

# The Morality of Transnational Social Security

*When is it fair to export Norwegian social security benefits?*

The Norwegian welfare system was created to ensure the wellbeing of a population largely living within state borders. But the group of people who take state benefits abroad is growing. Bridging social security with cross-border living, these ‘transnationals’ deal with complex regulations and tough decision-making. In the trust-based Norwegian welfare system, bureaucrats and transnational peers evaluate when social security export is, or is not, in line with certain moral principles underlying the provision and use of social welfare.

## Brief Points

- When people bring Norwegian social security benefits abroad, transnationals and bureaucrats deem some types of behaviour as morally right while viewing others as morally wrong.
- Transnational benefit recipients are confused by the regulations. Their misinterpretations of the rules in place can lead to inadvertent abuse of the welfare system.
- Transnationals tend to judge other people’s use of social welfare, while not morally criticizing their own use of Norwegian social security.
- As long as they fulfil national duties, transnationals deem social security export to be fair.
- Bureaucrats were at times disregarding of whether the export was legal or illicit, assessing some practices as ‘understandable’ and others as morally problematic.

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## Transnational Living and National Social Security

People can lead transnational lives in a variety of ways: fundamentally, to be transnational is to live in, move between and have ties to two or more countries. One type of attachment to a country is the entitlement to state-provided rights, such as social security benefits. While welfare systems were originally created to protect territorially bounded citizens, mechanisms of globalization have reshaped national structures. Along with increased and diversifying human mobility, people can be entitled to national social security while leading lives that criss-cross international borders.

This Policy Brief builds on data collected in the Norwegian part of the project ‘Transnational Lives in the Welfare State’ (TRANSWEL). 74 interviews were carried out with individuals and couples who lead transnational lives while being attached to Norway. Most interviews were conducted in Norway, while some were conducted abroad, in Cape Verde, France, Kenya, Nepal, Pakistan, Poland, and Spain. While studying the experiences, joys, and frustrations of transnational living, the project has explored how these individuals relate to national welfare systems across borders. Likewise, the other side of the encounter has been scrutinized: ethnographic fieldwork among bureaucrats has documented how these benefit providers experience their everyday work with transnational social security clients. Interviews were carried out with 39 bureaucrats working across the vertical stretch of the Norwegian Labour and Welfare Administration (NAV).

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In exploring the two-sided encounter between transnationals and the welfare state, we interviewed both social security clients and bureaucrats. These groups reflected on parallel dilemmas. The complexity of the national and international legislative framework surrounding transnational social security is one of these dilemmas. Another is the various ways in which people negotiate the aim of living in several countries while relating to national welfare systems and bureaucracies. When reflecting on these issues, moral evaluations of the ‘how’s and

‘why’s of social security export have surfaced in both bureaucrats’ and transnationals’ accounts. Some ways of uniting transnational living with national welfare are deemed righteous, while others are seen not only as deviant, but also as immoral. The moral standards of the bureaucrats and the transnationals, however, differ. And while there is strong univocality among the bureaucrats on what constitutes good and bad behaviour, it varies greatly among the transnational social security recipients.

A diversity of people lead transnational lives while being attached to the Norwegian welfare state. Retirees spend time in other countries and receive state pensions, parents work in Norway while receiving benefits for children abroad, students abroad get sickness benefits if needed, and job-seekers in other countries can receive Norwegian unemployment benefits. The regulative frameworks for individual cases are detailed and different. Variances depend on several criteria, including length and place of work, length and place of residency, and type of benefits. The various decisions that individuals make about how to lead transnational lives also impacts their entitlement, or lack of thereof, to Norwegian benefits.

Bureaucrats working in the ‘international branch’ of NAV encounter and work with this highly diverse group. They experience that the number of, and diversity among, the transnational clients is growing. Some bureaucrats work with specific benefits, others with membership issues and others again with information provision. Across all units and levels, bureaucrats evaluated the transnationals’ behaviours: why they led transnational lives as they did, how much they knew about relevant welfare regulations, and whether they complied or not with legal – and moral – criteria.

## The Legal Complexities of Transnational Social Security

Talking about everyday work challenges, the interviewed bureaucrats often mentioned regulative complexity. They did not only refer to their own understanding of regulations, but also to that of their clients. Bureaucrats charged with information provision did not always know what information they should provide. Individual cases were so specific that it needed the scrutiny of casework to know which regulations were relevant. A general belief was that regulatory

complexity made it difficult for the transnationals to grasp what they should do and how to ensure they always comply with the regulations. Therefore, the bureaucrats worked hard to make information accessible for all while keeping an eye out for welfare abuse.

