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# EU Migrants' Experiences of Claims-making in German Job Centres

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## Abstract

The paper describes intra-EU migrants' experiences with (transnational) social security in Germany, showcasing their sense-making of the claims-making process to basic subsistence benefits in local job centres. The analysis of 48 qualitative interviews with intra-EU migrants and key informants illustrates how they are not merely passive recipients but may actively assert their rights, based on their degree of familiarity with German welfare bureaucracy, their pre-existing welfare expectations, and their available cultural and social capital. Whether EU migrant citizens decide to claim relates to their cost-benefit analyses on the accessibility to benefits and to alternative means of support, as well as their perceived social legitimacy to draw on German public social support. As a general trend, EU citizens first tried to exhaust all other means of generating an income, seeking to remain financially independent from state-provided welfare, before seeking to claim social assistance-type benefits as a last resort. The data also shows how some applicants are less able than others to pay the hidden costs imposed onto them during the claiming process. The paper finally highlights how, in the light of the inequalities of access they face, intra-EU migrants have developed a variety of strategies to satisfy their social protection needs, relying on a mix of formal and informal welfare arrangements.

**Keywords:** Policy implementation, EU migration, social security administration, activist citizenship, welfare magnet hypothesis

**JEL Code:** D78, R23, H55

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<sup>1</sup> <http://etheses.lse.ac.uk/3982/>.

## Contents

1. Introduction	5
2. Backdrop: The German welfare system and EU migrants' social entitlements in law	6
3. EU citizens' aspirations to migrate and to claim German benefits	8
4. EU migrants' expectations of German public provision	9
5. EU migrants' local-level experiences of claims-making	11
6. EU migrants' strategies to navigate their social protection needs	13
Tactics of needs satisfaction without accessing German social provision	14
Strategies to engage with German formal provision system	15
7. Conclusion	17
Bibliography	19

## 1. Introduction

Despite the EU principle of freedom of movement, EU citizens' experiences of settling in Germany are not free of hurdles. Instead, EU citizens' settlement process, when they seek to access public welfare benefits and employment-related service, is characterised by intricate patterns of administrative inclusion and exclusion. According to recent statistics, in mid-2018 approximately 55 per cent of EU nationals residing in Germany were employed (Brücker 2018). However, while EU citizens might be off the labour market for reasons other than unemployment, only 7.5 per cent of the EU nationals (EU-28) were registered as unemployed. About 10 per cent of the non-German EU citizens residing in Germany received subsistence-securing benefits as unemployment support or in-work income supplement. This is half of the recipient rate of foreign nationals overall, and similar to the rate of residents in Germany altogether (Brücker 2018).

This paper explores the fault-lines of administrative inclusion and exclusion for EU migrants of various national and socio-economic backgrounds when claiming welfare benefits and associated services from their perspective. Approaching EU social citizenship through a bottom-up lens goes beyond more traditional accounts of citizenship as a legal status. In the context of this paper, EU social citizenship is understood as a practice, as a set of deliberations that emerge over the course of local policy implementation, when so-called activist citizens challenge and negotiate the interpretation of their status from below (see Bloemraad 2017; Isin 2009). This includes migrant residents who actively shape and potentially resist administrators' interpretations of their claims by actively responding, and potentially subverting, the demands set out by their local job centre.

Existing scholarship extensively investigated how inequalities in access are embedded into the current legal social security framework (see Dean 2015, 2018; Shutes 2016a, 2016b; Shutes and Walker 2017). The focus of research so far mostly has been on formal social rights. The context of implementation at the front-line which potentially limits EU migrants' rights to social security, has remained underexplored (Dwyer 2019). Though practices of administrative exclusion and inclusion occur at different stages of the benefit claiming process, including allowing or refusing the formal initiation of a claim, imposing or relaxing of the practice of German as the only language of communication during the claim, and favourable or strict interpretation of the legislation in granting entitlements. EU migrants often face an obstacle course of several hurdles impeding their claim, rather than one barrier at the time (see Ratzmann 2019, 100-114). Whether EU citizens decide to claim relates, following Foster (1983), to their cost-benefit analyses on the accessibility to benefits and to alternative means of support, as well as their perceived social legitimacy to draw on German public social support.

The findings build on 32 interviews with key informants, including policy-makers, specialised service providers performing social and labour market integration services for the job centre, legal experts, migrant advisory and advocacy agencies, along with 16 interviews with intra-EU migrant citizens who shared their subjective experience of the claiming process. To reflect EU citizens' diversity of circumstances, the sample considered a range of gender, ages and education levels. Regarding their citizenship status, selected interviewees were intra-EU migrants, i.e. nationals from EU member state other than

Germany, who had moved from another EU country to Germany after the 2004 Eastern enlargement, but who had not reached the five-year permanent residency threshold at the time of the (potential) claim. About half of the selected respondents came from Eastern European countries of origin, such as Bulgaria, Hungary and Poland, while the majority of Western European respondents were French or Spanish nationals.

