

Conference paper:

**(Un)claiming social rights in times of divorce:
Filipino migrant women (re)defining social citizenship in the Netherlands and in Belgium**
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Introduction

In the literature on mixed couples, in which the partners have different nationalities and/or ethnicities (de Hart et al. 2013), the social rights of the migrant spouse of an insider citizen are most often analysed in the context of marriage and migration. Conditional access to the local labour market and social welfare services is among the challenges migrant spouses encounter when they arrive in their receiving countries (Jones et al. 2011; Sheu 2007). Their citizenship acquisition is usually based on their status as spouses or legal partners of insider citizens (Fresnoza-Flot & Ricordeau 2017), which provides them often limited rights and space for social incorporation. This stems from the control exerted by receiving states on the intimate lives of their citizens (Bonjour & de Hart 2013; Strasser et al. 2009). In the context of conjugal break-up and divorce, the question of how the state regulates the untying of legal bonds between mixed couples remain largely understudied. Specifically, (how) do migrant spouses claim their social rights in their receiving country during this life event, and why?

In this paper, I attempt to address these questions by examining migrants' claims for social rights during and/or after the process of conjugal dissolution. Through a case study of Filipino migrant women in the Netherlands and Belgium, the present paper sheds light on two points: the factors facilitating migrants' access to socio-legal services during and after divorce, and the emerging meaning(s) of social citizenship for such minority groups. Here, social citizenship is generally understood as "the right to enjoy a minimum standard of living, according to the standards prevailing in the society concerned, including housing, health, education, welfare, and social security" (Van Kempen 1997, p.). Taking into account migrant women's experiences, the present paper draws from a feminist perspective on social citizenship, which values interpersonal relations and moves beyond the traditional republican and liberal conceptions¹ of citizenship (Sarvasy 1997). It emphasizes how women in often economically marginal position in their receiving country experience and accentuate their belonging in their new nation by claiming (or not) their social rights.

The case of Filipino migrant women (formerly) in mixed couples appears interesting to analyse in this regard. First, they are part of the larger migration and marriage phenomenon from the so-called Global South to the Global North, which in many cases leads to legal and economic dependencies and vulnerabilities. Women make up the large bulk of the Filipino migrant populations in the Netherlands and Belgium numbering respectively 20,576 and 12,224 in these two countries in 2013 (CFO 2014). And second, their civil status comes along with responsibilities in both the private (e.g., being a mother to new citizens) and the public spheres (e.g. labour market participation and social reproduction of the family, which is the basic building block of the nation). When their mixed couple breaks up, these women's socio-economic and civil statuses may change considerably, prompting them to seek social welfare assistance. Their encounters with the state during this process reveals the way the state treats and views them and at the same time how these women regard the state through their social citizenship practice(s).

To effectively examine these women's experiences, I first lay out the analytical lens of my paper by focusing on social citizenship through a feminist perspective. After this, I explain the

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¹ The republican view stresses citizenship as practice, whereas the liberal one sees it as status entitling one to specific set of rights.

legal and social services available to separating or separated couples in the Netherlands and in Belgium in order to contextualise the case of migrant Filipinas. I then describe the data gathering methods I adopted for the present study as well as present my sample. The core of the paper delves on Filipino women's access to legal and social services in their receiving countries, unveiling their strategies and their logics of action.

Women and social citizenship

One of the important contributions of T. Marshall (1950, 2006) is his addition of social rights to the already existing components of citizenship, that is, civil and political rights. According to him, social rights range from “the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilized being according to the standards prevailing in the society” (p. 30). This definition has received feminist criticisms as overlooking the “the realities of a pluralist society” in which “significant minorities do not share in the ‘national heritage’ of the country in which they live” (Lister 2003, p. 50). Marshall's views on citizenship have also been vested as gender blind, notably neglecting women's role in nation building.

Feminist scholarships on citizenship adopt an inclusive approach and put women in the forefront or alongside men. For instance, emphasising the civic republican idea of citizenship as a practice, Bussemaker and Voet (1998) call for the extension of rights to women by accentuating their reproductive role as mothers raising future citizens of the nation. Such a maternalist view reinforces the private and public divide in which women are seen as carer citizens and men as worker citizens. The impossibility to negotiate such divide leads to what Pateman (1989) calls “Wollstonecraft's dilemma”, which stresses the opposing qualities and roles of men and women as well as the different routes to citizenship they entail (see also Lister 2003). In the context of migration, however, the maternalist view of citizenship is used by some migrant women in mixed families to advance their claim for political as well as social rights in their receiving society (Chin 2017).

