DOI: 10.1111/1468-4446.13021

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Welfare brokers and European Union migrants' access to social protection

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Funding information H2020 European Research Council

Abstract

In spite of the existence of an extensive national and supranational legal framework, European Union (EU) citizens who exercise their right to freedom of movement to work in another Member State face numerous hurdles in accessing social protection. While recent scholarship on street-level bureaucracy and on migration and welfare has shed light on the role of discretion and stereotypes in access to rights, little is known about the processes through which such hurdles are overcome. In this article, we focus on a specific strategy which is the recourse to what we call "welfare brokers". These actors offer assistance to EU migrants to overcome specific cross-border administrative challenges in the area of social protection that derive from their use of the right to freedom of movement. Relying on qualitative data collected with brokers and Romanian migrants working in Germany, the article also demonstrates that welfare brokers attempt to transform the norms, bureaucratic practices and representations that condition access to these entitlements. The article concludes by underlining how the existence of a brokerage industry is a sign of existing inequalities in the exercise of freedom of movement within the EU.

KEYWORDS

Germany, migration, non-take-up, Romania, social protection, welfare

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1 | INTRODUCTION

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In spite of the supranational legal framework designed to encourage mobility within the European Union (EU), mobile EU citizens who attempt to access social security benefits in the country where they reside encounter numerous hurdles. Existing scholarship has documented different types of barriers --such as lack of acquaintance with their rights (Amelina et al., 2019; Ehata & Seeleib-Kaiser, 2017) and language difficulties (Scheibelhofer et al., 2019) – that hinder the exercise of social citizenship by this population. Such hurdles lead international institutions such as the International Labour Organization (ILO) to distinguish between "legal coverage" that covers rights and formal entitlements and "effective access" that relates to the physical, financial and geographical availability of services (ILO, 2022). Similarly, recent work looking at the role of social security administration in effective access to entitlements has noted that more attention should be paid to the role of civil servants in the study of migration and social protection. In some cases, their lack of familiarity with the complex interaction between residence and welfare legislation may explain why they act as disablers rather than enablers of social citizenship (Ratzmann, 2019). In other cases, however, recurrent narratives and stereotypes on migrants as abusers of national welfare systems may lead to discriminatory practices on the part of civil servants which particularly hurt the ability of precarious individuals to access benefits (Lafleur & Mescoli, 2018). In that sense, the experience of migrants is not fundamentally different than that of precarious immobile individuals: navigating administrative hurdles often becomes a matter of possessing cultural capital and its lack thereof leads individual to not apply for benefits to which they are eligible (Scheibelhofer et al., 2019).

In this article, we propose to focus on "knowledge gaps" experienced by mobile EU citizens (hereafter referred to as EU migrants) and civil servants as explanatory factors for the limited access of the latter to welfare entitlements. Knowledge gaps consist of absent or incorrect information on the part of civil servants and mobile individuals that prevent the latter from accessing or applying to specific welfare entitlements. Our argument is that the existence of knowledge gaps creates a need for mediation by third party actors who offer cross-border administrative assistance in the area of welfare to mobile individuals. In the first part of the article, we therefore attempt to build on the notion of brokerage from the existing migration, social policy and development literature to define and identify the main characteristics of these actors whom we refer to as "welfare brokers". After describing the methods and the data we collected around a case study of Romanian mobile workers in Germany, we use our empirical material to identify three ideal-types of brokers and show how they operate within and sometimes across borders of national Welfare States. Focussing on the ability of welfare brokers to address knowledge gaps, we show that their intervention does not only enable mobile individuals to access entitlements but also aims to shape representations, norms and bureau-cratic practices that condition access to these entitlements. The article concludes by underlining how the existence of a brokerage industry is a sign of existing inequalities in the exercise of freedom of movement within the EU.

2 | BROKERS AND THE MIGRATION-WELFARE NEXUS

The role played by brokers to mediate among different entities is a research topic that has received important attention from a wide variety of fields ranging from international migration to development aid and communications. Surprisingly, the role of brokers in responding to the specific situation of EU migrants who claim social protection has not been deeply examined thus far. Among the few existing studies looking at the role of intermediaries in this population's access to welfare entitlements, the focus has been put on the role of non-profit actors. This works show how non-profits can both provide support for EU migrants at an individual level and push for better norms and practices at the policy and administrative level, thereby "negotiating the boundaries of European social citizenship at the national and local level" (Bruzelius, 2020). Other studies mention in passing that hiring co-ethnic consultants counts among the alternative strategies of Bulgarian migrants to access social protection in Germany (Scheibelhofer et al., 2019, p. 104). A more recent contribution introduces a typology of "welfare mediators", which includes migration counsellors, private mediators and personal contacts, and explains how these actors negotiate knowledge asymmetries between "street-level bureaucrats" (i.e., local civil servants) and migrants (Ratzmann & Heindlmaier, 2022).

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While existing research stresses the importance of intermediaries, this body of literature however includes a limited diversity of welfare brokers, does not distinguish between personal networks and brokers, and falls short of documenting how the latter function in a transnational context such as the one deriving from the EU legislative framework on cross-border social security. To this end, we argue that existing scholarship on brokerage from other disciplines and research areas, but also the literature on street-level bureaucracy, may help us in conceptualizing the role of these intermediaries.