This paper focusses on how intra-EU migrant citizens (referred to as EU migrants or citizens thereafter) perceive their claiming experience in local job centres in Germany and reflects on the strategies EU migrants have developed to redress some of the inequalities they face. After a short introduction to the German social security system, the paper first addresses why EU citizens migrated to, and under what circumstances they decide to claim social assistance-type benefits in Germany. It then elaborates on their expectations of German social administrations. The paper finishes with a reflection of their actual claiming experience, taking account of the variations of experience according to their cultural and social capital.

## **2. Backdrop: The German welfare system and EU migrants' social entitlements in law**

In brief, the German social security system provides three forms of income support, namely a statutory, contribution-based unemployment benefit *UB I (SGB I)*, a means-tested, tax-financed unemployment benefit *UB II (SGB III)* for jobseekers without sufficient contributions, and a social assistance benefit (*SGB XII*) for citizens unable to work (Osiander and Steinke 2015). In January 2020, the minimum *UB II* benefit for a single person meant to ensure the constitutional requirement of a life of human dignity, amounted to 432 Euros per month. That minimum benefit ought to cover the costs of food, clothing, sanitary products, basic household appliances and socio-cultural activities. Depending on the age of the recipient and the number of children in the household, the benefit level is adjusted to the needs of the recipient (Schmitz 2014).

Historically, the German welfare system aimed at protecting the status of male labour market insiders who would sustain their families in return. That is, the father and husband as breadwinner. However, since the 1970s, increasing unemployment rates jeopardised the reciprocity-based social contract and led to a political turn towards active labour market policies. These can be defined as policies that emphasise claimants' self-responsibility and an active role in job-seeking. The trend towards active labour market policies culminated in the so-called *Hartz IV* reforms of 2003-2005, which re-organised Germany's safety-net following principles of benefit conditionality. The tax-financed social assistance became merged with the former unemployment assistance scheme (for the insured unemployed), forming a new conditional minimum income scheme for needy jobseekers, the so-called *Basic Jobseekers Allowance* or *Unemployment Benefit II (UB II)* (Zimmermann and Rice 2016). The *Hartz* reforms created a first-tier, insurance-based benefit of 67 per cent of former earnings (*UB I, SGB III*) administered by local employment agencies.

The reforms also introduced a second tier, tax-financed, flat-rate minimum social benefit for those who did not contribute sufficiently prior to their spell of unemployment (*UB II, SGB II*). The latter is administered by job centres as the new one-stop public interfaces. Job centres determine at the local level whether individuals meet the conditions for benefit payments during an individual case assessment (Heidenreich and Rice 2016).

Consequently, instead of access to state-financed welfare being a genuine right, entitlements have become conditional and discretionary. Such conditional entitlements indirectly impose obligations to fulfil moral ideals of self-reliance (see Heidenreich and Rice 2016). To this end, the reforms introduced strong activation elements that transferred the responsibility for labour market integration to the individual, who is required to be an active recipient. Claimant responsibilities include active job searching and participation in training programmes, job placement and occupational counselling (Zimmermann and Rice 2016).

EU citizens who are exercising rights of free movement are entitled to social benefits in Germany under the Freedom of Movement Law (*FreizuegG/EU*), which translated relevant European directives into German national law. During the initial three-month period, incoming EU citizens (and their family members) cannot claim any German social security benefits. Since a legislative reform of 2017, *economically inactive* EU citizens are not eligible to any type of German social security benefit during their first five years of residence (see Bundesgesetzblatt Nr. 65, Bundesregierung 12/28/2016). However, EU citizens can receive non-contributory benefits once they reached the so-called 'habitual residence' status (Regulation 883/2004/EC), which corresponds to a five-year threshold of settling and living in Germany. *Economically active* EU can receive German subsistence benefits as income supplements to reach the social minimum (which is defined by the current *UB II* benefit level) if their income falls below that threshold. In case of becoming involuntarily unemployed, the length of previous employment is important. If EU citizens have worked for over a year, they can stay in Germany and receive German subsistence benefits until they reach retirement age or until they leave the country. If EU citizens have worked and contributed to social security for less than a year, they can retain their status as a (former) worker for a maximum of six months while seeking new employment. During the six-month period, jobseekers are entitled to the state's minimum welfare payments under the *SGB II*. After six months of receiving the *UB II* benefit, jobseekers no longer have access to social provision in Germany until they reach the habitual residence threshold of five years (see Bundesgesetzblatt Nr. 65, Bundesregierung 12/28/2016).

As a side effect of the legal statutory exclusions to accessing social security, non-working EU migrants struggle to obtain health insurance in Germany. Effectively, while access to medical care tends to be residence-based in some EU countries such as the UK, membership at a statutory health insurer in Germany is linked to paid employment. For unemployed residents, the German state covers the monthly fee for health insurance once the user is registered with a local job centre. Those remaining without public support have to cover the costs on their own, which many are unable to do, as they live below the poverty line (see section 6).

