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Social rights in a post-colonial welfare state: Revisiting ‘universality’ and ‘inclusivity’

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Abstract

Scholars have long overlooked the impact of colonialism on the development of European welfare states and their mechanisms of inclusion and exclusion. In this article we address this blind spot by examining the ‘pension gap’ of Surinamese-Dutch elderly residing in the Netherlands, many of whom receive reduced public old age pensions. We examine the historical origins of this exclusion from full benefits through a discursive historical analysis of policy documents and parliamentary debates between 1919 and 2023 as well as political claims made by activists. We find that the Dutch welfare state was built on an exclusionary interpretation of social citizenship, granting social rights only to the citizens residing in the metropole. The exclusion of colonial citizens from social rights was deemed self-evident and anchored in laws and political discourses that, although increasingly contested, remain operative today. Our findings question core assumptions in the welfare state literature, especially those regarding the ‘universality’ of social rights and the taken-for-granted boundaries drawn around deserving polities. Thus, we argue that coloniality, territoriality and racialization are indispensable concepts for scholars to engage with in the analysis of social rights stratifications in Europe.

Keywords

social rights, colonialism, old-age pensions, universality, inclusivity

Introduction

The difference between what I get every month and full benefits is about 400 euros. [...] 400 euros, I think, is a very big difference. It’s bad, because after all, we also belonged to the Kingdom. So we have the same rights, right?¹

In an interview with the Dutch national news channel NOS, an elderly woman of Surinamese descent explains what it means to her that she

receives a lower monthly pension than Dutch citizens who have always lived in the European part of the Netherlands. Although the Dutch public old-age pension (AOW) is often described as ‘universal’ (Anderson, 2004), eligibility for the full pension

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depends on 50 years of residency in the Netherlands. Residency in colonial territory, such as Suriname until 1975, does not count. As a result, over 30,000 ex-colonial Dutch elderly live on reduced benefits.² For two decades, Surinamese- and Caribbean-Dutch activists, pointing to the links between colonial injustices and present-day inequalities, have demanded reparation of this ‘pension gap’. Their claims have inspired us to study the Dutch welfare state from a post-colonial perspective – an approach that very few scholars in the social policy discipline have pursued (Phillips and Williams, 2022).

While colonial and postcolonial inequalities have been addressed by post-colonial and critical race scholars (El-Tayeb, 2008; Gilroy, 1993; Hall, 1997; Wekker, 2016), they have received scant attention in the comparative welfare state literature, which tends to portray nation-states as ‘internally homogeneous and externally bounded’ spaces (Brubaker, 2010: 63). Although studies of the development of the welfare state in the late nineteenth and early twentieth centuries addressed the relationship between social policy and nation-building (see e.g., Béland and Lecours, 2008; Flora and Heidenheimer, 1981), they ignored the fact that many West-European welfare states were colonial empires at the time (see Bhambra, 2022a, 2022b; Phillips and Williams, 2022). When the first Dutch social insurance policies appeared at the beginning of the twentieth century, the Kingdom of the Netherlands comprised Indonesia, Suriname and six Caribbean islands. Indonesia declared independence in 1945, only acknowledged by the Netherlands in 1949 after 4 years of violent struggle. Suriname became independent in 1975 following peaceful negotiations, while the Caribbean islands remain part of the Dutch Kingdom (with different degrees of autonomy).

A handful of pioneering works in the European welfare state literature have begun to directly engage with the legacy of colonialism. Gurminder Bhambra, Fiona Williams and colleagues have revealed how the development of the British welfare state was entwined with its colonial history, which continues to shape inequalities today (Bhambra, 2022a, 2022b; Bhambra and Holmwood, 2018; Williams, 2022), while Emily Ann Wolff has shown how constructions of racial belonging and deservingness

(‘racecrafting’) played a key role in negotiating access to social citizenship for post-colonial immigrants who settled in France, the UK, and the Netherlands after the Second World War (Wolff, 2023, 2024).

We place coloniality at the centre of our analysis of the Dutch welfare state by reconstructing how and why it has historically (not) granted social rights to its (ex-)colonial citizens. We trace the stratification of rights from their conception in the colonial period up until the present day, focusing on Surinamese-Dutch citizens’ right to the public old-age pension. We ask: to what extent have Dutch pension policies granted social rights to Surinamese-Dutch citizens between 1919 and 2023, and how was their exclusion politically justified or contested?³ We use discursive-historical analysis (Reisigl and Wodak, 2001; Wodak and Krzyzanowski, 2008) to better understand how present-day inclusions and exclusions are rooted in the past – a methodology that allows us to trace political debates and policy developments over time while also paying attention to the silences (absence of debate) and moments of inaction by the Dutch government.