In the past two decades, scholars in public policy and social policy have built on the seminal work of Lipksy (1980/2010) on the importance of discretion in interactions between street-level bureaucrats and their clients. Among this abundant body of scholarship, two developments are particularly relevant for the purposes of our research: First, scholars such as Evans and Harris (2004) have demonstrated how discretion can be used at varying degrees by civil servants to deal with complex and ambiguous policies. As we show below, these are indeed two essential characteristics of national welfare policies as they apply to mobile EU citizens. Second, as summed up by Perna and Vandermeerschen (forthcoming), the use of the concept of "deservingness" in the literature has also been instrumental in highlighting how moral judgements, stereotypes and personal experiences influence interactions between clients and civil servants. For this reason, in line with existing work on migration and welfare (Chauvin & Garcés-Mascareñas, 2012; Lafleur & Mescoli, 2018), we will also pay attention to how intermediaries can assist in transforming the perceptions that civil servants have of EU migrants claiming benefits.

Next to the literature on street-level bureaucracy, social policy scholars have also looked precisely at the role of intermediaries called "take-up agents" focussing mainly on the role of voluntary and public-setting brokers to increase benefit take-up in different types of Welfare States (Finn & Goodship, 2014; Wiggan & Talbot, 2006; Wilson & Amir, 2008). This literature identified the positive role played by these agents particularly for socio-economically disadvantaged groups (Dean et al., 2020; Moffatt & Mackintosh, 2009). Recent contributions have built on this literature to refine our understanding of the role of take-up agents. Van Oorschot (2001), for instance, has noted the importance of looking at issues of non-take-up at different levels (i.e., scheme level, administrative-level and client level). Others also showed that different actors —such as volunteers, public sector agents and market agents— are able to use not only knowledge but also networking, emotions and power to address non-take-up (Holler & Benish, 2022).

Beyond social policy, the role of take-up agents has benefited from the input of broader sociological and anthropological scholarship. Sociologists of translation such as Latour (1996, 2005), for instance, distinguish between *intermediaries* who offer only a predictable output and *mediators* who transform the relationships between the actors that they connect. As we will show below, welfare brokers perform similar roles to Latour's mediators: beyond the mere function of enabling migrants' access to a specific welfare entitlement (i.e., a predictable output), they often intend to transform the relationship between EU migrants, the Welfare State and civil servants of social security administration actors that represent the Welfare State. The mediation work done by welfare brokers is thus not only an intervention that consists in convincing bureaucrats to revise their decision on a specific case. It is rather a process that requires the establishment of a dialog between those parties which, beyond securing access to benefits, may aim for the transformation of the representation civil servants have of EU migrants and, in some cases, to the adjustment of bureaucratic practices and social protection legislation.

Looking at the conceptualization of the role of brokers within the anthropology of development literature, scholars concur that brokers are not passive actors who operate in a predetermined framework. They also actively contribute to translating meaning "into the different institutional languages of its stakeholder supporters, constantly creating interest and making it real" (Mosse, 2005, p. 9). Applying this approach to the case of EU migrants trying to access social protection entails that brokers are not only actors within a regulatory environment that is imposed on them. As we shall see below, they possess specialized knowledge in a highly-technical and fast-changing policy area. They use this expertise in their attempts to alter the regulations, practices and representations that condition EU migrants' access to welfare benefits.

This idea that brokers influence the regulatory context in which they operate is also at the core of migration scholarship on brokerage. Focussing on the regulation of labour migration, Axelsson et al. (2021) argue that brokers

and state actors are equally involved in the dynamic co-production of regulations. Similarly, Guevarra (2009), has shed light on the mechanisms through which the Filipino state itself acts as a labour broker for emigrant candidates, while Xiang (2012) shows how brokers are integrated into Chinese state structures. With regard to public actors, Ambrosini (2017) has also demonstrated that a diversity of actors, including public sector employees, support irregular migrants in travelling and settling abroad and thus hinder the implementation of migration policies. The main lesson we can draw from this trend in the literature is accordingly that brokers cannot always be clearly differentiated from state actors. Among the brokers we interviewed during fieldwork, we similarly found, for instance, that some brokers who defended EU migrants were also recipients of state funding to conduct such activities.

In line with the idea that brokers have a competitive advantage in the field in which they operate, recent contributions from the field of migration studies have defined "broker" as an actor "who gains something from the mediation of valued resources that he or she does not directly control" (Lindquist, 2015a, p. 870). However, this literature also shows that brokers have volatile identities and might be involved only temporarily in brokerage activities. Accordingly, the limits of the concept must be considered taking into account the time and context in which they operate (Lindquist et al., 2012). For the same reason, clear-cut distinctions between formal versus informal brokers, regular versus irregular brokerage activities and altruistic versus profit-oriented motivations of brokers are often difficult to observe empirically (Collins, 2012; Lindquist et al., 2012; Molland, 2012, p. 8).

On this particular point of the distinction between profit oriented and altruistic brokerage practices, it is important to note that individuals who were themselves in a position of needing brokers can later mobilize their newly gained experience to become brokers themselves (within migration studies, see Chee et al. (2012) on transnational marriage brokerage). In this case, their shared experiences of migration help them build rapport with beneficiaries. Rather than differentiating brokers along dichotomous categories, Lindquist (2015b) therefore suggests that brokers with different motives may resort to similar strategies to assist their clients. Lastly, even though migration scholarship has historically highlighted the exploitative dimension of brokerage (Boissevian, 1974; Salt & Stein, 1997), recent works also highlight that discourses that demonize brokers are instrumentalized to draw attention away from regulations, institutions and employers who also play a part in the exploitation of migrants (McKweon, 2012).