### 3. EU citizens' aspirations to migrate and to claim German benefits

As briefly insinuated in the introduction, legal entitlements do not necessarily translate into substantive benefit receipt in practice. This not only relates to administrative hurdles during the claiming process, but equally to EU migrant citizens' migration aspirations, self-perceptions regarding their legitimacy to claim tax-financed benefits and their welfare expectations in Germany.

In terms of their migration aspirations, decisions to immigrate were commonly inspired by economic rationales of better job opportunities, which contrasts with the prevailing myth of welfare tourism one can observe in German policy discourse as well as among social administrators (see Ratzmann 2019, 176-179, and 184-188). The majority of highly skilled EU respondents framed their decision to migrate to Germany as a lifestyle choice. Their immigration tended to be motivated by various economic objectives of enhancing their professional opportunities, and of furthering their personal development through a stay abroad. EU migrant interviewees commonly spoke about the new adventures in a city like Berlin, which was portrayed as attractive due to its art scene. Personal motives such as love, or family also played a role. Less skilled EU migrants similarly explained their decisions to come to Germany to have been motivated by reasons other than the comparatively comprehensive German social protection system.

As for their expectations of the German welfare system, almost all the interviewed EU migrants anticipated that a strong logic of reciprocity or need should define their benefit eligibility and legitimacy to file a claim. Thus, notions of (not) feeling "*poor enough*", as expressed by a French respondent, with other people being more "*in need and distress*", as stated by Hungarian community worker, were activated to justify decisions to (not) reach out for German public money. Several respondents perceived German citizen claimants, compared to themselves, as not being self-sufficient enough. Some even described German nationals as being "*obsess[ed] with getting support from the state*".

Many migrant counsellors thus qualified the reliance on German social assistance-type benefits as a default strategy of last resort when EU migrants were not able to integrate into the German labour market, for instance due to formally unrecognised qualifications. In their initial decision to migrate, the idea of being able to access state support tended to play a subordinate role, as this Polish counsellor explained:

*"The motives differ, clearly. They are, first of all, economic. They simply want to have a job. Make money [...] many say they don't see a future in Poland, that their children want to have a better education [...] and that there is a better safety net here".*

Considering the prevalence of reciprocal ideals, many EU respondents perceived a claim to be socially legitimate, and expected some public support, only once they faced circumstances beyond their control. The latter resonates with one of van Oorschoot's (2006) five deservingness criteria.

With the CARIN framework (Control, Attitude, Reciprocity, Identity and Need), van Oorschot was the first to systematically theorise, on the basis of quantitative research, common criteria upon which the social legitimacy of access to social benefits is evaluated. For example, a French respondent considered it fair to apply to a housing subsidy because of the ever increasing rents in Berlin she had difficulties to afford. A Spanish interviewee relied on social subsistence benefits only as a temporary aid while she was setting up her own business, even though she highlighted her unease asking for public support in general.

In summary, the data revealed that EU migrants' preconceived notions of what to expect of German public support, once they moved and settled in Germany, tended to be imprinted by ideas of need and reciprocity. EU respondents overall expressed a strong motivation to support themselves rather than to be financially dependent on German social benefits. Their individual attitudes towards receiving tax-financed state support may be interpreted in the light of Germany's two-tiered social security architecture (see above), within which contribution-based reciprocity remains the norm of public benefit receipt (Mau 2003, 2007).

#### **4. EU migrants' expectations of German public provision**

In addition to their own perceptions of deservingness to claim in Germany, EU migrant interviewees spoke about how pre-existing welfare ideas influenced their expectations of the German welfare system. Due to their status as newcomers to German society, EU migrants tended take their home country welfare system as a point of reference when trying to make sense of the German social system and their claiming experience.

Generally, EU migrant interviewees expressed surprise about the generosity of the benefits and services available to them. Those interviewees emphasised feelings of self-consciousness in claiming, describing their difficulties in accepting a state handout, of feeling "*like a parasite*", like a French respondent framed it, or of receiving something "*that does not belong to [them]*", as a Spanish interviewee said.