We find that the existing conceptual toolbox of social rights analysis is insufficient to account for the inclusion/exclusion of (ex-)colonial citizens, and that we need to rethink the meaning of *universal* through a *territorial* lens to identify the boundaries that enable differentiating the social rights of residents of European/metropolitan and colonial territories (Bhambra, 2022a: 5). Our post-colonial lens further sheds light on heavily racialized understandings of *contributions* and *deservingness* (Wolff, 2024). While the exclusion of racial minorities in the colonies was deemed self-evident at the time, the colonial past continues to inform enduring inequalities within the contemporary Dutch welfare state.

Social citizenship, bordering and (post-)colonialism

In his famous conception of citizenship, T.H. Marshall distinguished between civil, political and social rights, developed respectively in the eighteenth, nineteenth and twentieth centuries. Civil rights

concern the liberty of a person, freedom of speech, the right to own property and the right to justice. Political rights involve the right to participate in the exercise of political power (that is, to elect or to be elected). Social rights include ‘the right to a modicum of economic welfare and security’ and the right to ‘live the life of a civilized being according to the standards prevailing in the society’ (Marshall and Bottomore, 1950 [1992]: 8).

Critics of Marshall’s historical account of citizenship have pointed out that ‘there is no necessary link between holding citizenship status and access to rights’ (Bloemraad and Sheares, 2017). This applies, for example, to women and (post-)colonial citizens (Lister, 1997; Walby, 1994). In the Netherlands, married women did not have the civil right to sign a contract without their husband’s permission until 1957. On the colonial roots of Dutch citizenship hierarchies, Jones (2016: 608) writes:

During the days of slavery in the Dutch empire the political development of modern citizenship had a very different trajectory in the motherland than in the colonies. Whereas citizenship in the motherland revolved around the struggle for and the expansion of civil and political rights in the eighteenth and nineteenth centuries among [male] persons [...] the situation in the colonies primarily concerned the issue of whether a human body – male or female – was recognized as a person or not.

Following the abolition of slavery in the Dutch Kingdom, only completed in 1873, the colonized and their offspring continued to suffer major rights inequalities. While the 1892 nationality law granted Dutch nationality to all⁴ Surinamese inhabitants, they were not included in the ‘universal’ suffrage that was introduced in the European part of the Netherlands in 1919. Full suffrage for the Surinamese parliament was only introduced in 1949. At the time of Suriname’s decolonization in 1975, those who were not residing in the Netherlands lost their Dutch citizenship and related mobility rights. These could be reacquired by settling in the Netherlands before the end of 1980, which nearly 130,000 Surinamese-Dutch did (Jones, 2007: 85–86). Yet their status did not guarantee full inclusion (Jones, 2016).

Transnational family lives were affected by the strict mobility scheme after 1981 that equated Surinamese nationals with ‘regular aliens’. They were also initially ‘othered’ by Dutch politicians who portrayed them as ‘unreal’ Dutch citizens who did not belong in the Netherlands (Jones 2014a: 329–330). Guno Jones (2014a; 2014b: 66) has coined the term *citizenship alienism* to describe ‘the symbolic, social, political, and legal processes wherein status citizens are perceived and treated as if they are aliens or semi-citizens by the polity’.

Whether such ‘citizenship alienism’ also exists in relation to *social* rights in European welfare states has hardly been studied (Phillips and Williams, 2022). Social citizenship has most extensively been studied through the prism of social class (e.g., Esping-Andersen, 1991 [1990]). Such accounts ask to what extent social policies ‘decommodify’ citizens, where ‘universal’ benefits are available to all citizens (of a certain age or category) and therefore contribute most to decommodification. Notably, feminist critics were quick to point out that these early accounts were gender-blind and they implicitly focused on male workers: even in highly developed welfare states, housewives could still be ‘a husband away from poverty’ (Orloff, 1993: 319). The feminist critique has been influential and has led to a wealth of gendered analyses of social rights.

Others have studied the relationship between social rights and nationality. Social rights always involve *bordering* (Guentner et al., 2016), where regulations delineate who has access to benefits and services and who does not. While inclusion criteria in many European welfare states have shifted from nationality to legal residency (Guiraudon, 2000; Sainsbury, 2006), immigrants tend to have reduced access to social rights even in highly ‘universalist’ welfare states due to differences in their residence status (Könönen, 2018; Sainsbury, 2006). To further complicate this picture, to study the in- and exclusion of post-colonial citizens, the concepts of *nationality* and *residency* do not suffice. Citizens from former colonies may have the metropolitan nationality *and* be long-time residents of the (colonial) state and yet be denied full access to social citizenship.

Territorial boundaries between metropole and colony can continue to determine who has material

access to benefits and services. These boundaries are not the neutral markings of space but reflect the racialized ‘othering’ that characterized colonialism, with conceptions of territory, race and deservingness working together to create hierarchies of access to social rights (Bhambra and Holmwood, 2018). By studying how the inclusion/exclusion of (post-)colonial citizens has been constructed in policy and political debate, we therefore also study racialized conceptions of deservingness.