2.1 | Defining welfare brokers

Overall, our multi-disciplinary literature review on brokerage allows us to develop three core ideas on how to approach the role of brokers in the area of welfare for migrants (and in particular EU migrants). First, in line with recent findings of the literature on street-level bureaucracy, one should not consider EU migrants as the only actor in the bureaucratic interaction that is struggling with absent or erroneous information around cross-border social protection. Civil servants also suffer —to some extent— from knowledge gaps, and brokers can accordingly use their expertise to facilitate exchanges between these two types of actors. Second, migrating within the EU should not solely be considered as an independent variable that mechanically triggers recourse to brokerage services. Rather, migration is a condition that affects the perception of brokers, civil servants and the EU migrants themselves about the legitimacy of their request for social protection from states of which they are not citizens but in which they reside or have resided. Third, the simplistic sorting of brokers between dichotomous characteristics (e.g., formal and informal, profit and not-for-profit) does not capture the reality of brokerage as the form and motivations of actors may be multiple and vary overtime. For this reason, we propose in Section 3 to refer to ideal-types (transnational companies, NGOs and ethnic brokers) to help us understand that actors with different motives and abilities may perform similar missions of helping clients overcome barriers to cross-border social protection.

Based on this above-discussion, we propose to define "welfare brokers" in the context of EU migration as mediators motivated either by economic gain, symbolic capital or altruism who use their expertise in the area of cross-border social protection to address knowledge gaps between civil servants and migrants and whose intervention enables the latter to access a specific benefit. By also pursuing the objective of transforming administrative

WILEYpractices, regulations and representations on migrants' access to social protection, welfare brokers distinguish themselves from family members and acquaintances offering support to access benefits. In the next sections of the article, we discuss our methods and data and then use the case study of Romanian migrants residing in Germany to identify ideal-types of welfare brokers and explain how they address knowledge gaps among actors involved in cross-border social protection.

3 | DATA AND METHODS

The data presented in the next section of this paper relies on a gualitative fieldwork, carried out by Alexandra Voivozeanu between October 2020 and June 2021 within the project "Migration and Transnational Social Protection in (Post) Crisis Europe" (MiTSoPro). This research project investigates the strategies developed by migrants and their families to access cross-border social protection.

To collect the data used in this article, we combined multi-sited ethnography (Marcus, 1995), digital ethnographies (Kozinets, 2019) and documentary research. Prior to the ethnography, Alexandra Voivozeanu conducted a thorough review of websites and social media activity of groups of Romanian migrants and actors working on issues of immigrant social protection in Germany. The aim of this first step was to identify Romanian migrants' barriers to accessing social protection, the different strategies available to overcome them and the actors involved in the implementation of these strategies. At the end of this first step, the decision was made to conduct a multi-sited ethnography with two types of actors. First, research participants were selected among Romanian migrants accessing social protection in Germany (without targeting specifically the population using welfare brokers upon sending invitations to participate). The Orthodox Church in Berlin, Facebook groups of Romanian migrants and networks of Alexandra Voivozeanu in Germany proved particularly useful to initiate contacts. Second, we interviewed "welfare brokers" identified in online documentary research or via our interviews with migrants who identified them as persons or organizations who helped them in administrative interactions with German welfare authorities. These actors, in turn, also facilitated access to a limited number of additional immigrant interviewees who had used their services. In the context of the COVID-19 pandemic, the interviews were initially conducted online but in person semi-directed interviews were subsequently conducted in Berlin once sanitary restrictions were lifted. Face-to-face fieldwork was particularly essential to achieve sufficient levels of trust with migrants and brokers in order to talk about sensitive welfare issues.

While the use of welfare brokers is one of several strategies used by our research participants, the focus of this article on the role of brokers entails that the empirical material that concerns them is given prominence in the next section of this article. The data used in this article therefore consists of 20 semi-directed interviews with 23 Romanian migrants who have considered the use of welfare brokers, among other strategies, as well as 25 semi-directed interviews with individuals and institutions conducting welfare brokerage activities. Overall, the sample of immigrant participants in this research includes individuals working in low skilled and low paid sectors (e.g., agriculture, cleaning, construction) and, to a lower extent, high-skilled workers with higher income levels. A share of the participants were involved in short-term and/or seasonal migration to Germany but most of them resided long term in the host country. Several informants experienced marginal work, serious labour abuses and, at times, were not able to secure housing in Germany.

In terms of positionality, it is important to note that Alexandra Voivozeanu's position as a Romanian citizen with a personal experience of mobility in Germany has offered her a privileged insider perspective into the community. It has also helped her build trust with migrants, ethnic associations and Romanian representatives of Civil Society Organizations (CSOs). On the other hand, this position may also have affected the ways in which some welfare brokers (in particular transnational companies) presented themselves and their activity. At the same time, differences between the ethnographer and a large part of the interviewees in terms of educational level, socio-economic background and experience with the welfare system in Germany has contributed to maintaining analytical distance.

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The project in which this ethnography has been conducted has undergone an ethical review process with the University of Liège and the European Research Council (ERC). Interviewees have been informed about the goals of the research and the use of data, as well as about the option to withdraw from the study at any time. All of them have offered a signed or recorded verbal consent for their participation. Given that this work touches upon a sensitive topic that is subject to numerous prejudices and stereotypes, the authors wish to add an additional note of caution: The social protection strategies that this article deliberately focuses on are only one aspect of EU migrants' lives in their country of destination. Accordingly, the data presented here does not allow to infer generalizations about the role of welfare on mobility decisions.

4 | WELFARE BROKERS AND EU MOBILITY: INSIGHTS FROM THE EXPERIENCE OF ROMANIAN WORKERS IN GERMANY

Portability of social security benefits and the ability to access social protection entitlements in the country of residence have long been considered as key features of the EU integration process and one to which EU citizens are most attached (Eurobarometer, 2013). However, conditions have regulated the exercise of the freedom of movement since the early days of the EU integration process as Member States (MS) wanted to make sure that EU citizens who move to their territory were either economically active or self-sufficient. Whereas the right to freedom of movement has been extended to other categories of EU citizens beyond workers over the years (e.g., students and pensioners), a number of scholars have pointed out that the evolution of policies and European Court of Justice case law have created an unclear situation for EU migrants in need of support from the Welfare State. Heindlmaier and Blauberger (2017, p. 1214) in particular have noted that the persisting tension between free movement in the EU and nationally circumscribed welfare systems has had one clear consequence for EU migrants: jobseekers and economically inactive EU migrants see their residence tolerated but are often denied equal treatment with respect to social benefits.