Though there tended to be one group of EU applicants which could be characterised through a different set of welfare attitudes. They could be described as having a complicated, strenuous relationship with the German welfare administration. Those respondents spoke about their perceptions of the job centre not as a benevolent institution, which would support residents in need, but as an opponent representing the interests of the state. Several Eastern European interviewees explained such attitudes prevailing among some EU migrant respondents by their socialisation processes in the post-Soviet home countries, where state institutions tend to be perceived as "*corrupt*", as a Bulgarian interviewee expressed it. They described that such perceptions could result in the circumvention of rules and laws, for instance by becoming involved in fictitious or only partially-declared employment, as explained by another Bulgarian respondent. A third Bulgarian interviewee disclosed the underlying way of thinking as follows:

*“Rule of law is a more problematic concept in ex-Socialist countries. It's doesn't work in quite the same way. [...] [corruption] exists there to a much stronger degree and it is systemic. So, no one actually believes that the state is benevolent towards the individual. The state is generally seen as an enemy of the population. [...] We see a complete lack of legitimacy; you don't trust the government; people don't trust institutions. [...] So, you don't see the state as your own representative. And I feel that here it is different. People here [in Germany], people who work in these institutions, are generally trying to help you”.*

Such an adversarial nature of the state-claimant relationship is not unique to the post-Soviet space. The same could be observed in neo-liberal welfare regimes such as the UK (see Wright 2003). Interestingly, the German welfare state generally seemed to be reputed for, and expected to perform better and be fairer towards its patrons.

Moreover, misconceptions of welfare entitlements in Germany tended to prevail among some EU citizens, which often were shaped by erroneous information circulating in either their home countries, or within closed community networks in Germany, according to this social lawyer:

*“Many think money is just flowing here, that there is work [...] They came with false ideas [...] with romanticised ideas [about Germany] which don't correspond to reality [...] Back in their home countries, they think that Germany is looking for workers, that the social system is better, and that when things don't work out, the German state will provide for them”.*

A job centre advisor similarly pointed to the ill-informed ideas of some EU migrant applicants would have when they arrived in a local German job centre:

*“They are attracted by a completely different set of expectations. They have not looked into the system before [immigrating] [...] they come with the expectation: 'Germany, land of milk and honey, which will pay for everything”.*

Migrant counsellors highlighted how pre-existing ideas about the role and generosity of public support shaped EU migrants' understandings of entitlements in Germany. Those key informants also pointed to how, in the absence of detailed knowledge of the German system, recently arrived EU migrants' expectations were often informed by the perceptions of their home country's social security provisions. Result could be mistranslations of obligations and rights in Germany, as the next section illustrates.

## 5. EU migrants' local-level experiences of claims-making

Commonly, not only EU migrants' prior welfare expectations influenced their perceptions of claims-making, but also the scope administrators had in claims-processing (see Ratzmann 2019, 206-210), which led to a variety of experiences.

The majority of EU citizens appeared to describe their claiming experience in positive terms. Many respondents referred to their job centre interactions as having been “*well-treated*”, as this Bulgarian respondent, or as allowing them to “*keep their dignity*”, as a Spanish national highlighted.

Several EU migrant interviewees alluded to the (unexpectedly) friendly environment when interacting with local job centres, which the quotes below illustrate:

*“It’s much better than in Spain. They were nice to me”.*

*“They were all really nice. I didn’t feel like in a Bulgarian job office for example. So far, I have only met friendly people at the job centre”.*

This overall relatively positive appreciation of the job centre encounter is mirrored by quantitative research, such as Tisch's (2010) survey of migrant claimant satisfaction with German welfare administration. The latter found more positive perceptions of the claiming experience among claimants of a 'migration background' than of German-born nationals. Such EU respondents' frequently pleasantly described claiming experience is likely to have been impacted by their pre-existing, rather low welfare expectations, based on the (often less generous) home country welfare systems.

However, some participants pointed to the psychologically demanding nature of the claiming process, describing staff as impatient, aggressive, and indifferent. A Polish female migrant perceived her application process as having been heavily frustrating, because the two administrators she met did not show “*any emotions*” when she reported her experience of labour exploitation in Germany. For several respondents, claiming had a strong mentally destabilising impact, such as for a Hungarian interviewee, who reported feeling depressed “*three days in advance of the meeting and three days after*”. Some respondents also employed the language of humiliation to describe their experience, which led a Polish respondent to drop her claim:

*“In principle, I lost my time at the job centre. I will not go again because I am not the kind of person, one who just comes to get social security money here”.*

Finally, some interviewees underscored notions of dependency which their benefit receipt would generate. They often raised concerns about their apparent dis-entitlement, as this French interviewee highlighted:

*“I was too proud to claim and did not want to take advantage of the system”.*

The given examples of EU citizens' voices show a range of perceptions of the claim-making process. Positive evaluations of the claiming experience, could, as pointed out earlier, be related to EU migrants' expectation management, based on the (often less generous) home country welfare systems. Interpretations of the process as strenuous, on the other hand, are likely to be explained by the punitive nature of work-activation policies.

