
WHAT CAN GOVERNMENTS DO TO EMPOWER POOR PEOPLE?

DUNCAN GREEN

SOPHIE KING

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For more information, or to comment on this paper, email Duncan Green, dgreen@oxfam.org.uk



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SUMMARY

Whether guaranteeing access to justice, promoting norms of equality and respect, ensuring access to quality essential services, or supporting citizens' organization and voice, governments can play an important role in the empowerment of poor and excluded groups and individuals. Reviewing dozens of case studies, along with the latest conceptual work on empowerment, this paper shows that states can draw on a vast repertoire of tools, research and practical experience in pursuit of such goals.

Empowerment happens when individuals and organized groups are able to imagine their world differently and to realize that vision by changing the relations of power that have kept them in poverty, restricted their voice and deprived them of their autonomy.

Power is best seen as an invisible force linking individuals and actors, in a state of constant flux and renegotiation. Empowerment of excluded groups and individuals involves the redistribution of that power, so that it accumulates in the hands of women and men living in poverty. Power for excluded groups and individuals can be disaggregated into three basic forms, each of which can be promoted by state action:

- Power within (a sense of rights, dignity and voice, along with basic capabilities). This individual level of empowerment is an essential precondition for collective action.

Examples of state action:

- Civil registration of excluded groups and individuals, including lower castes, indigenous, older people, people with disabilities, and migrants.
- Public education on discriminatory norms and values.
- Equitable access to assets and opportunities.
- Preventing violence against women and other forms of violence and intimidation

- Power with (ability to organize, express views). People living in poverty come together to express their views and demand their rights.

Examples of state action:

- Providing capacity-building support to interest- and identity-based organizations.
- Providing an enabling environment for excluded groups to organize and represent their interests.

- Power to (ability to influence decision makers, whether the state, economic power holders or other). Poor people's voices are effective in influencing those in power.

Examples of state action:

- Affirmative action for the political representation of disadvantaged groups.
- Initiatives and reforms that promote transparency and accountability.

In addition, states play an important role in curtailing "bad power", in the shape of excessive concentration of power and influence, and its use against the interests of excluded groups and individuals. Legal empowerment, a key weapon in the state armoury, cuts across all these categories.

Almost as important as what governments can do, is what they should *avoid* doing. In the complex, fragile construction of excluded people's power "within", "with" and "to", the first priority should be for governments to avoid becoming part of the problem. That means tackling official corruption, coercion and cooptation, and creating an environment in which the thousand flowers of genuine empowerment can bloom.

Empowerment should be driven primarily by those whom it is intended to benefit – poor and excluded groups. Marginalized people and their organizations need to be in the driving seat, whether leading on their own, with allies, or exploring and co-creating solutions with government.

The role of government in promoting such power is subtle, but important. On their own, policies and laws are seldom sufficient to achieve tangible social change. The underlying challenge is often the existence of enduring social and cultural norms that create relations of power and disadvantage between different social groups based on gender, class, disability, age, caste or ethnicity.

Experience suggests that the international system can provide invaluable support through its role as a global norm setter. By incorporating such norms into national law and policy, and supporting their uptake by domestic organizations, governments can achieve rapid transformation, as shown by recent progress on children's rights or violence against women.

More broadly, states can help create an “enabling environment” that makes it easier for marginalized groups to empower themselves. That environment includes the basic building blocks of active citizenship – registration, literacy, health, as well as transparent and fair “rules of the game” that create and protect the spaces for poor people to organize, express views and demand change.

Empowerment needs to be driven by local context, culture and history. Governments should avoid the temptation to try and identify some form of “best practice” that can be imported and “rolled out” wholesale. Silver bullets, even if they faithfully reflect the latest development fads, are less likely to succeed than multiple approaches that seek to learn from and adapt to reality on the ground.

In practice this amounts to an overall “empowerment approach”, rather than any specific set of policies (which will depend on context). Such an approach

- creates the enabling environment required by excluded groups and individuals to empower themselves;
- develops a process through which actors from across state, political, civil society and corporate spheres come together to search for solutions to collective action problems, by working with the grain of existing institutions, culture and traditions;
- is willing to “cross the river by feeling the stones”, testing different options and discarding the least successful options; and
- recognizes that change is likely to be discontinuous, and responds to the opportunities (as well as risks) presented by “critical junctures”, such as economic and political shocks.

An empowering approach is both an end in itself, and a means to eradicating poverty and exclusion in their broader (multidimensional) sense.

Effective experiences of empowerment tend to involve a “magic triangle”: active civil society environment, committed public officials or political leaders, and enforcement mechanisms that guarantee that initiatives “have teeth”. That means that civil society organization is an asset, and its weakness or absence a problem. Governments need to nurture independent, active civil society organizations and protect the space in which they can operate.

The good news is that history appears to be firmly on the side of empowerment, as the global broadening and deepening of the international human rights framework over the last 70 years unambiguously demonstrates.

1 AN INTRODUCTION TO POWER AND EMPOWERMENT

'Lack of power is a universal and basic characteristic of poverty. Poverty is not solely a lack of income, but rather is characterized by a vicious cycle of powerlessness, stigmatization, discrimination, exclusion and material deprivation, which all mutually reinforce each other.'

Magdalena Sepúlveda Carmona (2013)

Empowerment is something of a development 'fuzzword' (Cornwall, 2007), a broad concept that allows multiple interpretations and definitions, often reflecting the theoretical or ideological predisposition of their exponents. Ibrahim and Alkire (2007) have listed 32 different, but overlapping definitions of the word¹. This paper will use a definition based on Eyben (2011): *'Empowerment happens when individuals and organised groups are able to imagine their world differently and to realise that vision by changing the relations of power that have kept them in poverty, restricted their voice and deprived them of their autonomy.'*

The reasons for preferring this over other definitions is that it places the issue of empowerment squarely in the minds and hearts of poor and excluded individuals, seeking a proper balance between enhancing their own sense of agency and making the structural changes to institutions and policies that are needed for their emancipation. The definition also stresses the centrality of 'power' to empowerment – a point that may seem obvious, but the word often slips out of definitions and leads to a more technical, less people- and power-centred discussion.