Data and methodology: tracing discursive inclusion and exclusion over time

We draw on the discursive-historical approach (DHA) in critical discourse studies (Reisigl and Wodak, 2001; Wodak and Krzyzanowski, 2008) to explore the social rights of (post-)colonial citizens over time. DHA is a problem-oriented, interdisciplinary framework that views discourse as a social activity of meaning-making with language that shapes social relations and society at large. We chose this approach as it offers (1) theoretical and methodological tools to unpack political power and (2) allows the discursive historicity of the present to be studied.

Following Wodak (2011: 259), we assume that discursive practices ‘help produce and reproduce unequal power relations [...] through the [...] ways in which they represent things and position people’. Discourses – or texts in their graspable form – thus become logical objects of analysis to examine social rights stratifications. DHA provides tools to study power *in* discourse as well as a framework to study power *over* discourse by asking who can speak in the first place and under what conditions. It sees silences, inconsistencies, paradoxes and ‘self-evident’ constructions as an integral part of the analysis – crucial as silence about (as well as outspoken denial of) the past can be a fundamental part of ‘discourse of justification’ (Wodak, 2011: 356).

Second, DHA allows for an in-depth exploration of present-day political narratives through their historical roots, systematically exploring layers of discourse to gauge how a certain text is connected to earlier, synchronic or subsequent discourses (Wodak, 1996:

19). This is particularly helpful for reconstructing the (colonial) history of social rights necessary to address the blind spot in European welfare state research.

Alongside more formal political discourse, we investigated another ‘layer of discourse’ by including activist discourse in our analysis. We examined the political claims about the pension gap that Surinamese-Dutch activists made over the years. We see their claims as ‘acts of citizenship’ (Isin, 2008) – as instances of rights-claiming by subject-citizens in the limited spaces available to them. Including activist discourse in our analysis allows us to see beyond formal political discourse and silence, and to study power from the perspectives of citizens most affected by it.

Drawing on DHA methodology, we posed specific analytical questions to each text and subsequently compared the texts to each other. For each text, we asked: (1) Who is constructed as deserving of social rights? (2) Who is constructed as contributing to the Dutch welfare state? (3) Who and what is talked about as ‘Dutch’? and (4) What is presented as self-evident or not discussed? Our data consist of 82 policy documents, letters between government and parliament (and other actors such as the Council of State which provides legal advice and the Social Insurance Bank that administers pensions), parliamentary motions and debates, and legislative acts between 1919 and 2023. We collected these documents online at <https://www.officielebekendmakingen.nl/> by searching for the co-occurrence of references to public old age pensions and to Suriname, colonial, or overseas territory. For the analysis of activist discourse since 2008 – which is also when the social rights of (ex-)colonial citizens become a subject of debate in the Dutch parliament – we collected 68 news articles (through the online news archive NexisUni) and 14 petitions, letters and radio performances (through additional online research). In the period before 2008, our analysis is mostly confined to tracing formal inclusion/exclusion within social policies and to interpreting the silences.

Discussion

Exclusion by design (1919–1970)

The development of the Dutch welfare state was spurred by the introduction of ‘universal’ suffrage in

1919 (Hoogenboom, 2003). But this ‘universal’ suffrage only applied to the European part of the Netherlands. Although citizens of Suriname had Dutch nationality, they did not obtain the right to vote in (European-)Dutch elections in 1919; nor was universal suffrage introduced in Surinamese territory. Since 1848, the Dutch constitution had explicitly excluded overseas territories from the civil and political rights that it guaranteed. In Article 2 of the constitution of 1917 this exclusion was formulated as follows:

The constitution is only binding for the Empire (‘het Rijk’) in Europe [...]. Where the Empire is mentioned in the following articles, only the Empire in Europe is meant.⁵

In the European part of the Netherlands, universal suffrage increased the presence of Social Democrats in parliament. Fearing a socialist revolution, the other parties were prepared to support an expansion of social protection (Hoogenboom, 2003). An act mandating a moderate and means-tested disability and old age insurance for employees was passed in 1919, as well as a voluntary old age insurance scheme for non-employees (that is, self-employed, with an income threshold). In line with the Dutch constitution, the new insurances would not cover colonial territory. Dutch citizens living in the colonies were excluded from the social rights introduced in the metropole.

Parliamentary records of the time show almost no discussion of the inclusion/exclusion of colonial citizens, with one telling exception. In the first draft of the new voluntary old-age insurance act (‘ouderdomsverzekering’), eligibility had accidentally been proposed to ‘anybody’ with Dutch *nationality*.⁶ This would have included Dutch citizens in the colonies. An MP from the Catholic RKSP party pointed to this ‘technical error’ during the parliamentary debate on the proposed act, remarking that he:

Could not imagine that it was the intention to grant an entitlement to old age pensions to all Dutch subjects in the colonies who had been equated with Dutch nationals [met Nederlanders worden gelijkgesteld] by law [...], but who had never set foot in the Netherlands.⁷