To understand these evolutions, it is important to highlight how debates around EU migration and welfare have evolved in recent years. Even though the depiction of third-country nationals as welfare abusers in political debates is a longstanding phenomenon in several MS, the expansion of this stereotype to EU citizens who move within the EU is a rather recent phenomenon. The arrival of new migrants from Central and Eastern Europe as well as the mobility that stemmed from the 2008 financial crisis have been credited for the "vilification" of EU migrants (Barbulescu, 2017; Lafleur & Stanek, 2017). In an unprecedented move, Interior Ministers from Austria, Germany, the Netherlands and the UK signed a letter to the Council of the EU in 2013 claiming that "*a significant number of new immigrants draw social assistance in the host countries, frequently without genuine entitlement, burdening host societies' social welfare systems*" (cited in Ghimis et al., 2014). In Germany, this episode was followed by the announcement of the formation of a committee to investigate "poverty migration" (op. cit.). In this context of increased stigmatization, several scholars have noted that EU migrants residing in Germany are faced with barriers in accessing welfare entitlements in parts due to discriminatory practices on the part of street-level bureaucrats that reflect the new negative discourse of political elites around this issue (Adam et al., 2021; Ratzmann, 2021).

Against this backdrop, it is unsurprising that EU migrants in Germany and other MS find it useful or necessary to use mediators to claim welfare entitlements. In this article, we focus on Romanian migrants who apply for child benefits and unemployment benefits following an (ongoing or terminated) period of employment in Germany. While existing national and supranational legislation prevents them from any discriminatory treatment, their mobility may entail additional administrative steps which distinguish them from native workers claiming benefits in their country of citizenship. In the case of unemployment benefits, these additional steps may be needed if one has to prove periods of insurance completed in other EU countries to demonstrate entitlement or if one wishes to return to their Member State of origin to look for employment. Similarly, in the case of family benefits, the bureaucratic process may be rendered significantly more complex when children do not reside in the country where the EU migrant is insured.¹

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Overall, while only a small minority of EU citizens work in another Member State than their State of nationality, the concentration of some EU migrant communities in specific MS (or even within specific areas within those MS) may feed the perception that they have a non-negligible impact on the workload of social protection administrations.

4.1 | Brokers as mediators in the area of cross-border social protection

"(...) we are not just any lawyer doing a little case, we are a big company standing for 40.000 cases [of EU migrants claiming benefits and recovering tax]. That is something we use, of course." [Kim, representative of transnational company].

Kim is a lawyer and co-manager of a consulting company specialized in the recovery of family benefits and back-taxes primarily for Romanian migrants working in Germany. A number of such companies recovered dozens of millions of euros owed by European Welfare States to tens of thousands of EU workers with a migration history. For instance, over the past 10 years, one transnational company has worked for more than 45.000 Romanian clients and collected 18 million euros in child benefits and 12 million euros in tax revenue. A number of these transnational companies are well-organized businesses that have offices across the EU to facilitate communication and collect the necessary proofs from different national welfare administrations where their clients have resided and/or have been professionally active. Their function is to provide responses to the needs for bureaucratic assistance for a diverse population of EU migrants with professional and/or family ties across several MS.

Before we examine the practice of welfare brokers, this section first attempts to sort out the diversity of actors providing brokerage services. In the previous section of the article, we already showed the limits of classifying brokers in dichotomic terms and highlighted the fluidity that characterizes these actors. In particular, our literature review showed that brokers vary along four essential characteristics which correspond to our sample of welfare brokers. First, we note that the motivations of brokers can be multiple, which does not allow to easily distinguish between profit-driven and altruistic actors. Second, the clientele served by brokers is itself very diverse and, as we show below, may include equally low-skilled temporary migrants and higher-skilled long-term residents. Third, the spaces in which brokers are active vary greatly. Some brokers are only active in the place where the EU migrant currently resides. Others assist their clients by collecting evidence of welfare entitlements and/or engaging with employers and social security civil servants in multiple MS where their client has resided and/or has a work history. Fourth, the duration of the relationship between the broker and the client may vary from a unique and short interaction to resolve a specific bureaucratic hurdle to longer-term relations where the relationship between client and broker evolves and diversifies over several years to include sometimes more interactions than those concerning access to social protection.

In Table 1 below, we therefore attempt to identify three ideal-types of welfare brokers based on these four characteristics. Our approach builds on two important scholarly contributions that aimed at classifying intermediaries in recent years. First, in line with Ratzmann and Heindlmaier's (2022) typology of welfare mediators, we envisage that addressing issues related to the imperfect circulation of knowledge around welfare entitlements is the main function of brokers. However our observation also revealed that unlike personal networks, the actors covered by our three ideal-types attempt to actively change representations, policies and administrative practices that regulate migrants' access to social protection. For this reason, we do not include personal networks as such in our analysis. Second, building on the work of Holler and Benish (2022), our subsequent discussion of the practice of welfare brokerage highlights the need to also look at other resources beyond knowledge, such as power or emotions that brokers can leverage to conduct their missions.

