Chapter 16. The time credit system: The panacea for a life course approach?

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Abstract

This chapter focuses on a type of leave system that developed in Belgium from the mid-1980s on, and discusses in particular its developments since the year 2000. The 'career break' system (later renamed the 'time credit' system in the private sector) gradually extended and developed into an opportunity for employees to develop in principle a kind of time management over the entirety of their working life course. The chapter starts by examining the introduction of this system in Belgium, including the political rhetoric and the narratives legitimizing the initial measure and its subsequent adaptations, and its stated aims and objectives. The use made of this type of leave is also examined. The chapter then considers various inequalities within the time credit system, with a specific focus on gender, age, region of residence, migrants, and labour market positioning. The conclusion reflects on current (and growing) inequalities in access to the time credit system due to the weakening of the wage society, and the challenge of creating a more inclusive system, not only in terms of gender, but also class, employment status and ethnicity.

Keywords: Time credit; Belgium; Gender; Work-life balance; Life course

Introduction

For more than 30 years, one European country has had a radical policy that goes beyond Parental Leave, not replacing Parental Leave but supplementing it with a leave system that spans the adult life course and has acknowledged a variety of reasons for taking a full or partial job-protected break from employment. That country is Belgium, and this chapter examines the innovative type of leave system that developed in Belgium from the mid-1980s onwards, and discusses in particular its developments since the year 2000. The 'career break' system (later relabelled as the 'time credit' system in the private sector) gradually extended and developed into an opportunity for employees to develop a kind of time management across their working lifetime.

We begin by looking into the introduction of this system in Belgium. We describe the political rhetoric and narratives legitimizing the aims and objectives of the initial measure and its subsequent adaptations. We also give an indication of the use made of this new leave, which despite various constitutional reforms in Belgium devolving many powers to regional authorities remained the responsibility of the federal (national) government. We then consider various types of inequality that have emerged in the time credit system, with a specific focus on gender, age, region of residence, migrants, and labour market positioning. We conclude with a reflection on current (and growing) inequalities in access to the time credit system due to changes in employment, in particular the growth of precarious forms of work, and the challenge of creating a more inclusive system, not only in terms of gender, but also class, employment status and ethnicity.

1985-1998: origins and philosophy of the Belgian time credit system

The dawning of the career break system in Belgium occurred in the dire socio-economic climate of the early 1980s, when Belgium witnessed almost unprecedented levels of unemployment and budget deficits, with soaring public debt. Following years of negotiation, a major constitutional reform was decided in 1980. The previous constitutional reform that took place in 1970 had created three cultural communities (Dutch-, French-, and German-language) in charge of cultural matters, and recognized the need to create three regions (Flanders, Wallonia, Brussels) mainly in charge of economic matters. The 1980 reform transferred a number of major policies from the federal government to those entities, adding health and social support at the Community level, and transferring economy-related policies such as trade and housing to the newly formed Flemish and Wallonia Regions. Flanders included all new responsibilities into a single entity (the Flemish Government), whereas Wallonia developed a regional government alongside a government for the French-speaking Community of Belgium. (The Brussels Region was created during the 1988-1989 Constitutional reform.)

In February 1982 the federal government announced a devaluation of the Belgian Franc by 8.5%, intended to boost a weak economy heavily reliant on exports. At that time, the federal government introduced various measures to make the labour market less rigid and to stimulate time management in the work organization. In this context, Michel Hansenne, Minister of Labour, developed a number of creative measures, among which was the idea of a time credit system, then called ‘career break’ (= ‘loopbaanonderbreking’ in Flemish, ‘interruption de carrière’ in French). First introduced on an experimental basis, and for two years, the initial take-up of career breaks proved to be successful enough for Miet Smet, the new Minister responsible for Employment, Labour and Equal Opportunities, to formally launch this measure on a permanent basis in 1985.

It appeared as a part of the Royal Decree (KB/AR – 22.01.1985), which implemented a federal-level Economic Recovery Law. The stated aims of the policy makers were twofold. First, to allow employees to spend more time on care, leisure or training during their life course without losing basic rights of social protection, i.e. individual well-being. Second, to tackle an economic recession and rising unemployment rates, most clearly shown in the requirement that each employee taking a career break should be *replaced* by an unemployed person, i.e. unemployment reduction. This measure was, therefore, not primarily developed with a rationale of equal opportunities or even work-life balance.

