/dok8-199394-001.html> (accessed 16.07.08)

(Ministry of Justice 1993 (b)). Justisdepartementet 1993. Retningslinjer for iverksetting av vedtak – asylsøkere som har søkt tilflukt i kirker. 05.07.93. In *Kirkeasyl i Oslo bispedømme* p. 87, Oslo Bispedømmeråd 1996.

(Ministry of Justice. 1994). Justisdepartementet. 1994. Informasjon vedrørende den svenske regjeringens beslutning 14.04.94. Det kongelige just og politidepartement. Likelydende brev til politimestrene. 15.04.94. In *Kirkeasyl i Oslo bispedømme* p. 108, Oslo Bispedømmeråd 1996.

(National Police Immigration Services 2008). Utlendingspolitiet. 2008. 2187 uttransportert i fjor (11.02.08).

http://www.politi.no/portal/page?_pageid=34,49010&_dad=portal&_schema=PORTAL&articles2_mode=details_r&articles2_articleId=71195&articles4_mode=detailsnewsLinks_m&articles4_articleId=71195&articles5_mode=subscribeRelatedArticles&articles5_articleId=71195&articles6_mode=articleRelatedlinks&articles7_mode=articleRelatedarticles&articles6_articleId=71195&uicell=uicell05&navigation3_mode=navBack&navigation2_mode=greyboxtitle&navigation1_parentItemId=470&navigation1_selectedItemId=1929 (accessed 23.07.08).

Nordbø, Dag. 1993. Alt er opptatt. In *Lutherske kirketidende* no. 19 (1993), p. 606-608. Oslo: Nye Lutherske forlag.

Nordlys 25.02.97. Hjemløses stat.

<https://web.retriever-info.com/services/archive.html?method=displayDocument&documentId=055012199702250016&serviceId=2> (accessed 20.08.08).

(Norwegian Directorate of Immigration 2007 (a)). UDI. 2007. Tall og fakta.

<http://www.udi.no/upload/Pub/Aasrapport/2007/TallogFakta2007.pdf> (accessed 20.08.08).

(Norwegian Directorate of Immigration 2007 (b)). UDI. 2007. Årsrapport.

<http://www.udi.no/upload/Pub/Aasrapport/2007/Arssrapport2007.pdf> (accessed 20.08.08).

(Norwegian Refugee Council. 2005). Flyktningehjelpen. 2005. Flyktningeregnskapet.

(Norwegian Refugee Council. 2007). Flyktningehjelpen. 2007. Flyktningeregnskapet.

(Norwegian Refugee Council. 2008). Flyktningehjelpen. 2008. Flyktningeregnskapet.

Oftestad, Bernt. 2006. Kirkeasyl i historisk og aktuelt perspektiv. *Aftenposten* 25.10.96.

<https://web.retriever-info.com/services/archive.html?method=displayDocument&documentId=055004199610250148&serviceId=2> (accessed 20.08.08).

Olsen, Ted. 2006. Asylum vs. Assistance. In *Christianity Today*. Vol. 50, issues 10 p. 35.

Accessed electronically at:

<http://web.ebscohost.com/ehost/detail?vid=12&hid=113&sid=070a3669-4df5-4b2a-8961-be6aa46c37fa%40sessionmgr104&bdata=JnNpdGU9ZWwhvc3QtbGl2ZQ%3d%3d#db=aph&AN=23119372> (accessed 22.01.08).

Omland, Torunn. 1997. Fanger i Guds hus- Faremo kan redde ham/henne. Post-graduate thesis in sociology, University of Oslo.

Omland, Torunn. 1998. Ny kirkeasylbølge. Dagbladet 24.06.98

<https://web.retriever-info.com/services/archive.html?method=displayDocument&documentId=055007199806240123&serviceId=2> (accessed 20.08.08).

Omland, Torunn. 2000. Myndighetenes håndtering av kirkeasyl i perioden 1993-1996. In *Norske virkeligheter- diakonale utfordringer*, ed. Liv Wergeland Sørby, p.145-169.

Trondheim: Tapir Akademisk forlag.

(Parliament, document no. 8:11, 1993-1994). Dokument fra Stortinget nr 8:11 (1993-1994).

Forslag fra stortingsrepresentant Carl I Hagen om at Stortinget skal vedta en beklagelse fra justisministeren for sivil ulydighet i kirkeasylsaken.

<http://www.stortinget.no/dok8/1993/dok8-199394-001.html> (accessed 16.07.08)

(Parliament, document no. 8:01, 1998-1999). Dokument fra Stortinget nr 8:01 (1998-1999).

Forslag fra stortingsrepresentant Øystein Hedstrøm, Jørn L Stang, Vidar Kleppe og Ulf Erik Knudsen om å avvikle systemet med kirkeasyl slik at politiet gis adgang til å pågripe personer uavhengig av bakgrunn, lovbrudd og hvilken bygning de oppholder seg

<http://www.stortinget.no/dok8/1998/dok8-199899-001.html> (accessed 16.07.08).