Taking these elements in mind, it is important to note that the purpose of ideal-types is not to represent the entirety of social phenomena in all their complexities but rather to allow "social scientist [s] to take a first step in the analysis of a topic that is little known or explored" (Swedberg, 2018). In our case, this effort allows us to highlight key characteristics among the diversity of actors who provide cross-border welfare assistance as well as shed light on how the unresolved tension between free movement in the EU and nationally circumscribed welfare systems is materialized in the lives of EU migrants.

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TABLE 1 Three ideal-types of welfare brokers.

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	Transnational company	Civil society organization (CSO)	Ethnic broker
Time (duration of the interaction with client)	Sporadic or sustained	Sporadic or sustained	Sporadic or sustained
Space (location(s) where the broker is active)	Multiple member states (MS)	MS where the benefit is claimed	MS where the benefit is claimed
Motive (gain to be expected from the broker)	Economic (profit)	Altruistic (social justice, change legislation), and economic (subsidies for the organizations, remuneration of collaborators, trade union affiliation fees)	Economic (profit)/ symbolic capital
Clients	Short-term/seasonal migrants	Long-term migrants	Long-term migrants

Abbreviations: CSO, Civil society organization; MS, Member States.

The first ideal-type of welfare brokers we identified were *transnational companies*—such as those represented by Kim, whom we cited at the outset of this subsection. Such welfare brokers are active in multiple MS, hire legal staff specialized in cross-border social protection and have a high number of clients. Most of their clientele is made up of short-term and seasonal migrants from Central and Eastern European countries who move to work in higher-income EU MS, while their children often remain in their country of origin.

Transnational companies proactively inform their clients about the possibility to access cross-border entitlements and often develop wide networks of commission-based sub-brokers. Transnational companies sometimes build partnerships or subcontract part of the work with labour recruitment agencies, transport companies and freelancers physically located in sending regions that recruit clients for them. The ability of transnational companies to mediate across borders and engage directly with employers in the receiving state, as well as tax and social security administrations in sending and receiving areas, make them appealing to migrants: they can claim past benefits in the countries where they have worked. Once the initial forms and documents have been collected by migrants, such companies take over the entire process of claiming benefits, including drafting additional clarification documents requested by welfare administrations. Their clients work in the German agriculture and construction sector, often as part of Romanian teams under atypical forms of employment, and their lack of contact with institutions and weaker social networks in Germany pose additional barriers to those encountered by migrants who reside for longer periods in the host-country. As they need to apply for child benefits every year in which they return to Germany, the majority of them renew their contracts with transnational companies annually. In exchange, transnational companies charge them a fee varying between a fixed amount and a percentage of the total amount of tax and/or benefits recovered on behalf of their client.

Civil Society Organizations are the second ideal-type we identified. Under this broad label we include not-for-profit organizations, unions, lawyers and grassroots groups whose brokerage activities exclusively occur in the country where the benefit is claimed. Part of these organizations are funded from various sources to carry out their activity and remunerate their employees. However, unlike transnational companies, they do not charge fees (except for lawyers whose fees are often covered by legal aid) and their activities primarily consist of supporting EU migrants who are experiencing difficulties accessing a social protection entitlement in the Member State where they currently reside. This typically consists of activities to counsel migrants in claiming social security entitlements as well as mediation between EU migrants and civil servants (including in Court). Though CSOs may offer their services in the migrants' mother tongue and count employees who are of the same migrant community as their clients, they distinguish themselves from ethnic brokers by the fact that they do not present themselves as serving the needs of one specific migrant community. Within this category of CSOs, we observed numerous instances of cooperation between

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different types of actors. For instance, unions offering support to members asking for social protection provisions in the host state can work together with other CSOs that have specialized skills in dealing with migrants (e.g., to overcome language barriers). In other cases, not-for-profit organizations may refer EU migrants to lawyers specialized in social protection in order to challenge erroneous administrative decisions. Moreover, we found that beyond providing concrete assistance to their clients, several of the CSOs we interviewed also aimed at changing bureaucratic practices and welfare legislation that put EU migrants at a disadvantage when claiming benefits (see also Bruzelius, 2020 for other examples of such practices).

The third ideal-type of welfare brokers we identify are *ethnic brokers* which distinguish themselves from the other two ideal-types by the fact that they share the same ethnic identity as their clients. In this category we find migrantrun companies, law firms, individuals or migrant associations. Their brokerage activities most frequently are limited in the country where the benefits are claimed. The cultural and linguistic affinities between these brokers and their clients facilitate trust-building. For this reason, we found that, at times, transnational companies subcontract some of their welfare brokerage work to ethnic brokers (usually individuals).

These brokers are often part of relatively organized migrant networks such as associations or migrants' online groups. They offer counselling or translation services during appointments at social protection offices usually in exchange of material benefits. Among ethnic brokers, we can find migrant-run companies and co-ethnic lawyer offices. These brokers typically use a power of attorney to represent clients in exchanges with street-level bureaucrats and they charge fees for their services. Compared to the large transnational companies described above, they serve a considerably lower number of clients and they do not interact with a diversity of actors involved in the process of claiming benefits. Moreover, once the benefit has been obtained, the service they offer is often no longer needed by their clients. Finally, our fieldwork showed that immigrant associations can also act as ethnic brokers. They however distinguish themselves by the fact that the assistance they provide to clients may not necessarily generate material benefits for brokers (i.e., financial returns). Indeed, while most ethnic brokers do charge a fee for their services, prominent members of the immigrant community may offer their services with the expectation of further building symbolic capital within the community. These brokers can then activate this symbolic capital to their own benefit at a later stage (e.g., to access to more responsibilities within their organization or access positions in representative institutions of the country of residence).