Another discourse on citizenship is based on women's participation in the labour market, which directly links them to the national pension and social security schemes of their receiving country. As Lister (2003) argues, paid employment acts as a “key to citizenship”, “an important locus of social participation”, and “a source of self-esteem, which (...) is important for the fulfilment of women's potential as citizens” (p. 138). Through their access to paid work, migrant women and their non-migrant counterparts become financially autonomous individuals and escape economic dependence on their partners. In times of marital break-up, these women's motherhood and paid work experience allow them to enjoy certain social rights such as childcare support and unemployment benefits. This suggests that their access to social rights is contingent on their family situation and status as well as on their economic condition.

Nevertheless, the expression of social citizenship is neither restricted on paid employment nor solely defined by one's family role. The act of accessing social welfare services is itself an expression of social citizenship, through which individuals engage with the state (Nelson 1984). Hence, examining women's access to state-funded or sponsored socio-legal services can illuminate on the one hand their agency and on the other hand the meaning(s) of social citizenship they intend to embrace. The present paper is constructed in such way, by advancing a feminist view of citizenship with a focus on micro-level practices and interpersonal aspects of belonging.

Socio-legal services for separating/separated couples: the Dutch and Belgian contexts

Both the Dutch and the Belgian states ensure the general welfare of their respective subjects through legal instruments such as the Dutch law on social support (*Wet maatschappelijke ondersteuning*) and the Flemish Decree on General Welfare (*Decreet betreffende het algemeen welzijnswerk*). The former instrument provides people “with information, advice and general support” contributing in “enhancing self-reliance and participation” as well as in obtaining “an

integrated possible social support services, preventive care, care, youth care, education, welfare, living, work and income” (see article 1.1.1.). The latter instrument, on the other hand, has the mission of helping the users of general welfare services “to develop themselves personally and socially” and “to exercise their individual and social rights so that they can lead a human life” with dignity (see article 3). The principle of social support and that of general welfare fashion the legal and social assistance available for couples in the process of separation or those in post-divorce lives in the two countries mentioned.

Legal aid

Legal assistance is generally organised along two lines or levels: primary legal aid, comprising free-of-charge “information, initial advice and practical services”, and secondary legal aid based on income and composed of “more complicated advice, representation and assistance” (Hubeau & Terlouw 2014, p. 10). These levels of legal support are available both in the Netherlands and in Belgium, and the legal aid systems of these countries have been described as “pure *judicare*”, that is, “open to all lawyers who wishes to participate in the provision of legal aid” (ibid., p. 11) and are then compensated by the government for their services. Hence, couples in these countries who need free or partially subsidised legal aid during and/or after their marital breakdown are not alone to tackle their family-related problems.

In the Netherlands, first line or preliminary legal aid is provided in two ways: by an online platform called Roadmap to Justice (*Rechtswijzer*) and by Legal Services Counters or LSCs (*Juridische Loketten*). The former allows conflicting parties to solve their problems by themselves, “initially in the area of divorce” through dialogue or “trialogue” involving “neutral third party” (see Raad voor Rechtsbijstand/Legal Aid Board 2015, p. 8). The resulting agreements “can be finalized in a divorce settlement” with the help of a reviewer (ibid.). Another online tool for couples in the process of separating in the Netherlands is called the “divorce and parenting plan” or *echtscheidings- en ouderschapsplan*: it “lists all of the issues in the process of divorce or separation, and supports communication between ex-partners about these issues” (Van Aeken 2014, p. 313). LSCs, on the other hand, provide their users not only with information and advice, but also offer them direct access to subsidized lawyers and mediators as well as referrals to support organisations, private lawyers/mediators and other professionals (ibid.). The Legal Aid Board or LAB (*Raad voor Rechtsbijstand*²) transformed the offices of legal aid (*Bureaus Rechtshulp*) into these counters (Combrink-Kuiters et al. 2009) in 2005, and created 30 branches all over the country between 2003 and 2006 (Schoenaerts et al. 2014). In terms of secondary legal aid, conflicting parties with limited income have the possibility to obtain legal assistance from private lawyers and mediators. On behalf of their clients, lawyers or mediators can apply for legal aid after the LAB and if successful, receive a certificate allowing them to handle the case (Raad voor Rechtsbijstand/Legal Aid Board 2015). Aside from these possibilities, conflicting parties can also seek legal assistance from trade unions and consumer organisations (ibid.).