Initially, the career break system offered a break from employment for any reason for a minimum of three months and a maximum of one year, with the possibility of extending it for up to five years. There was a flat-rate payment of approximately €310 per month made to all employees, but with additional payments in some cases (e.g. a higher payment was made if leave was taken within six years of the birth or adoption of a second (plus €30) or a third child (plus €55)). In 1994, the Flemish Community government introduced a supplementary payment to members of its population (approximately an extra €110). Career breaks were an individual entitlement for all workers (except for workers at managerial level or working in companies with less than ten employees). The only condition attached was that the employer must be prepared to accept a previously unemployed worker as a replacement. Finally, the employer could also defer the employee taking a career break, and employers within the private sector could temporarily refuse to grant a career break if more than 3% of employees were already taking this entitlement. Overall, collective agreements could supplement the general legislation, enabling enhanced conditions to be negotiated for particular groups.

Once established, various periods in the evolution of the career break system can be distinguished (Deven and Nuelant, 1999). First, from 1986 to 1991 a number of modifications were introduced, which gradually improved the system from the perspective of employees. Second, in the early 1990s, there was first some retrenchment, in late 1992, mainly involving a cut in payments to some workers; but followed in 1993 by some progress as the social partners negotiated a collective agreement in the National Labour Council (CAO/x No.56 – 13 July 1993). Third, the system received a further impetus by being broadened to permit career breaks to be taken on a half-time, third-time or quarter-time basis. Finally, in 1997, the collective convention 56 established career break as a *right* for employees in the private sector, regardless of the existence or not of a specific collective convention at the company or sector level.

It should be noted that during the mid-1990s, in addition to the career break system, three additional types of leave were introduced in Belgium. First, to implement the EU's 1996 Directive on Parental Leave, Belgium implemented three months of leave per parent. But additionally, provision was made for three months of palliative care leave as well as three months leave to provide for medical assistance for relatives. Although these types of leave have not been widely taken up, they added overall to the idea that one could legally interrupt professional work for the sake of care.

These policy developments were closely linked to a specific feature of Belgium, which tends to be considered as a Belgian 'tradition', that is, early retirement from the labour market. As explained by Merla (2004), Belgium has had one of the lower employment rates amongst workers over 50 years of age in the EU. This was in large part due to extremely low employment rates amongst women from this age category (below 20%) and a general tendency of both male and female workers to retire early in order to make room for the young. The effective retirement age was already below 60 years during the 1960s, and the early withdrawal trend continued to increase during the 1990s, in spite of policy efforts to reverse this trend.

The career break system, which gave extra benefits to workers aged over 50, represented one of three main ways by which older workers could leave the labour market prematurely. In addition, there were conventional pensions available for workers taking early retirement and a special status for older unemployed people who received increased benefits and were exempted from the obligation to remain available on the labour market. Taken together, these three pathways out of the labour market, which were created during the 1970s and 1980s, contributed to ease the country's transition to a post-industrial society. They also had the convenient effect of (artificially) reducing Belgian unemployment rates, which was a key target in the context of the post-war 'full employment' policy.

However, a policy shift occurred during the 1990s at EU and national levels, driven by growing concerns about population ageing and the weakness of female participation in the labour market. As the full employment policy (focused on keeping unemployment low) of previous years progressively gave way to the promotion of increased economic activity rates as a key target for labour market policies, it became clear that early withdrawal was no longer sustainable and should be curtailed. The various reforms of the career break system that took place during the first decade of the 21st century can be understood as part of this new plan to increase the activity rates of older (50+) workers, and women of all ages. Part-time career breaks in particular were seen as a key way to retain women in employment, while easing their working conditions and allowing them to meet their family obligations. Indeed, women accounted for the bulk of career break users by the end of the 1990s, while men continued to resort mainly to more conventional and better paid early retirement schemes.

1999-2011: the birth and rise of the 'time credit' system

An important policy shift occurred in Belgium at the turn of the millennium. In 1999, an unprecedented coalition government took command of the Federal government, pushing Christian Democrats into the opposition for the first time since the 1950s. This 'rainbow' coalition of Socialists, Liberals and Ecologists led by Prime Minister Guy Verhofstadt and surrounded by a young team of ministers (the majority being in their forties), with sometimes little or no government experience, broke with the austerity measures of previous governments. Laurette Onkelinx, the new federal Minister for Employment from the Socialist party (PS) launched a major review into the re-organisation and reduction of working time, which aimed at modernizing and redistributing employment amongst larger numbers of workers. Her main project was to implement a general reduction of working time (from 39 to 38 hours in a first phase, and down to 35 hours in a second phase).