The MP uses a linguistic strategy often used in prejudiced discourse, appealing to the ‘common sense beliefs’ of his audience (Wodak, 2011: 367). Although Surinamese citizens had full Dutch nationality, the MP refers to them as ‘equated with Dutch nationals’ – as if they were not truly Dutch. That these subjects in the colonies would obtain social rights was deemed unimaginable. No one in parliament objected; the MP was thanked for his attentiveness and, without further discussion, ‘anybody’ was replaced by ‘state residents’ which, in line with the constitution, meant residents only of the European part of the Netherlands. Inclusion thus became conditional on *Dutch nationality* combined with *residency in European territory*.⁸

Beyond this, there was no discussion about the inclusion or exclusion of citizens in the colonial territories. We interpret this silence as an indication of a taken-for-granted, racialized undeservingness – that colonial subjects should be excluded from metropolitan social rights, just as they had been denied the political and civil rights enshrined in the Dutch constitution.⁹ This interpretation is supported by Bot’s analysis of the constitution of the time, with its designer J.R. Thorbecke defending the exclusion of colonial subjects by maintaining that they were fundamentally different from European-Dutch people (Bot, 2022: 3). No disability or old age insurance was introduced in colonial Suriname. The colony was governed by a Governor appointed by the Dutch King, together with a Colonial Chamber (Koloniale Staten) partly appointed by the Governor and partly elected by the two percent of Surinamese citizens who had voting rights¹⁰ (Oostindie and Klinkers, 2001). The Surinamese public budget was controlled by the government of the Netherlands in Europe. Following the abolition of slavery in 1873, a system of indentured labour by people from colonized territories in British India and the Netherlands East Indies was introduced to replace enslaved workers on the plantations. This system, in place until the 1930s (De Kom, 1934 [2020]), entailed neither labour rights nor social security.

In 1946, one priority of the Catholic/Social Democratic post-war government was to develop a universal old age pension. As negotiations would take a long time, an ‘emergency provision’ was proposed for the elderly who were most in need. This

provision confined eligibility to ‘male, as well as [...] unmarried female *Dutch citizens*, who had reached the age of 65 [emphasis added]’ and who lacked other financial means. Eligibility thus depended on *nationality* as well as residency in *European territory*. ‘Those who did not have their *residency* in the *empire (het Rijk)*’ were ineligible, which constitutionally still meant the European part of the Netherlands.¹¹ The ministers explained that:

The undersigned believe that they may make a permanent connection with the *motherland* a condition for obtaining the old-age benefit. Therefore, the draft does not suffice with the requirement of possession of Dutch nationality, but also stipulates that the person concerned must be domiciled in the Netherlands. [Emphasis added]

Only those with a permanent connection to the ‘motherland’, meaning the European part of the Netherlands, were deemed deserving. As in 1919, this was not contested in parliament. We interpret this silence again as an indication of the self-evident exclusion of racialized citizens residing in colonial territories. It is an example of the most effective form of silencing where ‘the silencing process itself, and thus the very existence of [the] excluded [...], are also concealed’ (Thiesmeyer, 2003: 2).

Eligibility for pension benefits also depended on ‘having had *residency* unintermittently for a period of 6 years [...] in the Empire [het Rijk], the Dutch-Indies, Suriname or Curacao’. While residency in the *European* part of the Netherlands was required for eligibility, one may previously have lived in Suriname (or any other part of the Kingdom). Given the previous emphasis on connection to the ‘motherland’, we tentatively interpret this provision as applying to European (white) Dutch people who had worked in the colonies and then returned to the European part of the Netherlands. Later government remarks support this interpretation, as we show below.

Following the independence war with Indonesia, which lasted from 1945 to 1949, the Dutch government was keen on maintaining good relations with its remaining overseas territories. A series of ‘conferences’ with delegates from the Netherlands, Suriname and the Dutch Antilles were thus organized to negotiate new relationships. This resulted in a

Statute for the Kingdom which gave the overseas territories an ‘equal place’ within the Kingdom. It stipulated that each ‘land’ (territory) organizes its own political system and has sovereignty in areas that are only of internal concern (*landsaangelegenheden*). Only a few areas such as foreign and defence policy remained ‘Kingdom affairs’ on which all territories decide together. A 1954 report of a parliamentary discussion states that ‘many MPs [...] thought they could say that the colonial period is over for the parts of the Kingdom in the West.’¹²

The Statute did not alter jurisdiction over social policy since overseas territories had never been covered by the social protection developed in the European part of the Netherlands. While the Statute may have given the territories more autonomy to develop their own social policies, this is not discussed in the documents shared with the Dutch parliament, with a single exception: at the last conference meeting, the head of the Antillean delegation declared that the Statute’s adoption ‘will bring the political calm necessary to direct all forces to broadening our country’s economic base and expanding its social provision’.¹³ The Surinamese delegation did not broach the subject in the documents available in the Dutch parliamentary repository. Nor is there evidence of extensive social provisions subsequently being introduced in Suriname. Much of the contemporary political debate on the pension gap thus revolves around the legitimacy of the Statute: did Surinamese representatives have the negotiating power to make a case for social rights? One present-day activist writes that he felt let down by both the Dutch government (which he accused of deliberate deceit) and Surinamese leaders who ‘failed to protect their rights’ at these negotiations.¹⁴