4.2 | Welfare brokerage and the civil servant-migrant relationship

"I didn't know anything about child benefits [in Germany]. We were listening to the radio and heard [an advertisement about a private company that provides support to access benefits] ... We decided to call and we found out [that we were eligible]... We don't know the language and we don't know the law... We don't know anyone. There are many obstacles for us." (Maria, 23.02.2021, phone interview).

We have postulated at the outset of this article that the need for welfare brokers is due in great part to knowledge gaps met by EU migrants and social protection administrations in dealing with claims for entitlements. In the quote above, Maria —an agri-food worker who has worked in Germany under seasonal contracts for several years illustrates the difficulties met by Romanian migrants especially in the initial stage of their presence abroad. European Union migrants are often not aware of the existence of coordination mechanisms between EU Welfare States that enable them to receive social benefits abroad or to see periods of insurance in one MS recognized by another. At the same time, and in line with existing literature on the topic, participants in our research noted that their insufficient knowledge of the language of their country of residence and of its institutional structures complicated access to information as well as interactions with civil servants.

When it comes to knowledge on cross-border welfare entitlements among civil servants and EU migrants, our empirical research indicates that the imbalance cannot be summed up as limited/absent on the side of beneficiaries and complete/thorough on the side of national welfare bureaucracies. As a matter of fact, we noted that street-level

bureaucrats —just like migrants— suffered in certain cases from knowledge gaps on cross-border social protection. However, their position as gatekeepers for national welfare systems entailed that administrative procedures can be improperly followed and applications unduly rejected. This issue was repeatedly underlined by brokers during our fieldwork: "The law has changed so often in the last 10–15 years that, in many cases, the employees [of Jobcenters] (...) make a lot of mistakes." (Adrian, ethnic broker, June 8, 2021, Berlin).

For other brokers, knowledge gaps among street-level bureaucrats are simply unavoidable because of the fast pace at which laws and practices evolve (i.e., following a legislative change, a change in bureaucratic practices or a judicial decision) and the fact that local welfare agencies cannot all build up the necessary expertise to deal with EU migrants. As noted by Sara below, knowledge gaps among civil servants often result in discretionary decisions to request additional documents beyond those required by national or EU laws. The serious administrative complications this entails for EU migrants justifies their recourse to welfare brokers:

"Now, when claiming child benefits as a Romanian, one will receive a long list of documents to send additionally: a proof that your child attends the Kindergarden, which is not mandatory in Germany, [a proof that you pay] rent, you need to mention your electricity provider, you need to prove that you paid the Radio-TV tax and many more...an entire list that has nothing to do with child benefits." (Sara, CSO representative, 5.03.2021, online).

Through their activities of mediation between migrants and civil servants, welfare brokers manage to fill in knowledge gaps that prevent access to welfare entitlements. Concretely, welfare brokerage consists of guiding migrants around the bureaucratic process and collecting and filling in administrative documents for them (sometimes from various actors in different MS), accompanying clients to meet civil servants, provide additional documents and information and dispute baseless requests for additional documents and negative decisions. In our observations, welfare brokerage can thus range from a limited interaction that consist of advising clients to taking over the entire process of claiming benefits via a power of attorney.

Our fieldwork also revealed that the complexity and rapid evolution of laws and practices in the area of cross-border welfare are only one part of the problem. Indeed, research participants also found that some street-level bureaucrats are guided by stereotypes against specific nationalities and/or ethic identities. Stereotypes against immigrants by civil servants, to which brokers and their clients are confronted, can therefore lead to the provision of inadequate service. In our research, several participants had been identified by street-level bureaucrats as undeserving recipients of welfare in a direct or indirect manner. For Ina, who worked as a cleaner in the hospitality sector, and whose unemployment benefits had been miscalculated on another occasion, discrimination on the part of the civil servant was explicit: "A women [...] kept refusing me [the extension of my social housing benefit] [...] and she told me: "go back to your country, to Romania", and she made a hand gesture of rejection. I got angry and I told her: you are racist. I started crying" (Ina, December 4, 2020, online). As we have shown in previous work (Lafleur & Mescoli, 2018), one effect of such xenophobic incidents is to push EU migrants to internalize the stigma which discourages them to apply to benefits for which they may have a legitimate claim.

Other participants —like Diana, a 20year-old single mother, who worked in the hospitality sector and whose application for supplementary child benefits had been refused after a 7month long procedure— did not experience direct confrontation with civil servants' stereotypes and was unable to pinpoint specific inappropriate behaviour on their part. Instead, her experience with discrimination relied on the observation that nationals in similar situations receive a more favorable treatment: "I went to the Job Centre [...] and a gentleman came [in at the same time]. He seemed to be German. We were told that they can't help us because blablabla... But when he [the gentleman] was received: he had similar problems than us, involving the rent and so on [but] they immediately accepted him. And that was an unpleasant moment." (Diana, December 3, 2020, online).

Whether it is experienced through xenophobic comments and attitudes or through a perceived difference in treatment compared to nationals, the experience of discrimination can trigger recourse to a welfare broker. Brokers who wish to overcome this type of barrier therefore do not only need to inform civil servants about the norms

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regulating cross-border welfare or challenge their decision at the administrative or judiciary levels. In this case, welfare brokerage may also entail working on changing their perception of street-level bureaucrats about the deservingness of EU migrants. As shown in prior research (Lafleur & Mescoli, 2018), for some civil servants, being deserving does not only consist in complying with eligibility criteria and administrative procedures. To them, deservingness is also an ability to convey through one's physical appearance and demeanor that the request for support from the welfare state is legitimate. Sara – a Civil society organization representative– therefore also sees her role as accompanying her clients to physically embody deservingness to ensure that they meet the expectations of the civil servant. As hinted during the interview, the intention is to trigger an emotional reaction that is favorable to a re-examination of their clients' claim:

"[The Job Center] works based on the law, but in fact all that matters is unwritten. Your behavior, your appearance, what you are dressed like, punctuality, all this matters. Sometimes much more than that, you [as a CSO broker] must give [civil servants] the feeling that they are not alone, that you understand them, that they have so much to do and that the cases are so difficult" (Sara, CSO representative, March 5, 2021, online).