There are at least four main orthodox approaches to empowerment:

Economic

The main driver of empowerment is economic: governments' main role should be to deliver inclusive, pro-poor growth. In this approach, both the quantity and quality of a country's growth are decisive in empowering poor people, both directly in terms of liberating them from hunger and want, and indirectly, by providing them with the means to acquire education, voice and agency. Historical examples include the post war reconstruction of Europe and Japan, and more recently, successive waves of East Asian 'tigers' or Botswana's sustained growth record. The quantitative aspect is covered in a vast literature and will not be touched on in this paper (a good place to start is the 2008 Growth Report (World Bank, 2008)). This paper will discuss a number of other policy areas that are indirectly involved, but no less essential, such as access to information, or property rights.

Social policy

Governments such as Sri Lanka (Oxfam, 2006), or more recently, Brazil (De Souza, 2012) have used effective social policy to empower poor people by providing access to quality health, education, water and sanitation, along with social protection systems. This has enabled poor and excluded groups to acquire rights and voice earlier in the development trajectory, with no need to wait for the benefits of economic growth to trickle down.

Good Governance

Governments should focus on creating an enabling institutional environment for empowerment, for example through transparency and access to information, use of information,

decentralization, participatory governance reforms and communication technologies, mass registration drives, anti-corruption measures and ensuring access to justice and a free media. Recent examples include India (on identity cards, discussed below) and Colombia (on transparency - GoC, 2013).

Empowerment from Below

Empowerment is achieved through protest and organization by poor people. The key role of the state is to respond positively to such pressures (and not attempt to suppress them). Examples include India's vaunted National Rural Employment Guarantee Act (discussed below), which started as a civil society campaign. Brazil and Chile demonstrated the potential of turning anti-military protest movements into positive long term gains in rights and voice (Green, 2012). More recently, the Arab Spring raised hopes of a similar process in North Africa (although at the time of writing, many of those gains are looking decidedly fragile).

In practice, these approaches are usually complementary, rather than mutually exclusive. Effective state action typically requires multi-pronged interventions covering both agency and structure:

'For example a focus on changing laws that discriminate against women might need to be complemented by public education and awareness-raising, including within the judiciary. Efforts to strengthen poor farmers' access to markets might not succeed without regulating monopolies, or strengthening the collective political voice of small farmers' (Pettit, 2012).

WHAT FRAMEWORK TO USE?

With the exception of the last category, all the above approaches discuss the achievement of empowerment through a series of policies and levers to be pulled predominantly by the state. This paper adopts a different starting point, approaching the issue of power 'from the inside out'. How do poor and excluded groups and individuals acquire power and the ability to exercise it?

In this view, power is best seen as a form of invisible force field linking individuals and actors, in a state of constant flux and renegotiation. Empowerment of excluded groups and individuals involves the redistribution of that power, so that it accumulates in the hands of poor women and men. That process of renegotiation and accumulation is effectively captured by the 'three powers' model first proposed by Jo Rowlands (1997). According to this reading, power for excluded groups and individuals can be disaggregated into three basic forms:

- **power within** (a sense of rights, dignity and voice, along with basic capabilities). This individual level of empowerment is an essential precondition for collective action. For governments, reshaping the social norms that perpetuate the exclusion of groups and individuals is a crucial aspect of empowerment.
- **power with** (ability to organize, express views). Poor people come together to express their views and demand their rights. Governments need to facilitate (and not oppose or seek to coopt) such organization.
- **power to** (ability to influence decision makers, whether the state, economic power holders or other). Poor people's voices are effective in influencing those in power. Governments need to create and maintain channels for such influencing, and facilitate access to them by excluded groups and individuals.

In addition, states play an important role in curtailing 'bad power', in the shape of excessive concentration of power and influence, and its use against the interests of excluded groups and individuals. Legal empowerment, a key weapon in the state armoury, cuts across all these categories.

The next (and main) section of this paper will consider what states can do to promote the power within, with and to of excluded groups and individuals, drawing heavily on case studies of successful action.

2 EMPOWERMENT IN A COMPLEX WORLD

2.1 TYPES OF POWER AND RELEVANT POLICIES

For good or ill, all government policies affect empowerment to some degree. The state can be a driver of empowerment, a facilitator or a blocker. This paper will focus on the first two roles, but in many cases one of the main contributions of governments can be to ensure that the state 'gets out of the way' of empowerment, for example by guaranteeing freedom of expression, association and of the press. This paper will argue that the interaction between states and confident, capable expressions of civil society is a crucial part of the empowerment process, suggesting that another crucial role for governments is ensuring that civil society organizations have sufficient room in which to promote the interests of poor and excluded groups.

Taking the 3 powers model as its guiding framework, this main section of the paper examines what governments can do (and have done) to empower excluded groups and individuals, covering the following (non-exhaustive) list of interventions:

Power Within

- Civil registration of excluded groups and individuals, including lower castes, indigenous, the elderly and disabled, and migrants
- Public education on discriminatory norms and values
- Equitable access to assets and opportunities
- Preventing violence against women and other forms of violence and intimidation

Power With

- Providing capacity-building support to interest- and identity-based organizations
- Providing an enabling environment for excluded groups to organise and represent their interests

Power To

- Affirmative action for the political representation of disadvantaged groups
- Initiatives and reforms that promote transparency and accountability
- But the section begins with an issue that cuts across all three forms of power - legal empowerment. This involves using the legal system to promote rights enhancement, awareness, enablement and enforcement for excluded groups and individuals.

But first we explore a cross-cutting issue that affects all of the above: legal empowerment

2.2 LEGAL EMPOWERMENT

A fundamental role of the state in promoting empowerment is guaranteeing the rule of law, providing a legal framework of rights, and implementing strategies that enable people to realise those rights.