In Belgium, the legal aid system appears more complicated than that in the Netherlands given the country’s federal system of government. Unlike in the Netherlands where there is only one bar association, Belgium has two: the *Orde van Vlaamse Balies* for lawyers in Flanders and the *Ordre des barreaux francophones et germanophone/Kammer der französischsprachigen und deutschsprachigen Rechtsanwaltschaften* for those in the French- and German-speaking communities (European e-Justice 2016). The former groups 14 local bar associations in the Dutch-speaking community of the country, whereas the latter encompasses 13 French-speaking and one German-speaking bar associations (ibid.). Preliminary legal aid in the country is provided by Legal Aid Committees (*Commissions d’Aide Juridique/Commissies voor Juridische*

² This independent body under the Ministry of Security & Justice takes care of the “administration, supervision and expenditure” of the legal aid system and sees its “actual implementation” (Raad voor Rechtsbijstand/Legal Aid Board 2015, p. 2).

Bijstand) in every judicial district, which “operate under the auspices of the Bar” (ter Voert 2014, p. 27). The committees are composed of “lawyers” (previously called “pro deo” lawyers), “representatives from legal aid organisations (socio-legal services)”, and “Public Social Welfare Centre(s)” (see Combrink et al. 2014), namely the *Openbaar Centrum Maatshappelijk Welzijn* (OCMW), *Centre public d'action sociale* (CPAS) and *Öffentliches Sozialhilfzentrum* (ÖSHZ). These committees offer legal information, provide consultations, and make recommendations to the Minister of Justice. In terms of secondary legal aid, each local bar association in Belgium manages legal aid bureaus (*Bureaux d'Aide Juridique/Bureaus voor Juridische Bijstand*) assisting people who meet financial (i.e. limited income) or social (e.g. detained, minor...) conditions. Aside from legal aid, people in the country can also apply for court costs assistance, which “means that fees incurred during the proceeding will not be charged, or will be charged only in part” (European e-justice 2016).

Comparing the Dutch and Belgian legal aid systems, we can find slight differences in the way legal assistance is delivered. For instance, unlike the Netherlands, Belgium appears to have less developed online platform/tools for separating/separated couples. The maximum income to be eligible for legal aid is lower in Belgium than in the Netherlands, and it is possible to obtain aid in Belgium based on social criteria, regardless of one's income (Combrink et al. 2014). The Belgian legal aid system, being mainly influenced by lawyers; has been described as “less generous” compared to that in the Netherlands, which is “more government-directed” (Terlouw & Hubeau 2014, p. 333), and receives more financial support from the state (Schoenaerts et al. 2014). Hence, the legal aid system in the Belgian context is less centralised and more financially constrained given its increasing number of legal aid cases in recent years than that in the Netherlands. This may probably affect the way people in these countries decide to access or not legal aid during their divorce or separation process.

Social welfare services

In many cases, separating or separated couples do not only need legal assistance but also social aid. This happens when the parties involved have children, have limited income, or experience other difficult separation issues. In the Netherlands and Belgium, a variety of social welfare services are available for these individuals, specifically in terms of housing, childcare support, and unemployment assistance.

Compared to Belgium in which the social housing sector represents only five per cent of the total housing market of the country, the Netherlands has a strong and large public housing sector as well as a long-established “support in housing issues” (Gibens & Hubeau 2014). In spite of this, the country suffers from a shortage of affordable habitations, particularly for vulnerable groups (ibid.). The Dutch social housing system is a points system: the longer you stay in one locality, the more points you earn through time and the higher the chance you will get a social housing. The Housing Regulations (*Huisvestingsverordeningen*) is the text that “determines who is qualified for a property in socially rented sector” as well as “who gets priority” (p. 149). Aside from this, information and other practical forms of support about housing can be obtained through entities such as Dutch housing union, rent teams, and social counsellors. Likewise, in Belgium, people seeking information, advice and support in housing issues have choices among entities such as social housing companies, tenants unions, housing shops, and social renting offices. In both the Netherlands and Belgium, victims of domestic violence can find a refuge or a safe house: in the former through housing corporations that have the task of allocating “social housing to people in vulnerable position” (p. 150), and in the latter through public welfare centres (CPAS). In addition, people renting an apartment/house in the Netherlands but with limited income and capital (e.g. savings, shares, investments) can apply for rent benefits (*huurtoeslag*), equivalent to rent subsidies (*allocation loyers*) in Belgium, which covers part of the rent of a person registered in social housing list.