But in 2000, the General Federation of Belgian Labour (ABVV/FGTB), the Socialist national trade union federation, proposed to transform the career break system into a one-year 'time credit system' as part of a campaign called 'no democracy without balance', which aimed at combatting gender inequalities at home and in the labour market (in particular, the pay gap) by encouraging men to take well-paid leave. This new form of leave was meant to offer workers the freedom to schedule periods of leave over their career to care for their children. The 'rainbow' federal government immediately supported this proposal. The Liberals saw the Swedish example as proof that well-paid leave was compatible with a flourishing economy. The Socialists emphasized the need for well-paid leave to encourage men to take time out and to support lone mothers, and insisted that such leave should not be restricted to care responsibilities but should also grant workers time to live, to rest, and to engage in leisure and citizenship activities. Finally, the Ecologists highlighted that such leave should be a right, that social rights should be maintained during leave and that benefits should offer a sufficient level of income to support life choices. The project was even supported by the Christian Democrats, in the opposition at that time, who considered that the total period of leave to be available over a working lifetime should be raised to four years and with benefits at about 30,000 Belgian francs a month (approximately €750, the equivalent of unemployment benefits), and depending on the family situation of the worker ((Vanoverbeke, 2000).

Laurette Onkelinx thus included this measure in her new ‘Chosen time’ plan, together with a series of other measures aiming at individually and collectively reducing working time, and making it more flexible and more compatible with an individualization of the life course. In December 2000, work-life balance became one of the key themes of the inter-professional convention negotiated and adopted by the social partners for 2001-2002, covering two million workers from all sectors of activity in the private sector. They agreed on a new ‘Time credit’ system to be implemented in January 2002, granting workers a right to take up to one year of full-time leave over their career with a benefit of maximum 20,000 Belgian francs a month (approximately €500) – but which could be extended for up to five years by employers that wished to do so. In fact, those who had been employed for at least one year by the same employer in the private sector could choose a full or a half-time leave (or a one-fifth leave for those with five years seniority) for any purpose. The employer’s agreement to leave-taking was only necessary for small companies with less than 10 employees, whereas employers of larger companies were only allowed to *postpone* the leave if more than 5% of their staff were simultaneously on leave. In addition, in an effort to reduce the use of pre-pension schemes and retain older workers in employment, extended rights were offered to workers aged 50 and over who had been working for more than 20 years. Time credit thus acted both as a work-life balance policy and an employment policy for (male) workers over 50; but at the same time, the previous link between career break and unemployment policy was broken by the withdrawal of the replacement rule, which had required career break users to be replaced by unemployed people (Vandeweyer and Glorieux, 2009).

However, the initial ambition to offer generous benefits, the only feature that really distinguished the new time credit from the former career break, from the point of view of leave users, was abandoned for budgetary reasons, and the maximum payment for full-time leave (for all users who had worked at least five years for the same employer) was fixed at €516 per month. Only the one-fifth leave option actually compensated most of the income loss incurred by taking leave; indeed, a study based on the fiscal year 2004 estimated that the average income loss if taking a one-fifth time credit leave was relatively low (around 5.4%) (ONEM, 2007). Otherwise income loss was relatively less when, all other things being equal, the time credit user had: a) a low initial income; and/or b) a partner with a high level of income; and/or c) several dependent children, since income loss was partly compensated by tax advantages and family allowances that increased with the number of children. Lone time credit users (with no partner, and with or without dependent children) suffered the highest loss of income. For employers, the repeal of the requirement to substitute the leave taker by an unemployed worker was a major change compared to the career break scheme. From the perspective of the employees, more flexibility became a major asset.