The UN Commission on Legal Empowerment of the Poor has identified three critical domains: property rights, labour rights and rights to self-employment and business, which must be underpinned by access to justice if they are to be realised. Space limitations require a degree of selectivity, therefore this section will focus on property rights and access to justice. This section also covers a crucial aspect of legal empowerment – measures to curb violence against women.

2.2.1 Property rights and tenure security

State programmes for legal empowerment focus on either protecting the rights of the poor to existing land holdings – often acquired through informal or customary means - or increasing access to land for the poor. Lack of access to land perpetuates a condition of disadvantage among the poor, and particularly among women and other excluded groups. From a legal empowerment perspective:

‘A fully functional and equitable property rights system - with effective regulation and oversight by the State authorities - can ensure that assets can be legally transferred from one person to another and can help people to access a loan to start a small business or purchase a home. At the same time, poor people must be protected by the law so that they can own, use and dispose of their property as they see fit’(UNDP, 2013).

Case study: Land Tenure Reform in Rwanda

Rwanda experiences one of the highest population pressures on land in the world with 90% of the population reliant on agriculture and an average family farm size of half a hectare. In 2007 the Government of Rwanda (GoR) introduced the Land Tenure Regularization Programme (LTRP) to address increasing population pressure on land, insecurity of tenure, decreasing production, land conflicts and to transform Rwanda’s agrarian economy from subsistence to commercial farming. The programme in effect involved the implementation of existing legislation that had been enacted between 1999 and 2005. The main legal reforms:

- grant women the right to inherit property;
- recognise the inviolable right to own private property;
- pledge the elimination of all forms of discrimination in access to land;
- vest ownership of land in the people of Rwanda but reserve the right of GoR to manage the land on their behalf (land titles are therefore in effect long-term leases);
- require mandatory registration of all land holdings and formalisation of ownership through land titles; and
- introduce joint land titles, meaning that a married man cannot sell land without the consent of his wife and requiring equitable division of land in the event of divorce.
- require the planting only of seeds approved and provided by GoR with the stated aim of intensifying agricultural production

DFID and USAID have worked with the GoR since 2002 to support policy, legal and implementation preparations, including ensuring gender sensitivity in all areas of policy and implementation.

The programme began implementation in 2009 and by January 2012 93% of land parcels had been demarcated and adjudicated and 1.7 million land titles issued.

The rather authoritarian approach to enforcement of specialization (including threats that unauthorized crops will be ripped out and land titles revoked) has come under criticism however, for creating an impression that tenure is conditional upon compliance with government directives and potentially endangering food security among subsistence farmers (Pritchard, 2013).

Drivers of success have been a post-genocide environment with high levels of female-headed households and a yearning for peaceful coexistence; strong central government leadership and administrative capacity; and long periods of preparation for implementation of reforms, including research, public consultation, piloting and public awareness campaigns, followed by highly participatory procedures at a very local level of implementation.

Empowerment Outcomes

Recent evaluations have found a sense of increased security of tenure even among poorer households (because the GoR has kept the cost of land titling very low), and an increased understanding among households about rights to land, women's rights and the workings of the land reform process. The majority of respondents to an evaluation by CARE felt the value of their land had increased, were more likely to rent rather than sell in times of distress, and were more likely to buy land and less likely to subdivide their plots (Santos et al., 2012).

(Adapted from: Santos et al., 2012, Pritchard, 2013, Rurangwa, 2013)

The links between land reform and empowerment are complex, often depending upon negotiation between conflicting interests. Reforms that lead to increased private ownership of land can undermine communal property rights of indigenous groups or leave some areas more vulnerable to land-grabbing by private, often foreign, companies (Wily, 2011). Reforms focused on the formalisation of existing land can also ignore issues of redistribution, discriminate against women by concentrating land in the hands of those who can assert ownership, and exclude vulnerable landless groups (Behrman et al., 2013, OECD, 2012c). A number of sub-Saharan African countries, including Mozambique, Tanzania, Uganda, Ghana, Southern Sudan and South Africa, have taken legislative steps to protect communal rights to land by issuing titles for customary tenure and setting up local bodies to administer customary rights. However implementation has been slow and enduring social norms combined with limited awareness or access to legal services mean that empowerment outcomes have been limited (Behrman et al., 2013, Wily, 2011).

2.2.2 Access to justice

Improving access to justice for excluded groups can involve a range of measures, from institutional solutions like ombudsmen and human rights commissions to developing low-cost legal services, creating alternative dispute resolution mechanisms, reforming traditional or customary justice systems that are biased against particular groups like women, and resolving conflicts between universal human rights instruments and informal laws and justice mechanisms (Golub, 2007, UNDP, 2013, OECD, 2012c). Access to Justice initiatives need to be cognisant of social norms and cultural systems (Harper, 2011), 'the cost of legal services and remedies, the capacity and willingness of the poor to pay for such services, congestion in the court system, the incentives of the judiciary and law enforcement agencies and the efficacy of informal and alternative dispute resolution mechanisms'(UNDP, 2013).

Many countries have ratified international conventions for the protection of socio-economic and human rights, but the difficulty is how to create effective mechanisms for the enforcement of those rights, such as constitutional courts and rights-based quasi-judicial commissions. Manor suggests that two strategies can facilitate this process – firstly 'official publicity campaigns to make people aware of these instruments' and secondly, 'government encouragement to civic

associations (especially but not only teams of public interest lawyers) to assist ordinary folk in understanding and accessing them' (Manor, 2002: 5)

Case study: Ghana's Commission on Human Rights and Administrative Justice

Ghana is one of only a few countries world-wide to have innovatively combined the functions of a public service ombudsman, an anti-corruption agency and a quasi-judicial human rights commission to respond to complaints of human rights violations, injustices, corruption, or abuse of power by the state, individuals or private enterprises and other institutions.

The Commission was enacted in 1993 and by December 2002, had received 64,805 complaints out of which it had successfully resolved 51,932 (80.1%). Amnesty International judged the Commission to be one of the 3 best Human Rights institutions in Africa. The high number of reported cases and case resolutions has been linked to a number of factors, including the independence of the commission – evidenced by cases against public officials at the Supreme Court - and public education at community level about the functions of the Commission and about human rights (CHRAJ, 2007).