Aside from housing-related social services, couples with children aged below 18 in the Netherlands and Belgium can benefit from children allowance (*kinderbijslag*) or family benefits

(*allocations familiales*). The Social Insurance Bank (*Sociale Verzekeringsbank*, SVB) in the Netherlands and the Federal Agency for Family Allowances (FAMIFED³) in Belgium implement this benefit. The amount depends on factors such as the number of children, their age, and their place of residence (living with the parent or in another home). In addition to such state's support, there are supplementary child benefits available: child budget (*kindgebonden budget*) from the tax administration (*Belastingdienst*) in the Netherlands and monthly age supplements (*Suppléments d'âge, Leefstijdsbijslag or Alterszuschläge*) in Belgium. The former is given to families with limited income and savings, whereas the latter is accorded when a child reaches the age of 6, 12 and 18. A change in situation – from married to divorced, to single parenthood, or to co-parenthood – can affect basic and supplementary child benefits: for instance, single parents after conjugal dissolution in Belgium receive further support in addition to the basic child allowance⁴. In the Netherlands, separated partners co-parenting their child can receive each half of the child benefit, whereas only one of them (i.e. the one with lower income) can receive the child budget. When one ex-partner does not pay his/her child support and alimony, government agencies like the National Maintenance Collection Agency (*Landelijk Bureau Inning Onderhoudsbijdragen*, LBIO⁵) in the Netherlands and the federal entity called Support Payments Service (*Service des créances alimentaires*, SECAL⁶) in Belgium recover the unpaid amount upon request of the other partner concerned. What is specific in the Netherlands is that “divorced spouses without paid employment can apply for social security. If they do, the local government will try to claim maintenance for the former spouse” (Sportel 2014, p. 185).

In terms of assistance to unemployed people, aside from unemployment allowance for those who worked prior to their economic inactivity, both the Netherlands and Belgium have government agencies helping job seekers to find employment. In the former, people can seek assistance from the Public Employment Service or the *Werkbedrijf* branch of the Employee Insurance Institute (*Uitvoeringsinstituut Werknemersverzekeringen*, UWV). For the latter, people have three choices: ACTIRIS in the Brussels region, FOREM in Wallonia, and ADG in the German-speaking region. These agencies also provide trainings to job seekers with slight differences. In the Netherlands, specific groups such as older workers and those with highest risk of long-term unemployment are specifically targeted (OECD 2017). In Belgium, notably in Flanders, however, trainings appear to fill up the strong demand in certain sectors of the economy and people who decide to take those trainings can maintain their unemployment benefits (*ibid.*).

Given the diverse social welfare services for people including separating/separated couples in the aforementioned countries, we can assume that migrant spouses would easily resort to those services to facilitate their life during and/after their divorce with their insider citizen partners. The case of migrant Filipinas in the following sections sheds light to this assumption.

Methods, fieldwork and the sample

The data analysed in this paper originated from fieldwork conducted in the Netherlands and Belgium using observations and interviews between April 2016 and April 2017. I mainly draw from my 30 semi-structured interviews with Filipino migrant women who were divorced or on the process of divorcing their non-Filipino husbands.

To access the study's target population, I adopted a snowball approach and relied on the help of Non-Governmental Organizations (NGOs) and associations of Filipino migrants in the Netherlands and Belgium as well as their groups of friends. Given that the research focuses on a

³ For details, see its website at <http://www.famifed.be/home>

⁴ The amount is 47.81 euros for the first child, 29.64 euros for the second child, and 23.90 euros for the third one and other offspring (for details, see the website of FAMIFED or *Agence fédérale pour les Allocations familiales*: <http://bruxelles.famifed.be/fr/familles/allocations-familiales-de-base-et-suppl%C3%A9ments/suppl%C3%A9ments-familles-monoparentales>).