Furthermore, EU migrant interviewees spoke about how their (un)familiarity with German social security, and their respective social and cultural capital endowment, came into play during the claiming process. For instance, some felt disappointed by the apparent arbitrariness of local welfare bureaucracies. Social administrations were described as not living up to claimants' *a priori* expectations, as a Polish counsellor working at one of the German welfare organisations explained:

*“People say that they are disappointed by how the German administration works. They imagined it differently. In Poland, there is an image of Germany of how everything works [...] There is this idea that [...] German bureaucracy is flawless. And then people are disappointed if they come here and have a different experience. Which they did not anticipate at all. That bureaucracies sent them away [...], that they work really slowly, that they provide them with the wrong information [...] ‘We thought the Germans are always so perfect’”.*

When the underlying rationale behind a benefit decision was not conveyed or remained unclear, EU migrant respondents commonly perceived administrative decision-making to be arbitrary and discriminatory. This was the case of one of the Bulgarian citizens I interviewed, who was unaware of how to qualify for eligibility. At several points during the interview she stated that *“I don't know my rights in Germany”*. She recalled that she felt unfairly treated by the job centre, and kept wondering why a Bulgarian acquaintance of hers had received subsistence-securing benefits while working, whereas she did not, being unemployed<sup>2</sup>.

Lack of knowledge on social entitlements could act as a barrier to substantive benefit and service receipt. Commonly, EU applicants who approached the institution with a request for more information, unable to make their case due to informational gaps, tended to be denied access on the basis of *“no work, no job centre”*. This experience was shared by several respondents, including a low-skilled Bulgarian and a highly educated French applicant. The finding points to how educational or national background might play less of a role in securing access than may be anticipated. Some highly-educated respondents appeared to struggle as much with their applications as some of the less-educated interviewees. For instance, a university-educated French interviewee was taken by surprise when her online application was invalidated, because she did not follow up with the mandatory in-person appointment.

Education level nevertheless appeared to play an indirect role. According to two welfare counsellors, educational level shaped EU migrants' abilities to familiarise themselves with the host country setting. This included the learning of the German language and the

<sup>2</sup> According to the legal framework, intra-EU migrant citizens' social entitlements to subsistence-securing benefits in Germany tend to be premised on an applicants' status as a worker.

society's tacit rules and norms (see Carmel 2016). These welfare counsellors perceived educational background to influence EU migrants' abilities to navigate the complex administration, and to engage in processes which Scheibelhofer and Holzinger (2018) qualified as 'welfare learning'. As trained critical thinkers from university education, migrant and welfare counsellors judged educated EU citizens as better prepared for claiming benefits in an unfamiliar institutional setting. One of the community workers shared his observation of how the highly qualified tended to be faster in decoding tacit behavioural expectations and acquiring new knowledge, including language abilities. He described those with lower educational levels as less well prepared, and therefore sometimes more prone to exploitative labour situations:

*“These are commonly people who are not at all prepared for the situation. They do not know the language or things like how health insurance works or the difficulties of finding housing. Many of them work under ludicrous working conditions. Their lack of knowledge is often taken advantage of. [...] many who have low levels of education, who only went to school for a few years in Bulgaria”.*

Other welfare counsellors shared his view that EU migrant claimants' educational level influenced their respective ability and motivation to engage in a cultural learning process.

## **6. EU migrants' strategies to navigate their social protection needs**

Thus, self-imposed restrictions, pre-existing welfare expectations and EU applicants' respective social and cultural capital could shape different trajectories of claiming. Depending on the individual sense-making of the claiming experience, EU citizens engaged in differential navigation strategies to fulfil their welfare needs.

The case of a 28-year-old Bulgarian woman who migrated to Berlin two years before the interview helps to illustrate this point. I met her in her apartment in *Berlin-Kreuzberg*, where she told me her story of despairing job centre appointments. She arrived in Berlin almost eight-months pregnant, with her husband who moved for work. Following the advice of a medical doctor who she had gone to see after her arrival, she inquired at her local job centre about her rights regarding the coverage of the medical costs. She was sent paperwork to fill in, with several questions regarding her status as a worker, which she did not know how to answer. It took the job centre more than two months to process her claim, which then was denied on the grounds of not having been in work at the time of application. She nevertheless might have been eligible on the grounds of being a family member of a worker (see *EU Directive 2004/38*).

Six months later she attempted again, following information she had found online. According to the latter, she would have a legal entitlement after six months of residence in Germany. She was accompanied by a German acquaintance this time, who helped her fill in the paperwork. When processing her application, the job centre requested apparently missing documents several times.

After a month of delay, her claim was formally rejected once again. Another six months

went by and she went for a third time, to a different local job centre because she had moved to another district in the meantime. Her intention to claim was refused at the reception desk. She was given no room to explain her case but was immediately told that she had no right to anything as someone who was unemployed. She was left without sufficient means to cover her subsistence needs. She never appealed against any of the decisions as she did not know she could seek legal recourse. An NGO stepped in to cover the costs of giving birth.