Despite this impressive record, some studies suggest that the Commission has been more effective at protecting the right to education and labour rights than the rights of women. Statutory provision for the protection of women and children from domestic violence and particularly Female Genital Mutilation (FGM) for example, has been undermined by the absence of 'direct assistance to victims', programmes focused on transforming socio-cultural norms to discourage the practice and even the absence of the state institutions that were supposed to be in place for the investigation and prosecution of FGM (Aberese Ako and Akweongo, 2009).

The commission itself reports the following challenges: high staff turn-over in response to low salaries and high work load linked to low levels of central government funding; a lack of financial autonomy from central government; an overly broad mandate leading to overburdened staff and inability to attend to all duties with equal rigour (CHRAJ, 2007)

2.2.3 Violence Against Women

Since the days of the suffragettes, progress in the empowerment of women and girls has been both better understood, and arguably more rapidly, than that of many other excluded or marginalized groups. There is therefore considerable benefit to be had in studying the origins of that progress and adapting the lessons for other groups.

Violence against women contributes profoundly to their disempowerment, curtailing agency and voice, freedom of expression and freedom of movement. According to UN Women:

'A comprehensive approach that involves the constitutional, civil, criminal and administrative law of the nation is essential. Legislation must recognize all forms of violence against women and girls and extend protection in all contexts: in the home, at work and in public spaces.'

Through its UNITE campaign, the UN has made Violence Against Women a global priority, and produced handbooks both on how to draw up a national action plan (UN Women, 2012), and for legislation, covering the legal framework, protection, prevention, rights of immigrant women and judicial process (UN, 2010).

A 2013 survey of 43 member states by the UN Special Rapporteur on violence against women, Rashida Manjoo found that most advances both in national action plans and in new legislation have been 'in the sector of domestic violence, both civil and criminal law remedies, and trafficking..... [but] despite the existence of laws, reporting, prosecution and conviction rates remain low' (Manjoo, 2013: 14).

Case Study: Women's Police Stations

Examples of specific state action to reduce violence against women include the creation of women's police stations in 15 countries in Latin America, Africa and Asia. Most commonly the stations address family violence, particularly physical violence, threats, as well as sexual violence. They are often staffed by specially trained female personnel and aim to improve the ability of the police to respond to the unique needs of women survivors.

Results: In India, a study found that the establishment of 188 women's police stations resulted in a 23 per cent increase in reporting of crimes against women and children and a higher conviction rate (Kandaswamy, 2004, Denham, 2008).

Challenges: In Brazil, research found that while in 2000, for example, 310,058 complaints of violence against women were registered in the women's police stations of São Paulo, very few cases went to court, as the women's police stations failed to be taken seriously by the rest of the judicial system. Their impact was thus arguably more therapeutic (women police officers helping victims of domestic violence through difficult times) than judicial. (MacDowell Santos, 2004).

Case study: Enshrining Women's Rights in law in Morocco

'The *Moudawana* was instated in 1957/58 by a religious commission, *oulema*. It was the only set of legal codes in Morocco to fall under Islamic law and interpretation: all other legislation is secular, including penal and constitutional law, which occur in a civil court system. It was highly patriarchal, characterising the male as the head of the household, and the woman as an adult minor under his guardianship.

In February 2004 the Moroccan parliament unanimously approved changes to the *Moudawana*. The new reforms eliminated the principle of obedience to the husband; established equal responsibility between husbands and wives over the household and children; gave women the right to decide legal matters without male guardianship; and required consent from both husband and wife to dissolve a marriage. Although the reformed law still contained various weaknesses and contradictions it has provided a platform to help transform power relations within the family, strengthen women's rights, and improve the quality of life for women. Moreover, the reform of a religious law which was historically considered sacred and untouchable created an inspiring model for legal change in other Muslim-majority countries.'

Key drivers of success:

- An effective women's movement spurred on by gradual political and economic liberalization
- Reformers looked for and exploited new political opportunities including the socialist party coming into power and a liberal-minded King acceding to the throne - Mohamed VI, who was supportive of women's rights.
- Reformers used a range of strategies with a wide range of actors including grassroots organisations, national organisations, and progressive figures within government, each of which contributed to the campaign's success.
- Existence of an international framework – the changes drew on key tenets of the UN's Beijing Platform
- Reforms opted to work within the framework of Islam, arguing that the conservative interpretation enshrined in the previous law ran counter to the true spirit of the Koran.
- A public awareness campaign integrated the reform agenda with local cultural/ religious values as well as universal human right principles and democracy.

(Extracted and adapted from: Pittman, 2008)

2.3 POWER WITHIN

2.3.1 Registration of excluded groups

Civil registration, especially of births, is a precondition for most other constitutional rights. Without an official identity, people can struggle to establish property rights, access jobs, social services and welfare, or gain access to legal justice. Civil registration also generates critical population data for the provision of services, prevention of disease and protection of rights. In Africa and South Asia however many countries have not yet developed effective systems for the registration of births and deaths and it is the most disadvantaged and marginalised groups in society that have the lowest levels of registration (UNICEF, 1998, Bequele, 2005).

One approach to registration is citizen identity cards, the subject of much debate. While proponents suggest they are a way to ensure fairer access to public services for disadvantaged groups and to curb corruption, most countries that have considered the scheme have either concluded that the costs and potential threats to both civil liberties and national security outweigh the potential benefits, or have shelved schemes in response to high levels of political and civil society opposition (Ramakumar, 2010).

Case study: India's Unique Identification or Aadhaar¹ project

The Government of India (GoI) began implementing the world's largest biometric identification project in 2010. It aims to collect biometric data from all residents of India – more than 1.2 billion people – resulting in one of the world's largest databases and potentially paving the way for 'growth and expansion of biometric technologies globally' (Jacobsen, 2012: 458). The scheme has sparked great controversy over costs (an estimated US\$10 billion in the first five years), disputed benefits, motivations and potential implications for civil liberties.