⁵ For additional information, see its website at <https://www.lbio.nl/>

⁶ See its website at <http://www.secal.belgium.be/index.php?page&langue=fr>

sensitive, private dimension of the lives of the respondents, it was not easy to obtain their trust and agreement to be interviewed. This suggests that marital break-up is negatively regarded within the Filipino migrant populations in the countries of fieldwork. Such difficulty started to disappear when I started frequenting the meeting places of migrant Filipinas (e.g. church, ethnic restaurant and so on), by participating in some of their organised activities (e.g. celebration of birthdays, Philippine national holidays, parties...), and by obtaining the referrals of a few association leaders. Having myself an ethnically mixed conjugal union also helped me gain the trust of the respondents; some of them asked me during our first meeting whether I was also divorced like them or was planning to separate from my husband. In addition, study respondents in the Netherlands seemed less reluctant than those in Belgium to share their conjugal break-up stories with me, which may be due to the fact that I resided in Belgium. This gave them an assurance that their stories would be safe with me and would not be spread among Filipinos in their receiving country.

The women I interviewed were aged 50.2 years in average and had mostly tertiary-level education. Most of them had arrived in Europe in the 1990s and had been resided in the region for an average of 24 years. All the respondents except two possessed the nationality of their receiving country and six had double nationality (Filipino-Dutch/Filipino-Belgian). They had mostly met their former husbands in their respective receiving country or via intermediaries such pen pals, friends or family members. Except for two of them, the women interviewed were much younger than their former husbands: the maximum age difference was 25 years in the case of the respondents in Belgium and 20 years in the case of those in the Netherlands. At the time of the interviews, many respondents actively participated in the labour market, which was not always the case prior to their separation with their husbands. In particular, five Filipino women interviewed in the Netherlands had decided to become full-time housewives due to the following often overlapping factors: the presence of very young children, their husbands' high paying jobs and/or disagreement with their work. In terms of number of children, the respondents had two offspring in average, and five of them had children from previous relationship(s) prior to their marriage with their non-Filipino husbands. The marriage life of these women had lasted long, that is, 15.2 years in average. The causes of their marital break-up included conjugal infidelity, domestic violence, and money-related issues such as gambling. In the following sections, I unveil the way the Filipino migrant women interviewed claimed their social rights or refused to do so in their receiving country during or after their marital break-up, highlighting herein their agency and the meanings of social citizenship through their eyes.

(Un)claiming one's social rights

Two groups can be distinguished in the study sample based on whether the women interviewed accessed social services or not: respondents who claimed their social rights and those who decided not to do so. The former group was mainly composed of informants residing in the Netherlands, whereas the latter comprised mostly women interviewed in Belgium.

Twelve migrant Filipinas in the Netherlands and only four in Belgium obtained social welfare services in the form of partial or free legal aid, practical information, safe house for temporary refuge, social housing, and financial assistance (e.g. rent benefit). Most of these women were economically dependent on their husbands, long-time residents, and a few were victims of domestic violence. In Belgium, all four informants who sought social help were in the latter situation and on top of it had young children and low proficiency in the language of their place of residence. By contrast, the 14 other respondents (three in the Netherlands and 11 in Belgium) who did not obtain any social help mostly had a paid employment. Based on the profile of the women in the two groups mentioned, the factors determining and facilitating these women's decision to seek social welfare services or not included the extent of their resources, their awareness of the social welfare services in their receiving country, and the effectiveness of their social networks.

Reliance on one's resources

Before the respondents decided to seek social assistance during and after their marital dissolution, they first exploited their own resources (economic, linguistic, psychological) to solve their conjugal issues. If their resources were insufficient, they looked for outside help. Among the 30 respondents, only six relied on their own resources and did not ask for assistance from their social networks and social welfare agencies.

Why I was strongly determined (to separate)? (I was) because at the time I was separating, I had a permanent job. I had of course a bit of fear; my salary was meagre. Would I be capable to rent an apartment in Brussels? Could I raise my children with my financial status? If I went to Brussels, where would I go? I was also afraid for the environment that my children would have. (Aida, 54 years old and mother of two residing in Belgium)

The vignette above emphasises the role of paid work in the life of migrant women like Aida and five other respondents. Paid employment allowed them to decide to end their problematic relationships. It gave them an economic capital useful to find an apartment or house to rent as well as to sustain their daily needs such as foods and transportation costs. The economic resource of the women interviewed intersected with their level of proficiency in the language of their receiving country, which allowed them to process their own divorce papers and to communicate with “divorce professionals” (Hartson & Payne 2006) such as social workers and lawyers. They gained such linguistic capacity not only in their workplace, but also by attending language classes or by pursuing courses in formal institutions like what happened to the respondent below.