Shortly after agreement on the Statute, an act formally establishing universal old age pensions for the European part of the Netherlands (replacing the earlier emergency provision) was proposed in 1955. The act (Algemene Ouderdomswet, AOW), which entered into force in 1957, provided a flat-rate universal old age pension, covering all ‘ingezetenen’, that is, *residents* of the European part of the Netherlands.¹⁵ Although only residents with an income would pay contributions, full benefits would be awarded to anyone who had been a resident for 50 years between the ages of 15 and 65.¹⁶ Even those who had not directly contributed

financially – because they had no income, as was the case for most married women at the time – were deemed deserving of social rights if they had lived in European-Dutch territory. Nationality was removed as a criterion for eligibility.

The new old age pension also covered non-resident Dutch nationals working for the Empire ('het Rijk'). The ministers explained: 'This provision concerns in particular [...] the Governors of the Overseas Territories and the officials assigned to them',¹⁷ that is, primarily white European-Dutch citizens working in the colonies. A decade later, when changes were made in the legal text, the responsible ministers emphasized that it was never 'the intention to bring [...] categories of the national [read: non-white] population of Suriname and the Netherlands Antilles under the scope of Dutch national insurance schemes on the sole ground that they are employed by the Central Government in Europe'.¹⁸ Only a very select group of (white) Dutch nationals were deemed deserving of an exception from the strict *residency in European territory* requirement due to their ties to 'the motherland'. As in 1919, the exclusion of colonial territory from the coverage of social rights remained completely uncontested in the deliberations leading to the 1957 public pension act. Possibly, the Statute of the Kingdom that had just been negotiated legitimized this silence, for it had stipulated that social affairs were within the jurisdiction of individual lands, thereby releasing the Dutch parliament from potential responsibilities.

The public old age pension would later be linked to the minimum wage. Since then, those elderly living alone in the European part of the Netherlands receive a pension equal to 70% of the minimum wage, while those who are married or cohabitate each receive 50% of the minimum wage. Most people who were previously engaged in formal employment are also part of a near-mandatory occupational pension scheme, while those with another or no employment history rely entirely on the public pension.

Decolonization and its aftermath: the (non-) issue of social rights (1970–2007)

In the 1970s, a series of protracted negotiations took place between the governments of Suriname, the

Netherlands and the Dutch Antilles (all part of the Kingdom at the time) that eventually resulted in Suriname's independence in 1975. In these negotiations, social rights were marginal compared to the more controversial subjects of migration, nationality and development aid.

The parliamentary records show only one discussion of pension rights, a few months prior to Suriname's independence. In a letter to President Arron of Suriname, the Dutch minister specified the rights for different groups of public pension beneficiaries.¹⁹ He stated that for

Those who remain in the Netherlands and retain Dutch nationality [...] nothing will change upon the independence of Suriname. They can, like European Dutch citizens, build up a full pension.²⁰

This discourse of fairness and non-discrimination in the metropole helped conceal the fact that nothing had changed regarding the colonial pension gap. The key *residence* requirement remained uncontested, and it excluded colonial territories. People would only continue to receive benefits for those years in which they had lived in the European part of the empire.²¹ Only by paying a voluntary contribution for the years not spent in the European part of the Kingdom could people obtain full benefits. In practice, a 30-year-old moving to the Netherlands in 1974 would have to buy 15 years of pension rights that 'European-Dutch' citizens automatically – and in some cases freely – gained. Yet, we found no discussion of this inequality in the parliamentary records, nor further contestation by Surinamese politicians.

On the few occasions when the pension rights of Surinamese-Dutch people were discussed in this period, the discourses of 'fairness' and 'generosity' served to legitimize the Dutch welfare system. In debates on the 1987 'minority policy' (referring primarily to immigrants from the former colonies and 'guest workers' from Turkey and Morocco who arrived in significant numbers in the post-war decades), the state pension was presented as fair and inclusive as all inhabitants of the Netherlands – regardless of nationality, gender or ethnic background – had the same rights.²² The territoriality

principle (eligibility based on 50 years of residence) was praised as non-discriminatory: whoever contributed to the Dutch welfare state received something in return. Politicians did not consider that many of the ‘minorities’ would never make it to 50 years of residence and would have reduced pension benefits in their old age. Nor did debates in this period suggest any awareness of the specific implications of post-colonial migration for people’s pension rights. In the aftermath of decolonization, almost one-third of the Surinamese population (nearly 130,000 people) settled in the Netherlands. They were seen as part of a broader category of ‘foreigners’ and ‘minorities’ rather than as Dutch citizens from other parts of the (former) Kingdom. Politicians spoke of ‘Surinamese’ [Surinamers] until the 1990s despite these citizens’ long-held Dutch citizenship.