The goal of the scheme is to collect both personal (date of birth, name) and biometric information (fingerprints and retina scans); and issue citizens with 12 digit identification numbers and bank accounts. This enables GoI to deposit welfare payments and other benefits directly into people's accounts and cuts out potentially corrupt middlemen – an important consideration in a country where 2% of GDP is spent on social programs but 59% of that spending doesn't reach the poor (Romero, 2012) and where 49% of people don't have bank accounts (McKenna, 2013). To reach people in rural areas, bank accounts can be accessed at certain grocery shops and small businesses where scanners can verify identities.

It is too early in the implementation of the programme for extensive evaluations to have taken place however a small number of studies have highlighted the following potential gains and concerns:

The case for Aadhaar:

- Economic growth through more effective social protection and supporting previously excluded groups to access bank accounts and credit facilities
- Curbing corruption in social welfare and benefits
- Increased governance capacity through access to better quality population data
- Participation is voluntary
- An official cost-benefit analysis which claimed to take all the development and implementation costs of the programme, and estimated leakages into account found that the project 'would yield an internal rate of return in real terms of 52.85 per cent to the government' (NIPFP, 2012).

The case against Aadhaar:

- The costs outweigh the benefits – the national cost-benefit analysis was critiqued for failing to take into account alternative technologies, the cost of likely disruptions during implementation, and making assumptions on the basis of out-of-date statistics (Khera, 2013).
- As there is a poor institutional and operational framework for the protection of privacy rights in India, such a large database of information can easily be accessed or used in ways that people have not consented to (Jacobsen, 2012). For example, the Unique Identification Authority of India was set up and began collecting biometric data without consent or authorisation by the Indian parliament (Patnaik, 2011).
- Several studies have also suggested that, while the Aadhaar system can curb corruption in terms of identity fraud, there are numerous ways to circumvent it and continue to steal or extort state resources (Ramakumar, 2010, Khera, 2013, Bhatti, 2012).

The Health Information Systems Knowledge Hub, a partnership of organisations including the WHO, has developed a resource kit for governments called 'Strengthening practice and systems in civil registration and vital statistics' (HISKH, 2012). The kit includes assessment tools, guidance on statistics, legislative issues and operational practices and suggestions for advocacy strategies to mobilise the necessary support.

2.3.2 Public education on discriminatory norms and values

On their own, policies and laws are seldom enough to achieve tangible social change. The underlying challenge is often the existence of enduring social and cultural norms that create relations of power and disadvantage between different social groups based on gender, class, disability, age, caste or ethnicity.

Efforts to transform social norms that involve the unfavourable exercise of power by one group over another have involved civic education and public awareness campaigns combined with campaigns for legal reform or better enforcement of existing laws and regulations, as well as more multi-dimensional approaches that integrate strategies for attitude change and reform of discriminatory cultural systems within development programmes and service delivery.

The UN process has played a valuable role in helping norms evolve in a progressive direction on issues such as children's rights (Convention on the Rights of the Child, 1989) and discrimination against women (Convention to Eliminate All Forms of Discrimination Against Women, 1979). A report on the global impact of CEDAW showed it has been used by civil society organizations in Afghanistan to advocate with government ministries for the creation of shelters and safe spaces for domestic violence survivors; by the Mexican federal government to draft Mexico's General Law on Women's Access to a Life Free from Violence (adopted by all of Mexico's 32 states by 2009), and by the UN's CEDAW Committee in Sierra Leone, to urge the government to pass the 2007 Domestic Violence Act (ICRW, 2010).

Experience suggests that this requires at least two stages – first the UN convention must be ratified and enshrined in national law, then it must be used by a combination of state and civil society bodies to build coalitions for reform (Green, 1998). Importantly, civil society organization appears to work best when it directly involves those affected by the discriminatory practices. An analysis of progress on violence against women in 70 countries from 1975 to 2005 found that the single most important factor driving policy change was the existence of strong domestic women's rights movements able to use global mechanisms to influence national policy and practice. (Laurel Weldon and Htun, 2013)

Case Study: Combining shifts in global norms, with state action and civil society pressure: disabled people's rights

The recent upsurge in awareness and action on the rights of disabled people shows the importance of a dual track approach, combining the domestication of international norm shifts into national law and policy, with grassroots organization by the excluded group concerned.

In Ethiopia, the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which came into force in 2008 and was ratified by Ethiopia in 2010, stimulated domestic debates leading to the "Right to Employment of Persons with Disability" (Proclamation No. 568/2008) and the Growth and Transformation Plan for 2011 to 2015. These provide a framework for more effective participation of disabled persons in Ethiopian society. (ILO, 2011)

Disabled persons' organizations (DPOs) play an important role in raising the visibility of disability and the needs and concerns of disabled persons among government, international bodies and other civil society groups. They also raise awareness among disabled persons who might not even be aware of their basic rights, such as their right to education, training, employment or a better quality of living.

In Thailand, the trade union movement, along with disabled people's organizations, has played an important role in the domestication of international norms: For many unions, promoting the rights of disabled persons in the world of work is a new concept. As well as the CPRD, Thailand ratified the ILO Convention concerning Vocational Rehabilitation and Employment (Disabled Persons), No. 159, in 2007. Since 2011, the Thai government has tightened its quota system requiring that for every establishment of 100 workers, (whether public or private) at least one shall be a disabled person. A levy paid by employers who do not comply goes into a 'rehabilitation fund' for broader work on disability.

Drawn from ILO 2011 and Kwok 1999

Case study: Changing gender norms in rural areas. Zambia's Agricultural Support Programme

The Agricultural Support Programme (ASP) in Zambia attempts to mainstream gender equality within agricultural extension services. The programme is focused almost entirely on training rather than financial or material inputs and principally engages farmers at a household level, including women and children in workshops and action planning. ASP has five principle components: entrepreneurship and business development, land, crop, seed and livestock development, an infrastructure fund, improved service delivery through the provision of capacity building and strengthening management, information & learning systems.