The case above illustrates that, depending on their knowledge of the German welfare system, and their social and cultural capital, EU migrants could deploy various strategies to navigate the complex bureaucratic environment and to ultimately satisfy their welfare needs. As spelled out in more detail below, strategies ranged from (i) disengaging from, or never seeking access to, the host country system, by turning to either their home welfare state or to informal support networks, to (ii) engaging with formal German social support. The latter entailed the upscaling of information-seeking efforts, including the outreach and reliance on third-party support and advice, the display of strict rule-abiding behaviour, subverting the system by creative, artful rule bending to qualify for claims, or securing legal recourse to redress denied claims.

### **Tactics of needs satisfaction without accessing German social provision**

Several of the EU migrants who either decided not to claim, or whose benefit request to subsistence-securing benefits was denied, (re-)registered with their home country's social provision to secure their livelihood. Some continued to receive unemployment support from another EU country, such as a French respondent. He did not declare his move to Germany for 1.5 years and remained registered with the French *Pôle d'Emploi* instead. Similarly, a Spanish interviewee informally exported unemployment benefits from her home member state.

Furthermore, respondents thought of alternative sources of income to cover their expenses once they arrived in Germany, anticipating a potential shortfall of resources during the transition period of moving and settlement. Some interviewees saved money before moving to Germany. They also supplemented their income by small-scale, casual labour once they had settled in Berlin, such as a Spanish respondent who worked in a call centre for six hours a week. Others started part-time work in a diverse range of occupations, namely as sales assistant in a wine shop, providing translation services online, giving guided city tours, private piano lessons, working in refugee camp, in an art collection and a theatre. According to key informants, some (Eastern European) population groups also made ends meet engaging in marginal economic activities such as of playing music in public transport or collecting deposit bottles, which could be exchanged for small amounts of money at local supermarkets.

Besides, some EU citizens relied on their interpersonal networks to offset their lack in access to formal welfare in Germany, which has been seen elsewhere as a common informal welfare strategy (see Lafleur and Romero 2018; MacAuslan and Sabates-Wheeler 2011; Serra Mingot and Mazzucato 2018). In this regard, family and partners played a prevalent and effective role, for instance for a French respondent who was financed by her German boyfriend after her arrival in Berlin. Similarly, a Polish interviewee,

who came to Germany with her child after separating from her partner in Poland, was supported by her mother, who already lived in Berlin.

A common problem EU migrants encountered when settling in Germany related to their access to medical care. Many informants spoke about their difficulties in obtaining health insurance in Germany. As those remaining without public support have to cover the costs on their own, EU migrants often remained signed onto the national health service in another European member state, aiming to obtain health coverage in Germany by means of the *European Health Insurance Card*. Others tried to rely on less expensive private health insurance. The latter group often remained unregistered in Germany, which put some of them at the margins of legality, as this Spanish interviewee highlighted:

*“During this year I wasn’t ‘angemeldet’ [registered with the local authorities], so I could avoid paying the ‘Krankenkasse’ [health insurance]. I had a travel insurance that was like one third cheaper than the ‘Krankenkasse’. It was like if I didn’t exist in Berlin at all, sometimes it was uncomfortable”.*

In some instances, semi-formal intermediaries stepped in to fill the void of state provision, such as in the case of a Bulgarian citizen who arrived in Germany pregnant, and whose childbirth was, in absence to access to German health insurance, financed by a local NGO.

### **Strategies to engage with German formal provision system**

However, not all EU citizens I interviewed had turned away from the formal German provisioning system. Instead, some respondents sought to find ways to engage with the bureaucratically complex job centre system. As a form of welfare learning, EU migrant interviewees reported to first have scaled up their information-seeking efforts better to understand eligibility conditions and the process of application. Most relied on detailed internet research, as this quote from a Bulgarian respondent exemplifies:

*“I finally looked things up on the Internet, translated words and stuff, and understood how to find the job office, the employment agency. And I went there and signed up”.*

Others relied on word of mouth, through friends and acquaintances. The excerpt below is an example of how social networks helped a Spanish respondent secure housing:

*“I heard from my friends about the WBS [a form of housing subsidy] [...] I obtained it easily and started searching for a flat. I couldn’t find anything. Then I heard from my friends that, in Germany, there are cooperatives for rental (that doesn’t exist in Spain) and soon I found a nice small flat for myself”.*

Some EU respondents discussed resorting to trying to satisfy eligibility rules to qualify for basic subsistence benefits, for instance by becoming self-employed. As this migrant counsellor explained,

*“Small business creation is often the only way to get into the system, small businesses as a way-in. Some qualify this to be fraud, even though the person really wants to make a life here”.*

While some respondents qualified such strategies as subverting legal eligibility rules, adjusting legal ambiguities in their favour, local community workers asserted that purposefully created fictitious employment remained an exception. As a community worker explained in the interview:

*“People who try to get job centre benefits through fictitious self-employment are isolated cases [...] most arrive here without being able to speak German. In this case getting full-time regular employment is very difficult. One can take small, casual jobs, by creating his/her own business and then you are automatically self-employed”.*

In cases where EU citizens slid into illegal forms of work, it tended to be the result their procedural knowledge deficits on how to register a business in Germany, not necessarily being aware of the all the steps involved, so his explanation.