Breaking the silence: towards a political questioning of the law (2008–2023)

In the early twenty-first century, many Surinamese-Dutch people reached retirement age and faced a pension gap due to the years they had not resided in the European part of the Netherlands. In 2020, the government estimated that 39,500 Surinamese-Dutch citizens were receiving incomplete benefits.²³ This figure notably only includes people who spent part of their life in the Netherlands. The government’s calculation followed the territorial logic that self-evidently excludes colonial Suriname: the elderly living in Suriname who never left the country were not thought of as having a pension gap.

After a long period of silence on the subject, left-wing and Christian parties called on the government in 2008 to accommodate former fellow citizens of the empire [*rijksgenoten*]. While these parties differed in their views on public and private responsibilities, they agreed that the information provided to people in the past was insufficient, reflecting many of the arguments advanced by activists. Since 2017, growing numbers of activists have been contesting the pension gap through petitions, media performances, open letters and exchanges with politicians that show up in the parliamentary records.

The arguments of activists scrutinized the pension gap on different grounds: the legal grounds of exclusionary policies, their legitimacy, and the justness

of the outcomes. First, they claimed that former colonial citizens should have the same rights as other Dutch citizens²⁴ – a point supported by the use of the term ‘het Rijk’ in the original public pension act. While the constitution stipulates that the legal term refers to the European part of the Netherlands, the literal translation of the term is ‘the Empire’. Activists thus argued that ex-colonial citizens were denied the rights the legal order should have granted them.²⁵ These arguments have been rejected by Dutch courts, which ruled that citizens outside the European part of the Netherlands were never entitled to public pension benefits as social rights were the responsibility of individual countries within the Kingdom.

The position maintained by the Dutch government and most politicians until 2020 was: the law [of 1957] is the law that we implement and we do not question it. In this they were following the advice of the Council of State (an advisory body on legislation that also acts as the country’s highest administrative court), which concluded that there is no legal basis for reparation.²⁶ It reasoned that the Dutch state was not responsible for ex-colonial citizens from Suriname as the Surinamese government was responsible for the social citizenship of its inhabitants. Reparation would pose financial risks for the Netherlands and set a dangerous precedent. The Council of State also claimed that the most distressing cases of poverty due to the pension gap were sufficiently addressed through the options of applying for additional means-tested benefits.²⁷

In opposition to this more narrow legal perspective, activists have disputed the legitimacy of excluding ex-colonial citizens by examining the conditions under which the law was drafted. They pointed at the historical normalization of racism, a term that most Dutch politicians tend to avoid:

In 1957, a small number of white Dutch people lived in Suriname. That was the reason for the Netherlands to underhandedly ensure, when the AOW [public pension act] was introduced, that the residents of Suriname would not claim AOW. It was not a money issue. The Netherlands was and is a rich country. The government leaders of the 1950s regarded black people in Suriname and the Netherlands as inferior.²⁸

Activists also challenged dominant political narratives by questioning the equality that the Statute of 1954 was supposed to ensure between the ‘autonomous’ countries of the Kingdom. The activist in the above passage remains suspicious of how Suriname became responsible for its own welfare system, which effectively excluded the Surinamese population from the growing welfare system in the wealthier metropole. The passage also reveals the tensions between constructions of autonomy which the leaders of Suriname were striving for (Oostindie and Klinkers, 2001) and holding the Netherlands responsible for enduring inequalities between the colonies and the metropole (Pronk, 2020). The post-colonial lens employed in activist discourse sheds new light on understandings of ‘contributions’ and ‘deservingness’ in welfare states. Looking at the centuries-long exploitation of land and people in Europe’s colonies, it can be argued that formerly colonized citizens are *par excellence* entitled to Dutch welfare benefits (Bhambra, 2022b). Activist groups saw the pension gap as a great material and symbolic injustice, as a continuation of second-class citizenship. They thus sought to delegitimize the political silence that concealed the long-shared past in the Kingdom of the Netherlands and that framed the Surinamese as any other group of ‘immigrants’.²⁹ Activist discourse sought to re-frame the pension gap as a reflection of colonial and racist citizenship hierarchies, which scholars have also pointed out (Bhambra, 2022b: 74):

Only those who can demonstrate historical belonging to the nation are deemed to be legitimate beneficiaries of welfare entitlements. Others, with a history of belonging to the wider political community of empire which contributed to the resources of the nation, are presented as being outside the ‘web of generalized reciprocity’ and therefore without claim or entitlement.

The main activist demand has remained consistent over the years: the Dutch government should count the years that people resided in the non-European parts of the Kingdom (until independence) as years of residence in the Netherlands. In this way, the ex-colonial elderly would receive the same amount of money as Dutch citizens who had lived all their lives along the

North Sea. Most of this activist claims-making has focused on fighting pension inequality for elderly people living in the Netherlands and not in Suriname. We interpret this not as a lack of transnational solidarity per se, but as a pragmatic choice by activists in light of the (initial) resistance in Dutch politics.