Results:

- Increased agricultural output and food security
- Improved resilience and coping strategies because all members understand their farming system and have been actively involved in shaping it
- Farming continues in the event of absence or death of male head
- Increase in collective investment decisions and where food security is assured, investment is directed at family visions such as children going to school
- Inclusion of children in decision-making is expected to result in more children staying in farming and therefore less rural unemployment

Empowerment Outcomes

- Attitudinal changes with respect to ‘cultural norms governing “male” and “female” responsibilities are astonishing’ and ‘are appreciated by both women and men’.
- Both men and women have felt empowered because intra-household relationships are less tense and more productive
- For example: more men cooking, tending sick, taking children to school/clinic, sweeping (changes gradual and limited but ‘remarkable’)
- Reduction in assigning cash crops as male crops and food crops as women’s crops, enabling women to market cash crops or whole household to benefit from sale of cash crops
- Improved relationships between men and children, with children feeling able to speak more freely
- Increase in shared household decision-making leading to more effective livelihood planning

Success factors:

The most critical success factor according to ASP implementers and participants was the ‘household approach’ – working with all members of a household to encourage changes and recognising the impact of changes by following an “action-reflection-action” facilitation cycle. Other factors included:

- Gains to intra-household cooperation are seen so quickly
- The focus on training, action and reflection instead of inputs or loans
- Logistical support (motorbikes, fuel, allowances) and capacity development for extension workers, including monthly reflection meetings
- At a macro-level a supportive institutional environment via a National Gender Policy and efforts to mainstream gender across government ministries

Challenges:

- Women’s increased access to assets still depends on maintenance of relations with male head/kinship networks
- No evidence of impact on wider cultural relations or behaviour
- Structural gender inequalities in relation to control over key productive resources remain
- Men and boys continue to dominate buying and selling (women seen as lacking necessary literacy and numeracy and restricted by cultural norms about travelling outside their communities)

(Extracted and adapted from: Farnworth and Munachonga, 2010)

2.3.3 Equitable access to assets and opportunities

Social Protection

Social protection policies can be focused on ‘coping’ strategies such as financial transfers and public works programmes, or ‘preventative’ strategies such as social insurance and pensions (Hashimi and Anand, 2010). Although concepts of social protection began with the idea of a social safety net, the need for policies and programmes to create opportunities for the poor to ‘bounce back’ and participate in mainstream economic life has gained increasing prominence, generating stronger links to empowerment (*ibid*).

Case study: The Chile Solidario Programme

This integrated anti-poverty programme was introduced by Government in 2002 as part of a wider drive to eradicate extreme poverty. It was designed according to a multi-dimensional understanding of poverty and capabilities to target 225,000 indigenous households using national socio-economic survey data.

When they first join the programme, households are allocated a 'household support worker' and an income transfer. Their support worker holds a series of collective sessions with all the members of the households to identify capability deficits across 7 dimensions of well-being, each with a set of minimum thresholds: education, health, employment, household dynamics, income, housing and registration. Examples of minimum thresholds include being recorded in the civil registry; children being up to date with immunisations; children below 15 attending school and regularized occupancy of land and housing. In these support sessions, household members discuss how to overcome these deficits, and commitments are made by both themselves and their support worker who is also responsible for linking members up to relevant programmes and services. The aim is for 70% of households to meet all the minimum thresholds within each of the seven dimensions of capability at the end of the first two years of their participation in the programme. Access to public programmes and the income transfer continues for another three years.

Results:

- By 2005, 86.9% of eligible households had been contacted and 51,441 had exited the programme as intended
- Successive evaluations have demonstrated 'high levels of satisfaction and achievement' (Barrientos, 2010) and the most recent three year evaluation particularly highlights achievements for employment outcomes throughout participating households (Hoces de la Guardia, 2011).

Drivers of success:

- The programme is innovative because it attempts to address the structural causes of poverty, while focusing on strengthening capabilities in relation to the minimum thresholds described above, and engaging the most disadvantaged
- Challenges/limitations:
- The thresholds were set without any input from beneficiaries raising questions as to how comprehensive a set of capabilities the programme is focused on
- Attainment of capability is measured by a yes/no evaluation in relation to issues such as 'registered with primary health care unit' or 'children below 15 attend school'. Some critics suggest that this does not fully capture different levels of capability
- Questions have been raised about the approach to measuring eligibility for the programme

(Extracted and adapted from: Barrientos, 2010)

The NREGA case study to follow is one of the most cited cases of positive social protection through public works. An increasing body of work has called public works schemes into question as effective strategies for tackling chronic poverty however. As McCord (2005) finds (and illustrates by drawing on examples from South Africa and Malawi):

'The adoption of short term public works...is unlikely to succeed in terms of achieving social protection objectives in the context of chronic poverty. Such a response tends to offer only palliative inputs of limited significance, rather than facilitating the accumulation of productive assets required for participants to move out of chronic poverty.'

Case study: National Rural Employment Guarantee Act, India

India's NREGA is often cited as an exciting innovation in social protection programming. The scheme combines an employment guarantee within public works schemes, with bottom-up village development planning and collaborative social auditing between citizens and state actors. The aim is to increase the incomes of poor households while also driving forward local development and good governance. Under the scheme state governments must 'guarantee 100 days of unskilled, waged employment to each rural household' (OECD, 2012a). One third of job seekers must be women, and all job seekers or workers have a guaranteed set of entitlements including being given a job within 15 days of submitting an application for work, having access to a crèche on site, having access to drinking water, shade and medical kits. Provision is made for regular inspection of work sites to ensure these entitlements are present, to check work is done to the correct standard, and to ensure wages are commensurate with the quality and quantity of the work carried out (Bhattacharya et al., 2010). Village councils are responsible for planning, implementing and monitoring the scheme according to detailed guidelines. These specify that community meetings should be publicised well in advance, using methods that don't require literacy. At these meetings, community members are invited to register for work, and discussions are held as to which public works should be prioritised. Successive community meetings also play an important role in the social audit process to verify the correct implementation of the scheme (*ibid*).