In interviews with people who lead transnational lives, not many reflected on welfare regulations in general. Few deemed regulations as an important issue that influenced where and how they would live or work. Often, however, they expressed uncertainty regarding specific benefits: either concerning regulative complexity or regarding the difficulty of bureaucratic communication, such as the lack of a personalized response. While the interviewed transnationals presented strong intentions to act in accordance with regulations, most were annoyed by how difficult it was to get an overview of relevant rules. To untangle the requirements of their multifaceted cases, they needed familiarity with several countries’ legislation. Some felt they did not get the straightforward answers they sought from the bureaucrats and feared making unintentional mistakes. Others complained about getting conflicting answers from different bureaucrats representing the same institution.

They acquired knowledge of regulations through their own experiences with bureaucracies, as well as from their personal networks. Many of them retold stories they had heard, for instance about people who had experienced bureaucratic hassle or major challenges with the welfare system. It turned out, however, that some of the interviewed transnationals were in fact mistaken – the legal information they presented as facts were deviant from the actual legislations. This revealed that what both the transnationals and the bureaucrats feared had indeed been taking place: misunderstanding and unknowing abuse of the Norwegian welfare system.

## Moral Dilemmas and Evaluations

In accounts of their own behaviour, some transnationals also reflected on others’ use of welfare services. They were stricter in their assessments of whether others did as they should than in the assessment of their own actions. Some of the transnationals juxtaposed others’ abuse of the system with their own ‘rightful’ actions. For example, an interviewee who had to pay taxes in two countries judged others who avoided paying taxes. Similar negative evaluations were made



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concerning the moral righteousness of how others used the system. People who applied for disability pension and exaggerated their health problems to meet the criteria was mentioned to illustrate the dishonest practices of others.

In general, the transnationals' moral evaluations of others were various and divergent. Only a few interviewees tied nationality to their assessments of other people's actions, e.g. when arguing that foreign workers should not be entitled to benefits for family in the country of origin. Others, and indeed most, did not highlight others' nationality or characteristics as relevant. There were only a few cases where most interviewees converged on welfare service use as being morally right or wrong. One example was when others applied for benefits despite having resources to provide for themselves, such as when people received unemployment benefits while having the financial resources to cope with the situation.

The bureaucrats we interviewed deemed some transnationals as more worthy of benefits than others. They conveyed this both directly through explicit statements and indirectly through the kinds of language they employed. They did not tie this distinction to who the transnationals were, e.g. Norwegian or foreign, abled or disabled, but rather to what they did. In most cases, they expressed a lack of support for those who abused the welfare system, but this was not always the case. Even though some clients might operate on the fringes of the regulations, the bureaucrats expressed sympathy with what they did, e.g. by expressing that they would have done the same.

In other cases, clients who acted in accordance with the law were talked of as though they acted immorally. An example of this was when transnationals travelled back and forth across the border simply to maintain their rights while abroad. In doing so, the bureaucrats asked, were these transnational people simply being strategic, or were they exploiting the system? This porous boundary between planned use and exploitation was reflected upon by bureaucrats and transnationals alike.

#### Planned Use or Exploitation?

Some social security benefits have clear temporal restrictions. For example: EU citizens can bring their unemployment benefits to other EU countries for a maximum of three months. To maintain their entitlement to the benefit, they have to return to Norway and claim it there. Likewise, parental benefits can only be exported for 12 months. A different temporal requirement concerns membership in the National Insurance Scheme (NIS): a general requirement to maintain one's membership is to spend annually less than six months, or less than 12 consecutive months abroad. Spending more time abroad will result in a loss of membership, and thus loss of entitlement to most services and benefits.

The bureaucrats experienced that several transnationals planned their cross-border mobility for it to fit within these regulations. Pensioners in Spain were reportedly often prone to return to Norway for precisely six months each year. While there are no temporal restrictions on pensions, they need to maintain their membership in NIS to access Norwegian public health

services. Therefore, the bureaucrats experienced that quite a few restricted their stay abroad to the coldest six months of the year. While most expressed sympathy with the sun-seeking pensioners, some gave little support to those who planned their lives according to social welfare regulations. While the vast majority of the transnationals were believed to act in accordance with the relevant regulations, the bureaucrats felt that the mobility of these transnationals, or the way they strategically planned it, could be at odds with the original ideas underlying the restrictions of the welfare system.

Among the transnationals it could be challenging to distinguish between strategic use or abuse of the social security system. Several informants considered starting a family while in Norway due to the child benefit schemes and other structural support systems available for families. They did not critically reflect upon any moral aspects of their intention to start a family in Norway and then move abroad shortly after. The bureaucrats reflected on the parallel dilemma in terms of export of unemployment benefits. They experienced that unemployment benefit recipients often planned to stay abroad for exactly three months before returning to Norway in order to maintain their entitlement. Most saw this as common-sensical, arguing: "If you're entitled to unemployment benefits, you're entitled to travel [...] – chances are high you'll find work abroad too". Others argued that going abroad was at odds with the actual intention of unemployment benefits: to secure one's income while looking for a new job. A bureaucrat working with unemployment benefits ironized the way some took advantage of it:

*"It's used to go on holiday, but we don't say that out loud. If Norwegians export unemployment benefits, they go to Spain [...]. It's not abuse, but... Those who combine job-seeking with holidaying in Spain..."*

#### Enjoying Life Abroad Supported by State Benefits

Some transnationals expressed ambiguity about the fact that they were able to live abroad because of their entitlements to benefits. A woman receiving disability pension explained how she had to ignore the fact that her enjoyment of life in Spain could be frowned upon.