Since 2020, we see clear growth in parliamentary support for reparation of the pension gap for ex-colonial elderly people. A 2021 expert advisory report, requested by the government, provided crucial input into the debate.³⁰ Activist claims were widely present in the report and now increasingly feature in parliamentary debates. Sylvana Simons, the first Black woman leading a Dutch political party, also of Surinamese background, issued a motion questioning the current inequality:

The pension gap was caused by the fact that, during colonial rule, inhabitants of the Kingdom in Suriname were not recognized by law as residents of the empire [‘Rijk’], but such recognition was an important condition for the fundamental rights of Dutch citizens, including the right to pension benefits.³¹

Other parliamentary voices have also been calling for changes in policy in line with the claims of Surinamese-Dutch activists. Many parties are no longer content with the government’s stance that there is no legal necessity for reparation and have challenged the dogma of ‘the law is the law’. D66, a progressive liberal party, considers the status quo ‘unjust’. 50PLUS, a party representing the elderly, goes further, stating that ‘the letter of the law does not equal the spirit of the law’.³²

In 2023, the government decided to grant a specific group of Surinamese-Dutch elderly people a one-time compensation of up to €5,000 for lost income due to the pension gap. The compensation was presented as a gesture to a group of elderly people who ‘every day carry a great and long-lasting sense of injustice with them’.³³ The amount hardly compensates for real missed income, which could easily be as much as €80,000 (own calculations). It is a recognition but no reparation, for empire and its relations of extraction are not accounted for (Bhambra, 2022b), nor are equal social rights retrospectively granted to former colonial citizens. However, political discourse has changed

over the past few years, with prominent politicians publicly reflecting on the impact and continuities of the colonial past. On the occasion of the National Remembrance of Slavery in 2023, the Dutch King apologized for his ancestors' involvement in the slavery system. 'They acted within the framework of what was permitted by law', the King stated, adding that 'you cannot always listen to the law of the time. At some point comes the moral duty to act.'³⁴ While these statements suggest a move away from official silence towards a post-colonial questioning of laws and responsibilities, it remains unclear what they mean in practice for tackling enduring inequalities.

Conclusion

Current social rights inequalities in the Netherlands have their roots in laws of more than a century ago, when distinctions between citizens in Europe and citizens/subjects in the colonies were enshrined in the constitution. Although Surinamese citizens had Dutch nationality, they were excluded from the social rights introduced in the European part of the Netherlands. Territory has been a key criterion in circumscribing social rights, which we miss when we focus only on nationality or residency. This shows that even seemingly universalist social policies can contain stratified rights. Racialization has been key in enabling this stratification of territory and people, working silently to uphold the self-evident inclusion of white Europeans and the non-deservingness of colonized others. This has continued to affect ex-colonial Surinamese-Dutch citizens who moved to the Netherlands when Suriname became independent, resulting in social rights inequalities up until today (see also Jones, 2014b, on the Caribbean Dutch as liminal citizens).

Our discursive-historical analysis has shown how colonial citizenship hierarchies and unequal social rights went unquestioned within taken-for-granted constructions of exclusion anchored in the law, problematized neither by politicians nor scholars. This meant that it was up to activists to break the silence by questioning the conditions under which the law was drafted. These silences were only possible due to racialization, which rendered the classification of people so 'obvious' that it required neither explanation nor justification. Instead, the

pension system was presented as 'inclusive' based on a bounded community of people who pay into the system and benefit from it. This assumption is temporally blind to the past contributions of ex-colonial citizens and territories to the Dutch welfare state; it is also spatially blind to the actual boundaries of the 'bounded' community. As Bhambra (2022a: 8) puts it: there is a wider colonial constituency under the rule of a political community that has contributed to the wealth of the nation-state but 'without being seen to be part of it'. While it is beyond the scope of this article to study the role of Dutch colonized citizens and territories in creating or sustaining the Dutch welfare state, recent studies of the British welfare state and its relationship to the colonial empire suggest that the postcolonial welfare state was 'built in part by the labour from those colonies' (Bhambra 2022a, 2022b; Phillips and Williams, 2022; Williams, 2022).

There is also a need for further research on how (ex-)colonial citizens are included or excluded from social rights in other welfare states and in other social policy areas. Such research may provide new insight into the historical relationship between social rights and colonial empires, revealing a dimension of stratified citizenship that has previously gone unnoticed. Such research will also shed light on the claims of some politicians and social scientists who frame immigration and racial and ethnic diversity as exogenous threats that undermine the solidarity necessary to support generous social rights (Alesina and Glaeser, 2004). Rather, recent studies show that this much-touted failure of solidarity has a colonial dimension, as Imperial states 'organized access to politics and social rights on a hierarchical and racialized basis' (Bhambra and Holmwood, 2018: 575). It is not racial differences that undermine solidarity, but racial hierarchies inherited from colonialism that can form a moral justification for stratification (Wolff, 2024: 350). We thus call for more research engaging with coloniality, territoriality and racialization – essential concepts to understand the persistent stratification of social rights in Europe.