Lila (48 years old and mother of two) arrived in the Netherlands in 1993 to live with her then Dutch boyfriend with whom she got married in 1995. As soon as she set foot in her new country, Lila immediately took Dutch language classes, and obtained in 1996 a certificate attesting her capacity in Dutch as her second language. In 1998, she took specialized courses in high school, specifically in Mathematics, English and Dutch. She decided to do so because she did not finish her secondary education in the Philippines due to her family's difficult economic situation. When her child turned one year and half, Lila engaged in the labour market. In 2006, she decided to separate from her husband due to their conflicts over her sending of remittances to her parents in the Philippines. Lila's full-time work and mastery of the Dutch language facilitated her divorce: for example, reading/filing up forms and co-paying the private lawyer she and her husband hired together.

Five of the six respondents who used their own resources during and/or after their marital breakdown received their husband's cooperation during the divorce process. This facilitated and speeded up the processing of the legal documents. Nevertheless, insufficient economic resources did not automatically translate in the decision of a few women to claim their social rights. These respondents may not have had economic capacity but were determined to prove their worth as persons, notably if there were negative stereotypes about Filipino women in their receiving country as the extracts below from an interview illustrates.

Researcher (R): Did your lawyer explain to you your rights?

Research participant (RP): Yes, even the social workers in the welfare (office). My social worker told me that I had such and such rights, even (my right) for half of the pension of my husband but I said “no, thank you. I can live though I am poor. I can live”.

R: Why? Why did you refuse?

RP: Because I have principle. They said “what a waste, it is a big money”. I replied: “it’s not my money. What I like is my own money for which I work hard. It is not my money”. They told everyone that Filipino women are greedy.

R: They (social workers) are saying that?

RP: Yes (they say to) everyone, “Filipino women are greedy with money”. Until now, I say to my many Filipino women acquaintances that it is not true. Me, I did not (ask anything). Me, no, even one cent, nothing.

R: How about support to your child?

RP: No, zero, zero.

R: Why you did not ask for support?

RP: They told me to ask for it. What for? I can support my child even though it is difficult. I said that my child was not difficult to feed. I did not ask anything because I wanted to show that Filipino women are not greedy with money.

The presence of negative social image of Filipino women married to Belgians in Belgium prompted the woman interviewed above and four other respondents not to claim their social rights. In the Netherlands, there is no such social image of migrant Filipinas, which can partly explain why many of them claimed their social rights. This highlights how the larger social context influences migrant women’s strategies and self-making.

Awareness of available social services

Accessing social services requires not only personal resources but also a certain degree of awareness over their availability and one’s eligibility. Such awareness progressively grows during the residence of migrant Filipinas in their receiving country.

Cahenia (52 years old) is a mother of three and an independent care provider for old people in one major city in Belgium. She separated from her Belgian husband mainly due to the latter’s infidelity and use of family money for his girlfriend. In fact, Cahenia’s husband was economically dependent on her for many years due to health problem. Cahenia was the one who decided to separate from her husband after 23 years of communal life and was also the one who filed for divorce. During the divorce process, Cahenia hired a private lawyer, whereas her husband resorted to a *pro deo* lawyer. Since she was employed for a long time, Cahenia had acquired knowledge regarding the Belgian welfare system. Although she did not seek any social services during her divorce, she benefited from the system just after her divorce: “when I divorced, I had an... we call it a ‘double children’s money’. (...) Before I was just receiving 450 (euros per month) then after that it is almost 800, because I am single. I am single mother”.

Cahenia’s experience points again to the importance of women’s labour market participation to gain (even indirectly) knowledge about their social citizenship rights. Like her, Marta (74 years old) participated in the labour market in the Netherlands alongside her unpaid reproductive labour at home. When she and husband separated after 27 years together, Marta was able to get a good private lawyer through the *Bureau Rechtshulp* in early 1990s, an agency providing free legal advice and information including lawyers in the vicinity. Marta’s labour market integration provided her awareness of what social care structures were available for her during her divorce.