Once respondents made a successful claim, they often chose to become over-compliant with the job centre requests in order to ensure their continued access. For instance, a French claimant recalled constantly being in contact with her local job centre to inform them about changes in her situation and her progress in the job search. The latter could be interpreted as a symptom of the sense of insecurity perpetuated by the system, whereby claimants had internalised the self-discipline expected by them.

If none of the strategies were successful, several respondents decided to file a legal appeal as a recourse of last resort. For instance, a Polish citizen, who had received benefits from his local job centre, but whose claim was rejected by his new city borough's job centre after he had moved within Berlin, appealed to the local social court which granted him an entitlement.

The Polish respondent above was supported by a local community worker, who filed the appeal for him, as he lacked procedural knowledge of how to realise his entitlement. Migrant counsellors often were instrumental in realising a substantive claim in practice. They explained EU migrants their rights and duties and guided them through the claiming process, including the appeal if necessary. As translators between two divergent socio-cultural systems, they could assist EU migrant residents in their efforts to convert and adapt their various capitals to the destination country context.

Overall, the data revealed how welfare advice or community organisations, family, friends and partners, served as allies and advocates, bridging tacit knowledge gaps on administrative procedures and behavioural expectations to help EU migrant applicants secure a benefit claim. Effectively, EU applicants reached out to external support once they wanted to start a claiming process, but did not know how. In this process, EU migrants had diverging social capitals which they could mobilise. Some EU respondents had access to national-culturally homogeneous or closed community networks, whereas others were more diverse.

The data revealed that more educated EU migrants tended to have access to transnational social networks, which included German-born acquaintances, friends or family members. The latter actors fulfilled the important role of intermediaries, who could offer bridging capital into the host society.

## 7. Conclusion

This paper explored the fault-lines of intra-EU migrant citizens' experience of claiming social support in local German job centres. It analysed EU migrant respondents' perceptions on what shaped their inequalities in access to benefits and services, including their respective (lack of) procedural knowledge on the claiming process and their social as well as cultural capital they could mobilise in their interactions with German social administrators. The claiming experience itself tended to be influenced by their pre-existing welfare ideas and their own perceptions of deservingness, taking their home country as a point of reference.

The data also suggested that EU migrants' ability to claim was not necessarily a question of educational background. Instead, EU citizens alluded to how their position as migrants and newcomers to the German society impacted their experience with local German bureaucracy. They often had limited understandings of their rights and entitlements which could easily lead to misinterpretations of their legal entitlements and the claiming process.

The findings presented in this paper speak to the contentious debate of welfare tourism, which is present at both, federal and street-level policy-making. The data illustrated that ideas about EU citizens migrating to, and settling in Germany for the sole purpose of claiming welfare benefits cannot be empirically substantiated. Instead, the qualitative evidence pointed to claims-making as a strategy of last resort once other means and sources of securing income had been exhausted. EU migrant interviewees commonly only decided to claim once they faced circumstances beyond their control, not always being able to overcome structural barriers to accessing a highly formalised and rigidly regulated German labour market.

EU respondents generally relied on a mix of multiple arrangements to address their welfare needs. The former tended to combine informal support and some source of formal social protection, either in their home or host country. This included some EU migrants who decided to disengage from the host country welfare system altogether, and turned to interpersonal networks as sources of support, or towards their home country provision.

Vulnerable EU migrant groups, with low social and cultural capital, were sometimes pushed into operating at the grey margins of the labour market to fulfil legal eligibility conditions for benefit receipt. This included trying to secure a worker status through marginal, and often exploitative (self-)employment. In the light of EU citizens' prevalent aspirations of financial independence, and their sometimes precarious employment conditions, the statutory legal exclusions for non-working EU citizens could be questioned as an adequate policy measure. Furthermore, easily accessible and transparent information policies on legal eligibility conditions, including pre- and post-departure counselling, could help redress

some of the misconceptions which appear to prevail among EU claimants about their social entitlements.