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Notes

1. NOS, 10 July 2021. Advies: dicht AOW-gat Surinaamse Nederlanders. Gaat het ook gebeuren? <https://nos.nl/artikel/2388807-advies-dicht-aow-gat-surinaamse-nederlanders-gaat-het-ook-gebeuren>.
2. Some depend on supplementary welfare assistance which, unlike the public pension, is means-tested.
3. This article focuses on the pension rights of Surinamese-Dutch citizens residing in the Netherlands, because this group has most vocally contested its disadvantaged position, which has also led to explicit discussion in Dutch politics. While this case offers a unique opportunity to study constructions of inclusion and exclusion, it of course does not mean that the exclusion of other (post)colonial citizens is less worthy of investigation.
4. Hindustani and Javanese indentured labourers, however, only obtained full citizenship status in 1951, see [Jones \(2007\)](#).
5. Article 2 of the Dutch Constitution of 1917. Last accessed on September 12th, 2024. via https://www.denederlandsegrondwet.nl/id/vi7hh38tyvz5/artikel_2_reikwijdte_grondwet.
6. Tweede Kamer (TK) 1918–1919, 484, 2.
7. TK 1919, 125ste vergadering, p. 3106.
8. ‘Aliens’ lacking Dutch nationality could gain access to the voluntary old age pension scheme if they had lived in European-Dutch territory for at least 6 years.
9. In contrast to the 1950s, in 1919 entitlement to old age pensions among (white) Dutch citizens (temporarily) living and working in colonial territory was not discussed in the documents we studied. Speculatively, this could be related to the fact that the 1919 pension was means-tested and therefore automatically excluded wealthy Dutch citizens, both in the European part of the Netherlands and in colonial territory.
10. In 1936, the Colonial Chamber became the ‘Chamber of Suriname’ (Surinaamse Staten). Only 3,000 men out of 142,000 inhabitants could vote. Universal suffrage for men and women was only introduced in 1948.
11. TK 1946–1947, 363, 1–2.
12. TK 1953–1954, 3517, 5, p. 1. Only the Communist Party saw the Statute as a continuation of colonial relations (see discussion in [Jones, 2007](#)).
13. TK 1953–1954, 3517, 4, p. 4.
14. Chan Mohan, (n.d.), Hadden Surinamers t/m 1975 recht op een oudedagsvoorziening AOW of AOV? https://www.suriplein.com/aow-gat_en_aov_surinamers/Surinamers_hadden_recht_op_ee_oudedagsvoorziening.html.
15. TK 1954–1955, 4009, 1–2.
16. Those who were already above age 15 when the law entered into force fell under a transitional arrangement. Like the emergency provision from the previous decade, they were deemed to have been insured up to the date on which the law came into force, provided they had lived in the European part of the Netherlands, Dutch New Guinea, Suriname or the Netherlands Antilles for 6 years after their 59th birthday.
17. TK 1954–1955, 4009, 3, p. 54.
18. TK 1967, 8457, 13, p. 10.
19. TK 1974–1975, 13473, 13467, 13482, 12.
20. TK 1974–1975, 13473, 13467, 13482, 12, p.3.
21. Staatsblad 1977, 365.
22. TK 1987–1988, 20260, 5, p.5.
23. TK 2019–2020, 20361, 183, p. 7.
24. Dennis Belfor of the Surinamese-Dutch organisation Ubuntu Connected Front, in: NOS, 15 October 2018, Oudere Surinamers eisen opnieuw oplossing voor AOW-gat. <https://nos.nl/artikel/2254923-oudere-surinamers-eisen-opnieuw-oplossing-voor-aow-gat>.

25. Ram Rambaratsingh, vice president of the Association of Surinamese-Dutch Citizens (VSN) has been active in the movement for decades and took the issue to court three times between 2016 and 2017. Interview in OneWorld Magazine. <https://www.oneworld.nl/mensenrechten/waarom-sommige-nederlanders-maar-eeen-halve-aow-krijgen>.
26. Raad van State, 2021, No.W12.21.0290/III/Vo.
27. Raad van State, 2021, No.W12.21.0290/III/Vo.
28. Dennis Lapar, 'The pension gap of Surinamese Dutch'. Open letter to the Ministry of Social Affairs, 18 April 2022.
29. Dennis Lapar, 'The pension gap of Surinamese Dutch'. Open letter to the Ministry of Social Affairs, 18 April 2022.
30. Adviesrapport AOW-gat, 2021, Adviescommissie o.l.v. Joyce Sylvester.
31. Tweede Kamer 2021–2022, 35925, 65, p.1.
32. Tweede Kamer 2020–2021 29389, 107, p. 3 and p. 8 respectively.
33. Tweede Kamer 2022–2023 20361, 204.
34. King Willem Alexander. Speech in Amsterdam on 1 July 2023. https://bijlagen.nos.nl/artikel-18188663/Toespraak_koning_Willem-Alexander.pdf.

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