Thus far we described welfare brokerage primarily as a trilateral relation between free movers, street-level bureaucrats and brokers (and sometimes other actors such as tax officers, employers, judges and Court employees) whose objective is to grant access to a welfare entitlement. Brokers, however, can act outside of this trilateral relation to actively push for changes in cross-border social protection legislation or administrative practices that they identify as barriers to their clients' access to benefits. We found, for instance, that NGOs simultaneously helped clients and lobbied policymakers and professional networks for changes in policies and institutional practices. In doing so, they distinguished themselves from other types of brokers, as intervening in favour of their clients also entailed pursuing broader goals of social justice for migrants (see also Bruzelius, 2020). Similarly, transnational companies –which have a high number of clients and hire staff specialized in EU social law– have the knowledge, but also the power and financial resources to explore loopholes or push for changes in the regulatory framework. During fieldwork, representatives of transnational companies noted that successfully bringing cases to Court or pressuring social protection agencies to adjust their practices also brought commercial advantages:

"Yes, we are going against this law [that shortens the back payment for child benefits from four year to six months], using [this client's] case as an example... we do that on a pro-bono basis, because [it is of interest] for us, of course, because we could close a lot of cases and get more money but, on the other hand, I think it is also a social point that is really important for me." (Kim, representative of transnational company).

This practice by transnational companies and CSOs of trying to adjust administrative practices as well the legislative framework indicates that brokers do not merely intend to be actors in a regulated environment that is imposed on to them. Rather, they actively push for change in the regulatory and administrative settings in which EU migrants' claims for benefits are being disputed.

4.3 | Migrants' recourse to welfare brokers

For EU migrants, recourse to welfare brokers is one among several strategies at their disposal to access social protection. Depending on their circumstances and socio-economic profiles, they can engage with such actors to different extents. Our research indeed confirmed that EU migrants in more precarious situations – such as those who experience low education levels, work in atypical forms of employment or have language limitations – were

most affected by knowledge gaps. However, by no means low-skilled workers were the only ones to use the services of welfare brokers. Because of the complexity of accessing benefits in situations of mobility, EU citizens with higher socio-economic levels and those possessing larger social capital also make use of the services of welfare brokers.

Alina is a prime example of such a case: she holds a master's degree, has lived in different MS and currently works in Germany for a communications company. At the moment of the interview, she and her German husband were expecting their second child. She initially described the experience of applying for family benefits and enrolling her first child in kindergarten in positive terms: forms are "pretty simple", "everything is explained in English and German for everyone" and she received help from her employer's human resources department upon applying for family benefits. However, in spite of her knowledge of German, as well as the support of colleagues and her German husband, she asked for assistance from a broker in order to organize family benefits as she had difficulties in understanding the consequences of successive maternity leave(s) on future claims for welfare:

"There is conflicting information. [...] it's a doubt that my husband and I have. I found some information; he found other [...] we will go to a consultancy. It's not expensive [...] one pays 15 euros per hour [...] It's an NGO that works at the national level, [...], you have to speak German to go there [...] It was recommended to me by a German person, not by foreigners." (Alina, June 7, 2021, Berlin).

As shown by Alina, EU migrants in more privileged situations are also affected by uncertainty with regards to eligibility requirements and administrative processes. In their case however, brokers are part of a panel of available options to access benefits. They are able to purchase assistance from brokers rather than invest the time, energy or social capital to overcome administrative hurdles by themselves.

Repeated interactions with brokers and the improvement of language skills have led some interviewees to overcome knowledge gaps and become progressively autonomous in claiming social benefits. In fact, one broker who worked for a non-profit organization states explicitly that one desired outcome of their brokerage activity is that EU migrants become self-sufficient in claiming their social protection entitlements:

"[Following our support,] clients should be able, over time, to fill in some of the forms themselves. in five or seven years after the first step. [...] The key is that you [as a beneficiary] take something from this [process]. Otherwise, it's pointless to only get your forms filled in. This helps you in the short term but it doesn't help you to help yourself" (Adrian, ethnic broker, June 8, 2021, Berlin).

As hinted by Adrian in the quote above, some EU migrants receive long-term support from NGOs, which not only provide information upon request but proactively help their clients to claim their entitlements within the German welfare state. As a result of long-term exchanges with welfare brokers, EU migrants become knowledgeable on their welfare rights and more empowered in claiming them. This is highlighted in the following quote in which Laura describes her interaction with social security administration: "[they asked us what benefits we applied for] ...and they explain very well that we were refused in place A because we did not apply in place B. Then, we more or less got how this works and we learned where to impose ourselves and so on" (Laura, December 3, 2020, online).

For EU migrants in more precarious positions such as Ina, however, her repeated interactions with the host country social protection system have not made her more autonomous:

"[I know] 10% more [about the welfare system in Germany]. I don't know it very well yet. Because I didn't do those things myself, someone else did them for me. I was just the post for those forms—I would just submit and receive it, nothing else" (Ina, December 4, 2020, online). Such a case illustrates the situation of migrants who become captive clients of welfare brokers. One way for our participants to escape this dependence is to call for assistance from other members of the immigrant community or seek support to identify other brokers that emphasize the long-term autonomy of their customers over material gains.