Results:

The scheme has successfully transferred cash to poor households (Aiyar, 2010, Bhattacharya et al., 2010, Vij, 2011). According to NREGA statistics 4,456, 270 households were provided with 100 days of employment in 2012-13 (Gol, 2013).

Empowerment Outcomes:

- Reported outcomes have varied regionally. Positive outcomes in Andhra Pradesh have included 'increased awareness about the scheme among villagers and particularly disadvantaged groups like women and members of scheduled castes. Labourers found [social audits] an effective process for grievance redress', as well as improved ability among participants to engage with public officials (Aiyar, 2010, Aiyar and Samji, 2009).
- But in Abu Road, Rajasthan, another study found that community meetings were ineffective with very few women in attendance, the required entitlements were not present at all the work sites, and crèche facilities were not present at any of the sites, and average wages earned fell below the state minimum wage (Bhattacharya et al., 2010).

Success factors:

- The presence of an active civil society sector in Andhra Pradesh provided the added citizen agency to make the participatory and bottom-up aspect of NREGA effective
- This was combined with political readiness within the state government to 'open itself up for scrutiny and proactively mobilize citizens to monitor its programmes' (Aiyar and Samji, 2009).
- Social audits are more effective when they are conducted regularly; have inbuilt feedback mechanisms and are undertaken by a partnership of state and civil society actors.

Challenges:

- In contexts with weak levels of popular organisation and civil society activism the scheme may be captured by local elites
- The scheme requires pro-poor commitment at the state and local governance levels

Conditional Cash Transfers

Many governments have introduced Conditional Cash Transfers (CCTs), which provide cash transfers to poor households in return for fulfilment of certain conditions such as school attendance. These have proved an effective social protection mechanism that also leads to empowerment through increased access to social services.

CCTs have also prompted numerous debates. One concerns whether social protection measures should be offered universally or targeted only to those in most need. Some argue that targeted measures are politically unsustainable as they exclude the wealthy who pay the most tax (Ellis, 2012 adds a further twist – self-targeted transfers such as India's NREGA, where non-beneficiaries choose not to participate, are less divisive than others). Targeted social protection schemes in Bangladesh, Mozambique and India have experienced increases and decreases over more than two decades, but remained politically sustainable throughout (Hickey, 2006).

Another concern is whether conditionality undermines social and economic rights and neglects constraints on access caused by the condition of poverty or living in remote rural areas (Woolard and Liebbrandt, 2010). Some conditional schemes have succeeded both in providing financial security to poor households and increasing their access to health care and education - the *Oportunidades* scheme in Mexico is one example (Barber and Gertler, 2009). Finally, some recent studies of CCTs in Latin America have begun to question the extent to which these schemes are enabling women to empower themselves beyond increasing the life chances of their children and providing a small financial safety net (Corboz, 2013, Molyneux and Thomson, 2011).

Debates also surround whether the imposition of conditions actually improves educational or health outcomes. A "labeled cash transfer" (LCT) scheme in Morocco made a small cash transfer to fathers of school-aged children in poor rural communities. Payments were not conditional on school attendance but explicitly labeled as an education support program. Researchers documented large gains in school participation. Adding conditionality and targeting mothers make almost no difference. The program increased parents' belief that education was a worthwhile investment, and that was enough to achieve impressive results. (Benhassine et al, 2013)

Case Study: Bolsa Familia, Brazil

Brazil is being held up as a model for tackling inequality which has fallen dramatically over the last decade (Ivins, 2013). This has been closely associated with the introduction of the minimum wage as well as a comprehensive range of social protection measures. Bolsa Familia is just one of these, however it is considered to have played an important contributory role towards greater equality.

Bolsa Familia is the largest CCT in the world. It is means-tested and associated with the following conditions and compliance arrangements: 'Children between the ages of 0 and 7 must be taken to health clinics at regular intervals to be monitored and to receive vaccinations. Mothers must attend pre- and post-natal check-ups at health clinics and participate in nutrition seminars. All children between the ages of 6 and 15 are required to be enrolled in schools and have to attend at least 85% of classes. Compliance is monitored by school and health centres and is registered in a central database – the single registry system. Unlike other CCT programmes, Bolsa Família has a system of 'gradual repercussion' in the case of non-compliance, allowing the family an opportunity to get back on track before benefits are eventually cut off' (ODI, 2011: 6).

Results:

The effects of Bolsa Familia on health, education, and inequality are hard to disentangle from other social assistance programmes in Brazil and other immanent processes of change, but it is estimated that between 2001 and 2005, Bolsa Familia contributed 12% of

the total reduction in extreme poverty in Brazil. Bolsa Familia also reached 12.5 million households in 2009 at a cost to the state of 0.4% of GDP.

Drivers of success:

Some of the drivers for the rapid expansion of social protection in Brazil are the 1988 constitution, which guaranteed social protection as a right; the dual political appeal of rights-guarantees to the political left and of an enforceable social contract to the right; and particularly in the case of Bolsa Familia, institutional reforms enabling highly effective targeting, monitoring and evaluation.

Challenges/limitations:

According to a report by ODI, 'the limited impacts of Bolsa Família in terms of progress towards improved health and education to date highlight the need for additional investment in the supply side of services, as well as the importance of tackling the structural causes of poverty and inequality in order to reduce poverty sustainably.' (2011: 11).

(Extracted and adapted from ODI, 2011)

Case study: Old Age Grant, South Africa

Brought in under apartheid and expanded to black South Africans under the ANC in 1994, the Old Age Grant is an unconditional but means-tested pension for citizens over 60 years of age. It is the largest social security transfer of the South African Government with approximately three-quarters of the elderly population income-eligible, and almost all of this group in receipt of the grant. In 2010, there were 2.5 million recipients and the value of the grant was 1.75 times the average per capita household income (Hickey, 2006, Woolard and Liebbrandt, 2010).