Punternvold Bø, Bente. 2002. *Immigration Control, Law and Morality: Visa Policies towards Visitors and Asylum Seekers*. Oslo: Unipub AS.

Save the Children Norway. 1993. Redd Barna, Norge. 1993. Barn i kirkeasyl – med adresse til kirken. Prosjektrapport 4/93.

Sommerfeldt, Atle. 1993. Kirkens syn på asylretten for politiske flyktninger. In *Kritisk Juss* no. 4 (1993) p. 216-218. Oslo: Foreningen.

Statistics Norway 2000(a). Holdninger til innvandrere og innvandringspolitikk. <http://www.ssb.no/innvhold/arkiv/tab-2000-10-30-01.html> (accessed 23.08.08).

Statistics Norway 2000(b). Holdninger til innvandrere og innvandringspolitikk. Bør ha samme mulighet til arbeid. <http://www.ssb.no/innvhold/arkiv/> (accessed 23.08.08).

Statistics Norway. 2004. Holdninger til innvandrere og innvandring 2004. Økt støtte til flyktningepolitikken – færre ønsker ytterligere innstramminger. <http://www.ssb.no/innvhold/arkiv/> (accessed 23.08.08).

Statistics Norway 2007(a). Attitudes to refugee's access to residence permits. 2002-2007. http://www.ssb.no/english/subjects/00/01/30/innvhold_en/tab-2007-12-03-03-en.html (accessed 29.08.08).

Statistics Norway 2007(b). Attitudes towards immigrants and immigration, 2007. http://www.ssb.no/vis/english/subjects/00/01/30/innvhold_en/main.html (accessed 29.08.08).

Statistics Norway. 2008. Li –Chun Zang. Developing methods for determining the number of unauthorized foreigners in Norway, report 2008/11.

Taranger, Billy. 1993. Kirkeasyl – en nødvendig også i Norge i dag. In *Kritisk Juss* no.4 (1993), p.199-211. Oslo: Foreningen.

(The Immigration Act 1988). Lov om Utlendingers adgang til riket og deres opphold her. <http://lovdata.no/cgi-wift/wiftldrens?usr/www/lovdata/all/tl-19880624-064-006> (accessed 23.07.08).

Tjelmeland, Hallvard and Grete Brochman. 2003. *Norsk innvandringshistorie. Bind 3: I globaliserings tid 1940-2000*. Oslo: Pax forlag AS.

Tranholm- Mikkelsen. 1992. Kirkeasyl i Holland. In *Kritisk forum for praktisk teologi* no. 13 (1992) p. 20-126. Fredriksborg: ANIS.

Vetvik, Einar. 1996. Kirkeasyl – religion og politikk på norsk. In *Norsk statsvitenskapelig tidsskrift* (12) no. 2 (1996) p.163-178.

Vetvik, Einar and Torunn Omland. 1997. *Kirkeerfaring med kirkeasyl*. Trondheim: Tapir forlag.

Vetvik, Einar. 1998. Refleksjoner over et ekte dilemma: Kirkeasyl i Norge. In *Innvandringspolitikk og utlendingslov – samtidens klagemur*, ed. Turid Heiberg, p. 209-221. Bergen-Sandviken: Fagbokforlaget.

Wikipedia. 2008. Sanctuary. Sanctuary movement in moderen times. <http://en.wikipedia.org/wiki/Sanctuary> (accessed 05.03.08).

Wipfler, William L. 1992. Sanctuary opplevelsene i USA med kirken som asyl. In *Kritisk forum for praktisk teologi* no.13 (1992) p.113-119. Fredriksberg: ANIS.

List of informants:

*Henrik Broberg, involved in "Regnbuen Antirasistisk senter", Tromsø. Phone conversation in June 2008.

*Bernt Oftestad, professor and church historian, working at the Norwegian School of Theology (Menighetsfakultet). Conversation in June 2008.

*Bente Puntervold Bø, professor at Oslo University College. Conversation in July 2008.

*Inger Nesvåg, Immigration Consultant at Oslo Diocesan council (Oslo Bispedømmeråd), Email contact in August 2008.

*Torunn Omland, researcher. Phone and email contact in August 2008.

*Stig Utnem, earlier worked as general secretary for Council on Ecumenical and International Relations, Church of Norway. Phone conversation in August 2008.

*Jon Ole Martinsen, earlier worked for SOS rasisme. Now working for SEIF. Phone conversation in August 2008.

*Knut Øvregård, chief police assistant at National Police Immigration Service. Phone conversation in August 2008.

*NOAS (both head office and people working at Tanum reception centre). Phone conversation in August