Like Cahenia’s case above, thirteen other migrant Filipinas interviewed did not ask for any social assistance during their divorce process but received financial aid from the state in the form of children’s allowance and tax relief. These women were working at the time of the interview and many were aware of the available social services in their respective receiving country, partly thanks to their paid employment. Regarding the 16 women interviewed who relied on social welfare services, most of them were not working during their marital break-up and the social help they mostly thought was legal aid.

I had no job at that time. My lawyer told me that since I did not have work, we would be resorting to an organisation. There is a sort of law here in the Netherlands called (*Wet op de rechtsbijstand*⁷), which means that when you do not have job, the government will be the one to pay the lawyer, that is, about 900 euros. Then, I will only pay 100 euros for the whole process. Only 100 euros if you do not have a job, but if you and your partner have job, it is expensive, 20,000 (euros). Divorce is expensive. (Alma, 48 years old and mother of two)

Access to other forms of social services is not always straightforward due to bureaucratic hurdles; the women interviewed needed to satisfy certain requirements related to income, age, length of residence in the country, and so on. For example, Alma complained about the challenge for her to access unemployment benefits because of her difficulty to find a house: “when you divorce, the first thing you should do is to arrange your unemployment benefits, (but) before that (...) you need to get a house (to have a fixed address)”. Initially, Alma wanted to live in Amsterdam but later changed her mind to facilitate her post-divorce life: “here in the Netherlands, you earn points, (...) one year (residence) is one point. The more you get points the more they (the social housing agencies) will give you a chance. If you are new here and you would like to move to a new (social) house, that will be difficult, (and) takes time”. Alma then “searched in the area where (she) could easily get a house” that is, in her small village where she had been living for a long time and far from the cities. Her awareness of the Dutch social welfare system, notably related to social housing, helped her adjust her strategy.

Another woman interviewed named Maria (42 years old, domestic part-time worker, and mother of two) shared her difficult experience to access child allowance (*kinderbijslag*) when she and her Dutch children arrived in the Netherlands from the Philippines. The social security office asked her for two requirements: a proof that she and her Dutch husband who was based in the Philippines were already separated for a long time; and her family’s fixed address in the Netherlands. The first condition was satisfied when her former husband sent her an affidavit, which suggests how contingent the access to child benefits is on the parents’ relationship (whether married or divorced) and not on one’s paid work. Maria was able to meet the second requirement when her Filipino friend and one Filipino migrant association housed her and her children. This points to the importance of migrants’ social networks alongside their awareness of the social welfare service in their country of residence.

The power of social networks

The social ties of the Filipino women interviewed played a crucial role in their lives, notably during and after their marital break-up, as they facilitated exchange of information and resources. These ties are akin to Epstein’s “effective network” – composing of “people with whom (one) interacts most intensely and most regularly, and who are therefore also likely to come to know one another” – and “extended network” (1969, pp. 110-111) comprising the rest of one’s connections such as social workers, co-workers, and members of certain associations. These social networks affected the respondents’ decision whether to access or not social services, and at the same time were shaped by the respondents’ behaviour.

Some immediate and distant family members, friends, lovers (in rare cases), and employers made up the respondents’ effective network, which mainly avoided them relying on social help and in a few cases mediated their access to social services. Thirteen women interviewed relied on their effective network during and/or after the divorce process. Interestingly, respondents in Belgium counted more on such network than those interviewed in the Netherlands: 11 versus two. This probably stems from the following factors: at the time of their conjugal breakdown,

⁷ This Legal Aid Act lays out a subsidy system ensuring the access of Dutch citizen with low income and assets to legal assistance of quality.

most of the respondents in Belgium knew fellow Filipinos living near their place of residence thanks to their participation in Filipino migrants' associations and activities; their proficiency in the language of their receiving country was not yet sufficient; and a majority (14) of them were integrated in the local labour market (notably in the service sector), which enlarged their social networks. The latter factor appears to play a crucial role in their decision to seek legal and/or social services. In the Netherlands, women interviewed (12 persons) relied on their extended network to access legal and social services. This can be explained by the presence of well structured legal and social services in the country attracting women like them to rely directly on their assistance in times of urgent needs. Because of this, the respondents relied less on their effective networks, which in many cases played the role of emotional support provider. At the individual level, although many of the respondents (7) in the Netherlands were professionally inactive during the time of their marital break-up, they spoke very well Dutch and were connected to some Filipino migrant groups and/or associations.