This new scheme was an immediate success. By April 2002, 15,600 workers had made use of the time credit system, 6,000 of whom were men. But the age profiles of male and female users were strikingly different, and this difference still persists today: whereas women taking leave were mainly in their mid-twenties to early forties and were most probably making use of the system for parental reasons, two-thirds of the male users were aged 50 and over. Rather than improving gender equality in parenting, the time credit system actually continued to be a way for women to balance work and caring by temporarily staying at home or reducing their working time, and for elder men to gradually prepare for retirement by remaining in employment while reducing their working time. The fact that extended rights for over 50s to use the one-fifth leave option were limited to those who had 20 years of continuous employment actually excluded many older women, with a career interrupted by child-rearing, from this new opportunity.

In June 2002, the time credit system was extended to the 100,000 staff members of public companies in charge of the postal services, the railway system or the telecom business. The 'old' career break system continued as a label only for other services in the public sector. Between 2002 and 2012, the average number of users per year increased regularly (from 23,165 by the end of 2002 to 136,391 in 2012). In 2009, users represented 2.5% of the workforce, 3.4% of women and 1.8% of men (Merla and Deven, 2011).

Two reforms implemented in 2007 and 2010 reduced the length and scope of leave for workers under 50 years. In April 2007, the federal government's 'Solidarity between Generations' plan, which aimed at consolidating the financial viability of the social security system, affected the possibilities to take more than one year of paid time credit through company agreements, by restricting paid leave beyond this one year period to training or care purposes (care for a child younger than eight years, for a seriously ill family member or a handicapped child). Time credit for 'personal purposes', also termed 'non-motivated' leave, (for example, to travel, renovate a house or simply take some rest), could still be taken, but with no pay. From March 2010, the number of years of previous work with the same employer to be eligible for career break was raised from one to two years. Neither restriction, however, affected the growing use of time credit.

2012-2015: a system under pressure

This overall, quite flexible, system continued until a turning point was reached in 2012, in an effort by the federal government, under the leadership of Social Democrat Elio di Rupo, to cut down on ever rising public expenditure, with a plan to cut public expenditure by €30 billion between 2012 and 2014. The new government, which finally took office in Autumn 2011 after more than 500 days of negotiations, scrapped the possibility of taking unpaid 'non-motivated' leave for more than one year (or an equivalent period if leave was taken using a part-time formula). This time, restrictions also applied to older workers. The age condition for the right to work reduced hours was increased from 50 to 55 years, after a minimum of 25 instead of 20 years of work, though some exceptions remained (e.g. workers involved in physically demanding work or enrolled in companies undergoing a major restructuring). A third major change affected pensions; until now periods of time credit had been dealt with as equivalent to work for building up pension rights, but from 2012 onwards, periods of 'non-motivated' time credit were no longer counted. These measures halted the process of previous decades of gradually extending rights and possibilities, for example, greater flexibility, doing so mainly by cutting back on some time credit options that employers had objected to because of their length, flexibility or the early age at which they could be used.

Additional measures, envisaged by the previous federal government of Prime Minister Di Rupo, have been implemented by the current federal government, an unprecedented coalition of the two Liberal parties, the Flemish Christian Democrat party (CD&V) and the larger conservative Flemish nationalist party (NV-A); whereas only one of these parties is based in the country's French-speaking community, it managed to get the post of Prime Minister. From 1 January 2015 it became impossible to take a one year *paid* time credit for reasons other than training or care (for children, disabled children, to care for severely ill relatives or palliative care for relatives). But *unpaid* leave for other reasons remained possible. In addition, the total duration of additional paid time credit as negotiated in sectoral or workplace collective agreements is now limited to 36 months (48 months if leave is taken to care for disabled or seriously ill children). Finally, the minimum age to become eligible for the 'end of career' time credit scheme will be progressively raised to 60 years (instead of 55).

The impact of the 2012 and 2015 reforms on the take-up of time credit leave is undeniable. Even though between 2007 and 2016, time credit payments increased by 16%, the recently introduced restrictions have caused a decrease in the number of payments made in 2016, which fell back below the 2010 level. In addition, the suppression of the right to payments for a 'non-motivated' time credit in particular caused a sharp increase in the number of people on unpaid leave (up six-fold between 2007 and 2016, and by a third just for 2015-2016). In 2014, the majority of time credit users were female (62%), with the three main reasons for taking leave being end of career (58% of users), 'no motivation' (24%) and taking care of a child under eight years (16% of users). The one-fifth leave option was the most popular (71%), followed by half-time leave (25%) (ONEM, 2014).