5 | CONCLUSION: INEQUALITY AND AUTONOMY IN EUROPEAN UNION MIGRANTS' ACCESS TO SOCIAL PROTECTION

This article has articulated existing literature on brokerage with the bodies of literature on EU mobility and street-level bureaucracy. In doing so, we demonstrated the relevance of the concept of brokerage beyond its traditional use in migration studies. Indeed, unlike prior studies, we apply the concept of brokerage to post-migration situations that follow the crossing of borders and the initial period of settlement in the country of residence. In particular, this article has examined the role of mediators in supporting EU migrants' access to social protection in their countries of residence. Overall, our typology of welfare brokers and our ethnographic data has allowed us to clearly illustrate the difficulty for nationally circumscribed welfare systems to take into account the specificities of EU migrants' work and social protection histories. These difficulties were conceptualized as "knowledge gaps".

When illustrating the practice of welfare brokerage to address these gaps, our data pointed out that exchanges between brokers and beneficiaries may vary in terms of the frequency of interactions, the spaces where their intervention are required, the motives of the brokers themselves and the socio-economic status of the clients. Paying attention to the latter has allowed us to highlight broader issues of inequality in immigrants' access to social protection - an issue which Faist (2017) has called migration scholars to pay more attention to. Indeed, whereas EU migration may help migrants address pre-existing inequalities in the homeland (e.g., through access to employment, higher wages, training...), the experience of our participants with European welfare states also shows that EU migration can trigger its own kind of inequalities. This was clearly illustrated at two different levels in this article.

First, at the administrative level, we showed that there is a shared perception among the EU migrants we interviewed that —in spite of their EU citizenship— they are not treated equally to non-migrants by the welfare administration of their country of residence. Requests for additional documents, in particular, whether they are warranted or not, are perceived as burdensome and discouraging. A possible response to this is the "European Social Security Pass" initiative launched in 2021 by the European Commission to digitalize documents and procedures. With this initiative, the Commission sent an explicit message towards mobile EU citizens: the Pass is there "to prove your coverage and entitlements when you are in another EU country, and at the same time help reduce fraud and mistakes" (European Commission, 2022, p. 1). Digitalization may indeed remove some technical hurdles which — according to the brokers we interviewed— stem from the complexity and constant evolution of regulations as well as from the specialization of skills required from civil servants dealing with cross-border welfare issues. Digitalization, however, is unlikely to address issues of incorrect or incomplete information provided by civil servants who are guided by stereotypes. For this reason, in the absence of in-depth work to deal with stereotypes associated with EU migration among some civil servants, the work of brokers is bound to remain critical to help clients appear as "deserving" of benefits.

Second, at the client level, our data revealed additional inequalities between two profiles of EU migrants based on their ability to exercise their right to social protection across borders. On one hand, we found that high-skilled workers with higher income levels felt that they had the skills and networks needed to access benefits autonomously. That being said, some of them chose to purchase the services of brokers out of convenience (as opposed to investing time and energy in the procedures themselves). To them, autonomy in claiming cross-border social protection is therefore achievable but not necessarily desirable. On the other hand, the more precarious migrants we interviewed were usually faced between the option of using brokerages services or renouncing access to the benefit in question. For them, autonomy is therefore only achievable through repeated interactions with brokers willing to invest in transmitting skills and expertise to their clients. However, as we have shown, some actors conducting brokerages activities —especially but not exclusively transnational companies— may have an interest in maintaining their clients in a situation of dependence of their services because of the economic or symbolic capital they gain from representing them.

To conclude this article, we wish to stress that existing barriers to social protection and the importance of the brokerage industry in the area of cross-border welfare raise important questions about the ability of EU citizens to fully exercise their right to freedom of movement. In our view, the segmentation process described above, by which a share of the EU migrants population cannot access social protection autonomously, deserves to receive further

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attention from researchers and policymakers alike. For researchers, this entails, for instance, examining in more detail the mechanisms through which autonomy in accessing cross-border social protection could be achieved among mobile EU citizens. One way to do so could be to study in more details processes of knowledge transfer between brokers and their clients. Similarly, research data presented in this article invites policymakers concerned with EU integration process to pay more attention to addressing barriers to cross-border welfare. But beyond regulation, this work also calls for their intervention in tackling the narratives presenting EU migration as a threat to national welfare systems, as these affect the administrative interactions through which EU migrants access social protection.

ACKNOWLEDGEMENTS

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Results presented in this article were collected in the framework of the project Migration and Transnational Social Protection in (Post)Crisis Europe (MiTSoPro), financed by the ERC (Starting Grant No. 680014).

CONFLICT OF INTERESTS STATEMENT

The authors declare no conflict of interests.

DATA AVAILABILITY STATEMENT

The data that support the findings of this study are available on request from the corresponding author. The data are not publicly available due to privacy or ethical restrictions.

ETHICS STATEMENT

This study was approved by the Board for Ethics and Scientific Integrity of the University of Liège (Ref no. JUR16984/CT-bo/19.185448).

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ENDNOTE

¹ When it comes to access to family benefits of EU migrants whose children are residing in another Member State (e.g., the Member State of origin of the mobile worker), the priority rules applies. This means that the country where the family's right is based on a situation of employment is responsible for providing the benefits. If the right is in both countries, the responsibility falls on the country where the children live. Additionally, if the benefits received from the competent Member States are lower from what this family would have received from the other Member State where the migrant was entitled to benefits, the latter Member State ought to pay the difference.

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How to cite this article: Voivozeanu, A., & Lafleur, J.-M. (2023). Welfare brokers and European Union migrants' access to social protection. *The British Journal of Sociology*, 1–16. https://doi.org/10.1111/1468-4446.13021