Helen (49 years old) got married in the Philippines with her Dutch husband she met via correspondence. When she arrived in the Netherlands in 1989, she found out that her husband had resigned from his job. She became pregnant, Helen could not immediately work and her husband's unemployment money sustained her couple's needs. Six months after the birth of her child, Helen started working as part-time baby sitter. Since then until her divorce in 1994, she became the primary breadwinner in her family. She decided to leave her husband because of his infidelity and his use of the family's money without her knowledge. At that time, Helen was already working full-time in an office but had no savings to immediately find a place where to live. She then asked her employer to lend her money and proposed her to deduct that during two months from her monthly salary. Her employer agreed and Helen found a place to rent within a week. Because of this, Helen did not seek social housing for her and her child. Her divorce with her husband went smoothly and they had only one private lawyer to settle it.

Helen's experience is exceptional among the women interviewed, who mostly relied on social assistance during and/or after their conjugal dissolution. In total, 13 respondents got out of their challenging situation linked to conjugal break-up thanks to their effective networks. Extended network appeared useful for 11 respondents who were able to access social services through Filipino migrant association(s), government agencies, and NGOs. What is evident is that in Belgium where socio-legal services are less structured and centralised than those in the Netherlands, effective network appears more useful than extended one for migrant women. Nevertheless, in a few cases, migrants' effective network interacted with their extended ties, providing them an array of possibilities. For instance, Charlene (40 years old and mother of two) was able to end her abusive relationship through the help of her Filipino friends and her Belgian teacher of French who put her in contact with four government agencies: the police, the FOREM, the CPAS, and the Feminist Movement of Permanent Education (*Mouvement féministe d'éducation permanente*, FPS). Charlene's experience of various social services is typical among the five other respondents (three in Belgium and two in the Netherlands) who underwent domestic violence. Effective and extended networks, or in the words of Gravanotter (1973) "strong" and "weak ties", are therefore necessary for women like Charlene who found themselves trapped in an abusive relationships.

Discussion and conclusion

The experiences of the migrant Filipinas in this paper shed light on the array of legal and social services available to separating or separated couples in the Netherlands and Belgium. The existence of such services does not always mean that the respondents decide to rely on them during and/or after their divorce. To the contrary, the respondents' refusal to avail themselves of

state-funded services suggests a close connection between macro- and micro-level processes as well as migrant women's views of social citizenship.

The migrant Filipinas interviewed who resorted to socio-legal services share certain characteristics such as non-participation in the labour market, domestic violence, and awareness about the existing structure of state services. It is striking to see that there are more respondents in the Netherlands than in Belgium who sought socio-legal services, which can be explained by the former's long-established, centralised, and generously funded systems of legal and social aids. The availability of online support allowing people to solve by themselves their problems and the existence of state agencies well connected to one another in the former can also explain the observed difference between the Dutch and Belgian samples. At the meso and micro levels, the respondents in both countries accessed socio-legal services through their social networks (mostly extended ones) and thanks to their own knowledge and awareness. These women interacted with the state through its agencies and entities offering services. In that way, they exercised their social citizenship rights.

However, some women interviewed did not claim certain social rights but instead relied on their own economic resources and/or on the help of their social networks. A few of them consciously decided to do so as a reaction to the negative image about Filipino women migrants in their receiving society. These women active in the labour market during their divorce process engaged with the state by accentuating their civil rights and their economic independence. Their attitude reveals how they redefine social citizenship as a practice of not relying on state's help and of proving one's worth as autonomous, self-sufficient citizens. They can be considered as "active citizens" taking responsibility for their own welfare, a New Right argument concerning social welfare citizenship (see Dwyer 2000). Such argument can be observed in many European countries, including Belgium where most of the respondents who decided to rely on themselves resided. By not claiming any social right, the women interviewed not only departed from the stereotyped image of migrant Filipinas in mixed couples as "gold diggers" victimising their insider citizen partners and their receiving state, but also reinforced New Right's argument of responsible citizens capable to deal with their own problems and needs. It would be illuminating to find out how other migrant women in different social contexts regard social citizenship rights, and the way states in those contexts promote or introduce new forms of social citizenship.

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