In sum, the career break system started mainly as a tool to increase the employment rate in response to the economic crisis of the early 1980s. But by the turn of the 20th century, the official aim had shifted, with a greater emphasis on increasing the well-being of employees by providing them with a possibility to ease the stress of combining work, care and social involvement over their life course, including towards the end of their working career. This shift was symbolized by a semantic change, replacing 'career break' by 'time credit'. But the freedom offered by this system was progressively reduced to a freedom to choose the timing and type of working time reduction, in a system that now only recognizes the need to take time off from work for care, training and progressively retiring from the labour market near pension age.

Inequalities within the system

To develop a full picture of the Belgian career break / time credit system and its effects would require an analysis of all collective agreements covering various sectors and workplaces, in private as well as public enterprises alike, since the statutory entitlement is frequently supplemented by such agreements – a widespread social practice in Belgium. But although it is extremely difficult to evaluate the impact of the system, due to inadequate (mostly administrative) statistics and limited scientific research in this area, the available information points towards inequalities in how the system works, including gender, age, region of residence, country of origin and labour market position.

It remains difficult to judge the gender impact of the system. Until recently, it was clear that women predominantly used this policy tool to ease the burden of combining work and family life, in other words to give them more time for caring. Whereas a majority of men have used it to ease their transition from full-time employment to retirement, together with a limited number of younger somewhat atypical men using it to support their adoption of less traditional gender roles (e.g. Vandeweyer, 2010). But by making leave an increasingly acceptable option for men, the time credit system most probably impacted more widely on male workers by encouraging them to take up at least the legal provision of Paternity Leave (two weeks) and, to a lesser extent, some part of Parental Leave.

Doctoral research in Flanders in 2004 on women and men aged 20 to 49 years compared a sample taking any kind of full-time or part-time career break (i.e. both Parental Leave and/or time credit and/or career break) (Vandeweyer, 2010, Vandeweyer and Glorieux, 2009) with a sample of workers who took no leave. This study provided new insights into value structures, perceptions of time pressure and the importance allocated to leisure time and social contacts. Overall, it revealed that the most popular reason amongst men in this younger age group for taking full-time career break leave was to try out another job, whereas part-time male leave takers presented ‘a strong image as caring fathers’, taking leave to better balance work and family and increasing their share of household tasks and childcare during leave (Vandeweyer and Glorieux, 2009, p 36). In contrast, the majority of women who took full-time or part-time leave reported that they did so primarily to spend ‘more time with the children’. But the lack of longitudinal data limits the possibility to draw firm conclusions about what distinguishes over time those who took leave and those who did not.

Gender inequalities in leave use are closely linked with age inequalities. As we have seen previously, women who do not manage 20 years of continuous employment have been largely excluded from the possibility of using the extended leave opportunities for workers over 50 years of age. This has resulted in a division in the time credit system along gender and age lines, with women accounting for most leave users under 40 years of age while being under-represented amongst those over 50.

There are also regional inequalities. Since its creation, the time credit system has predominantly been used by Flemish workers. In the north of the country, the Flemish Community Government (making since 1994 a supplementary payment to its citizens of approximately €110 a month, at that time for two years) has certainly contributed to this (e.g. Devisscher et al. 2002, Devisscher and Van Pelt, 2005). More importantly, Flanders counts a higher number of potentially eligible users than Brussels and Wallonia. In 2012, the Flemish region had 2,359,000 salaried workers, which is more than the Brussels and Wallonia regions combined (349,000 and 1,167,000 respectively).

A study of Parental Leave in Belgium provides some additional insight about regional variations (ONEM, 2014). Here again, the majority of Parental Leave users are in Flanders, which accounted for 70% of all users in 2012. Both women and men are proportionately more likely to use Parental Leave in Flanders. So in 2012, one employed woman out of twenty was on Parental Leave, compared with 1 in 21 in Brussels and 1 in 25 in Wallonia. Flanders is also the region with the highest proportion of men taking Parental Leave, though there is still a large difference between male and female users with almost three times more women on leave then men. Public authorities in Flanders probably developed a more comprehensive toolkit (e.g. ECEC) to ease the work-life balance of employed parents, certainly also due to better budgetary conditions.