## Bibliography

- Bloemraad, Irene (2017): Theorising the power of citizenship as claim-making. In *Journal of Ethnic and Migration Studies* 44 (1), pp.4–26.
- Brücker, Herbert (2018): Zuwanderungsmonitor Juli 2018. Institut für Arbeitsmarkt- und Berufsforschung. Nürnberg.
- Carmel, Emma (2016): A comparative analysis of portability of social security rights within the European Union. Policy Brief. Edited by TRANSWEL Project. University of Bath. Bath.
- Dean, Hartley (2015): *Social rights and human welfare*. Abingdon: Routledge.
- Dean, Hartley (2018): EU Citizenship and 'Work': Tensions between formal and substantive equality. In Sandra Seubert, Oliver Eberl, Frans van Waarden (Eds.): *Reconsidering EU citizenship. Contradictions and constraints*. [S.I.]: Edward Elgar Publishing, Chapter 5.
- Dwyer, Peter James; Scullion, Lisa; Jones, Katy; Stewart, Alasdair (2019): The Impact of Conditionality on the Welfare Rights of EU Migrants in the UK. In *Policy and Politics* 47 (1), pp.133–150.
- Foster, Peggy (1983): *Access to welfare. An introduction to welfare rationing* / Peggy Foster. London: Macmillan (Studies in social policy).
- Heidenreich, Martin; Rice, Deborah (2016): Integrating social and employment policies at the local level: conceptual and empirical challenges. In Martin Heidenreich, Deborah Rice (Eds.): *Integrating social and employment policies in Europe. Active inclusion and challenges for local welfare governance*. Cheltenham: Edward Elgar Publishing, pp.16–50.
- Isin, Engin F. (2009): Citizenship in flux. The Figure of the activist citizen. In *Subjectivity* 29 (1), pp.367–388.
- Lafleur, Jean-Michel; Romero, Maria Vivas (2018): Combining transnational and intersectional approaches to immigrants' social protection: The case of Andean families' access to health. In *Comparative migration studies* 6 (1), p.14.
- MacAuslan, Ian; Sabates-Wheeler, Rachel (2011): Structures in access to Social Provision for Migrants. In Rachel Sabates-Wheeler, Rayah Feldman (Eds.): *Migration and Social Protection*. Basingstoke: Palgrave Macmillan, pp.61–88.
- Mau, Steffen (2003): *The moral economy of welfare states. Britain and Germany compared*. Abingdon: Routledge.
- Mau, Steffen (2007): Mitgliedschaftsräume, wohlfahrtsstaatliche Solidarität und Migration. In Jürgen Mackert, Hans-Peter Müller (Eds.): *Moderne (Staats)Bürgerschaft. Nationale Staatsbürgerschaft und die Debatte der Citizenship Studies*. Wiesbaden: VS Verlag für

Sozialwissenschaften, pp.215–233.

Osiander, Christopher; Steinke, Joss (2015): The moment of the street-level bureaucrats in a public employment service. In Hupe, Peter; Hill, Michael and Aurélian Buffat (Eds.): *Understanding street-level bureaucrats*. Bristol: Policy Press, pp.295–312.

Ratzmann, Nora (2019) Caught between the local and the (trans)national EU citizens at the front-line of German welfare policy. PhD thesis, The London School of Economics and Political Science (LSE).

Scheibelhofer, Elisabeth; Holzinger, Clara (2018): 'Damn It, I Am a Miserable Eastern European in the Eyes of the Administrator': EU Migrants' Experiences with (Transnational) Social Security. In *SI* 6 (3), p.201.

Schmitz, Markus (2014): *Es geht um Existenzen. Pocket-Info Grundsicherung (Band 2)*. Edited by Bundesagentur für Arbeit. Nürnberg.

Serra Mingot, Ester; Mazzucato, Valentina (2017): Mobile Populations in Immobile Welfare Systems. A Typology of Institutions Providing Social Welfare and Protection Within a Mobility Framework. In *European Journal of Development Research* 29 (4), pp.787–805.

Shutes, Isabel (2016a): Citizenship and migration. In Hartley Dean, Lucinda Platt (Eds.): *Social advantage and disadvantage*. 1st edition. New York NY: Oxford University Press, pp.263–284.

Shutes, Isabel (2016b): Work-related conditionality and the access to social benefits of national citizens, EU and non-EU citizens. In *Journal of Social Policy* 45 (4), pp.691-707.

Shutes, Isabel; Walker, Sarah (2017): Gender and free movement. EU migrant women's access to residence and social rights in the U.K. In *Journal of Ethnic and Migration Studies* 44 (1), pp.137–153.

Tisch, Anita (2010): *Kundenzufriedenheit im SGB II: Arbeitsvermittler im Urteil der ALG-II-Empfänger*. IAB-Kurzbericht. Institut für Arbeitsmarkt- und Berufsforschung. Nürnberg.

van Oorschot, W. (2006): Making the difference in social Europe. Deservingness perceptions among citizens of European welfare states. In *Journal of European Social Policy* 16 (1), pp.23–42.

Wright, Sharon (2003): *Confronting Unemployment in a Street-Level Bureaucracy: Jobcentre staff and client perspectives*. Thesis, University of Stirling.

Zimmermann, Katharina; Rice, Deborah (2016): Organizational barriers to service integration in one-stop shops: the case of Germany. In Martin Heidenreich, Deborah Rice (Eds.): *Integrating social and employment policies in Europe. Active inclusion and challenges for local welfare governance*. Cheltenham: Edward Elgar Publishing, pp.162–184.