*“You know I turn off that switch. Sometimes I feel guilt, because I could be home [in Norway] working”.*

But that was not a realistic lifestyle option, she said, because of the health benefits of the warmer climate. “So, I just have to block it out.” She reflected on how others could judge her if they knew how she lived: “I am sometimes afraid of posting pictures on Facebook. From our nicest mountain walks...”

Faced with clients who enjoyed the fruits of transnational living supported by national benefits, several bureaucrats also evaluated the rightfulness of the clients’ entitlement to benefits. Disability benefit receivers who travelled extensively, for instance, were ironized in a manner intended to underline that they might not deserve disability benefits if they managed to travel around the world – some stereotyped them as “backpacking disability pensioners”<sup>1</sup>. In contrast, a specific group of people on disability benefits was excused: those who suffered from Rheumatoid Arthritis. If they had moved to countries with a warmer climate than Norway, some bureaucrats expressed sympathy and understanding since the climatic conditions abroad could function as pain relief. One bureaucrat added that some of these clients took up work abroad. Even though they broke the regulations by doing so, he sympathized with them, arguing that he would have done the same if he lived abroad and suddenly felt he was able to work.

A recurring topic in the interviews with transnationals was that of the issue of reciprocity of duties and rights. Many highlighted that it was fair to benefit from the system if you financially contributed to it or had done so in the past. Paying taxes was the most frequently mentioned form of contribution to welfare. The bureaucrats, on the other hand, often ironized

those who believed they were entitled to benefits just because they had contributed in the past. Many also mocked the “naïve Norwegians”, who assumed they preserved their rights while being abroad, just because they were Norwegian.

### Conclusions: (Im)moral Export of Benefits?

People can be entitled to receive national social security benefits while leading transnational lives, but ways of combining transnational living and national social security foster ambiguous feelings. Confusing sentiments arise among both benefit recipients themselves, as well as those who variously assess the recipients’ practices – the bureaucrats and peer transnationals. How, and when, is it morally accepted (or not) to bring national benefits abroad?

### Ways of combining transnational living and national social security foster ambiguous feelings

In the interviews we conducted, bureaucrats and transnationals presented divergent opinions on the export of Norwegian social security benefits. The bureaucrats’ viewpoints related to when people were deemed to ‘deserve’ benefits; whether or not they complied with relevant regulations; and to what extent they planned their mobility. They largely focused on how people behaved rather than aspects of their identity.

The transnationals’ perspectives were highly divergent. While all interviewees who spoke about benefits deemed their own state-provided advantages as rightful and merited, some of them pinpointed other individuals or groups who they viewed as abusing the Norwegian welfare system. The transnationals expressed many individual differences in views on the morality of exporting welfare benefits. Shared viewpoints that recurred among them concerned the

advantages of belonging to the Norwegian welfare system; the reciprocity of rights and duties as a condition for assessing actions as rightful; and the difficulties involved in getting an overview of relevant regulations, which most agreed could lead to unintentional abuse.

A few parallels can be drawn between the different perspectives presented by bureaucrats and transnationals. While bureaucrats spoke about morally problematic strategic use and planned mobility observed among their clients, transnationals referred to other transnationals or migrants and made critical moral evaluations of them. Both bureaucrats and transnationals found the legislative framework confusing when applied to multifaceted transnational cases. Ambiguity of rules and lack of clear ‘dos’ and ‘don’ts’ contributed to difficulties in making clear assessments of what is legal or not, both for the bureaucrats and the transnationals we interviewed. However, moral evaluations of others were not necessarily based on legal rules. Clearly, judgements of when it is fair to export benefits depend not only on the extent to which people comply with regulations, but also on why and the ways in which they combine national benefits with transnational living. ■

### Notes

1. The authors’ translation of the Norwegian connotation “*uføretrygdede på jordomsøiling*”.

### Further Reading

Talleraas, Cathrine (2017) ‘Reconciling transnational mobility and national social security: what say the welfare state bureaucrats?’, *Journal of Ethnic and Migration Studies*. DOI: 10.1080/1369183X.2017.1408461.

Talleraas, Cathrine (2018) ‘Combining Transnational Living and National Welfare’, *PRIO Policy Brief*, 1. Oslo: PRIO.

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## THE PROJECT

Transnational Lives in the Welfare State (TRANSWEL) is a research project that explores what it means to live in two countries, how individuals manage such a way of life, and how it affects interactions between individuals and state institutions. For more information, visit [www.prio.org/projects/transwel](http://www.prio.org/projects/transwel) and [www.facebook.com/transwel](https://www.facebook.com/transwel).

## PRIO

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