Finally, a recent study by Kil, Wood and Neels (2017) uses large-scale administrative data (N=10,976) to examine ‘parental leave’ uptake for all mothers legally residing in Belgium who had their first child between 2004-2010; ‘parental leave’ is used in this study to cover time credit, career break and statutory Parental Leave. To begin with they show that only 68% of these mothers were eligible for leave. Among eligible Belgium-born mothers, 49%

used some form of parental leave, compared with 41% among first-generation women originating from neighbouring countries, 43% from other European countries and 32% among first-generation women originating from non-European countries other than Morocco and Turkey. First-generation women from this last country show the lowest uptake rate, just 24%.

These differences are mainly explained by labour force attachment and income before the transition to parenthood. In addition, mothers with a higher income position are less likely to opt for full-time rather than part-time leave. The authors conclude that difficulty in accessing stable employment and eligibility conditions are major barriers to the use of the various parental leave options, with leave uptake between migrant and native mothers being 'largely explained by the interaction between the more precarious employment trajectories and eligibility criteria governing access to parental leave schemes, suggesting that parental leave perpetuates labour market disadvantages by reserving work-family reconciliation mostly to those already firmly established in the labour force' (Kil, Wood and Neels, 2017). They call for a reconsideration of 'the design features of parental leave entitlements in relation to labour market disadvantages', an issue to which we now also turn.

Conclusion

The idea of granting all workers a right to take time 'off' work, in the form of a 'credit' that can be used over the course of working life, for any purpose of their choice, either in one block or during several shorter periods, was, and still largely is, quite revolutionary. The philosophy underpinning this kind of measure strongly supports a shift towards a 'multi-active society' (a concept explored in Chapter 19), in which it is recognised that people have an equal right to participate in the various spheres of social life, such as paid work, family, leisure, political and civic activities. However, as we have tried to show in this chapter, the Belgian time credit system was from the very beginning conceived with other politico-economic purposes in mind, even if the rhetoric of 'freedom of choice', combined with increased gender equality, was clearly present in the debates surrounding the design of the system at the turn of the Millennium. Today, though, the successive austerity measures that have characterized the last decade have left Belgium with a time credit system that is a pale copy of the original proposal. It has never reached its full potential, due to budget restrictions, the reticence of employers to cope with this kind of flexibility among their employees, and the overall changes in the socio-economic climate. And future prospects are not very encouraging.

The waged society is under heavy stress (Castel, 2011). Waged work itself remains the predominant form of organisation of our societies; but the classical employment form of the full-time, permanent contract protected by labour law and offering social protection benefits, which characterized men's employment in the industrial era, is rapidly losing ground. According to Robert Castel, structural high unemployment rates and the rise of precarious forms of employment (such as short-term and zero hours contracts, temporary work, internships, part-time work), which do not offer adequate levels of social rights and protections, are leading to a recommodification of waged labour (that is, an increase in the market dependency of individuals).

Precarious forms of employment have always existed: the labour markets we inherited from the post-war boom are dual, divided between a 'core' made up of stable, full-time, permanent employment (mainly occupied by male breadwinners), and a periphery composed of precarious jobs mainly occupied by young people, migrants, the low-qualified and women. But what is new today is that, for many workers, precarious jobs are no longer a phase of transition to a stable contract: they are a permanent condition. According to trade unions, temporary work today accounts for 10% of all waged workers in Belgium, and a third of young workers; while part-time work constitutes a third of all waged work, that is one million workers (a majority of whom are female), and is only freely chosen in 7 to 8% of cases. Such precariousness undermines the core labour market: 25% of workers with a permanent contract say they are not sure they will still have their employment in six months' time (FGTB, 2017).

In this context, the number of workers who are eligible for the time credit system is likely to be negatively affected, as it will become increasingly difficult to achieve the minimum number of years of work with the same employer (two years as we speak). The double process of dualization and re-commodification of the labour market will most probably lead to a reinforcement of the various inequalities that we identified above, with cumulative effects. Those who have traditionally occupied a weak position in the labour market (women and/or the young and/or migrants and/or the low qualified) are discriminated by a leave system based on labour-market based entitlements. In addition, the current climate of 'subjective precariousness' (Linhart, 2011) may lead those who are entitled to take leave to hesitate about making use of their rights. Beyond the question of work-family balance, these negative trends call for a large reflection on the future of social protection systems in countries increasingly characterized by stratified forms of citizenship.

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