Empowerment Outcomes:

A wealth of studies show that the grant has empowered older people, by improving their financial and social status, and enhancing health and education outcomes for children in households where pensioners reside, with female recipients particularly likely to invest the money in the well-being of other household members (Woolard and Liebbrandt, 2010). The impact of HIV/AIDS and the growing number of 'AIDS orphans' has made the role of the pension increasingly important, by enabling older people to care for grandchildren. Corruption has also been minimal in implementation of the financial transfers (Hickey, 2006).

Drivers of success:

This high level of investment in protection of the elderly and their dependents has been made possible by a number of factors. The extreme inequality that characterises South Africa's post-apartheid legacy has provoked a high level of political commitment to redistributive policies and the protection of certain vulnerable groups like the elderly, children and the disabled. South Africa is 'a middle-income country and can fund pensions through taxation' (Woolard and Liebbrandt, 2010).

Challenges/limitations:

There is no comprehensive social insurance system in South Africa so that only older people and children (through the child support grant) can benefit. Debate continues as to the impact of the Old Age Grant on labour market participation. Some studies suggest working age adults in households with a pension recipient experience a loss of incentive for work, others suggest that the grant provides liquidity in support of migrant labour and that the presence of a pensionable adult relieves child care pressures, allowing parents to work (Woolard and Liebbrandt, 2010).

Increased opportunity through access to education and health

The developmental benefits of universal, quality education and healthcare are well documented, but may require different or additional approaches to reach and empower previously excluded groups and individuals. These include ending user fees (notorious for their impact in excluding poor people from accessing services), improving educational access for girls and ethnic minorities, as well as those who have been failed in the past and require adult/informal education services (APAE, 2008). Finally, empowering women includes guaranteeing their sexual and reproductive rights.

Case Study: Education for All in Ethiopia

Ethiopia joined the international Education for All Fast Track Initiative (EFA FTI) in 2004. This is a partnership 'of developing and developed countries, civil society groups, the private sector, and foundations' which supports national governments to develop and implement Education Sector Plans (ESPs). ESPs prioritize girls' education—emphasizing equal proportions of boys and girls entering the education system and completing primary school.

Outcomes and drivers of success:

The experiences of the ESP in Ethiopia have been summarised by Clarke (2011):

'Ethiopia's education sector plan was endorsed by the FTI partnership in 2004. At that time, 45% of Ethiopian girls aged 6 to 11 were not attending school. Girls' education indicators had been improving at an encouraging rate in the years before the country joined EFA FTI. During the four years from 1999 to 2004, their gross enrolment rate (GER) increased by about 31%. In contrast, in the four years after the country joined the FTI partnership, the GER more than doubled to 92%. Girls' net enrolment (NER) also increased by 39% in that period, reaching 75% in 2008. Although completion rates are still too low, these have also increased, from 24% in 2004 to 43% in 2008. Ethiopia's success in increasing girls' enrolment was grounded in its vision that all children would have access to quality education by 2015. The Education Sector Plan confirms Ethiopia's pledge to "take affirmative action to ensure equity in female participation [...] in all education and training programs and to increase their role and participation in development".

EFA FTI provided the opportunity for partners to join in providing coherent support in implementing this vision. The ESP outlined several interventions to bring girls to school:

- Publicity campaigns created awareness at the regional level.
- Parents and government officials were encouraged to monitor schools for violence against girls.
- Sufficient toilets were provided for girls and "girls' clubs" were established in schools.
- Recruitment efforts targeted women teachers and administrators.
- Micro-level initiatives were developed to address specific needs of girls not in school.
- A special day was established to celebrate girls.
- Monitoring was strengthened, and school systems were made accountable for actions detrimental to girls' access and survival.'

Case study: Mental health care user participation in mental health policy development, S. Africa

State reformers and civil society advocates have attempted an array of strategies to involve mental health service users in programme design and implementation in South Africa. These have included 'social action directed at reducing stigma, advocating for acceptance of users' rights to participate in decision making, crafting a supportive regulatory framework to promote participation, and equipping providers and policy makers to support inclusion'.

Results:

To date, these strategies have only had limited success in facilitating effective participation for better health access outcomes.

Drivers and constraints:

The government struggled to consult users during the drafting of the 1997 Mental Health Policy Guidelines because there were so few user groups in existence and even a dearth of disability-specific NGOs.

The existence of more user groups and a greater effort by government led to a wider consultation with users in advance of the Mental Health Care Act of 2002, but most user participants felt that the quality of consultation was poor.

People are reluctant to participate because they fear public exposure as a mental health service user.

Recommendations for more substantive participation by mental health service users:

Stakeholders within mental health service provision in South Africa have identified 'regulatory support, organizing for participation, and building user capacity' as three key strategies for improving the level and quality of service-user participation in policy development and implementation

Regulatory support might include the explicit promotion 'of user participation in all aspects of mental health policy'. Organising for participation is a civil society rather than a state strategy – such as forming a coordinated social movement and user lobby. Building user capacity for participation is linked to increasing access to effective treatment to ensure users are healthy enough to participate but also the provision of 'training programmes in advocacy, policy participation and organizational skills'.

Adapted from Kleintjes et al, 2010

Case Study: Access to education for excluded groups

Pastoralists and Nomads in Eritrea

Pastoralists and nomadic herders number several tens of millions of people worldwide. Located mainly in the dry lands of Africa, South and Central Asia, and the Middle East. Nomadic populations in Eritrea move twice a year between the lowlands and the highlands. These migrations are incompatible with the formal school calendar. Generally, classes are already in session when the time comes for nomadic children to resettle. They end up being excluded from the formal system.

In response, the Eritrean government and UNICEF are developing Non-formal Complementary Elementary Education (CEE), with a flexible calendar that is more suitable to their migration patterns. CEE is having a positive impact on access to education for nomadic boys and girls, providing them with new opportunities for learning. The establishment of education committees composed of community elders, mothers and

fathers has also contributed to the increased value attributed to the education of girls amongst pastoralists – and to the appreciation of its long-term benefits for the community as a whole.

Indigenous minorities in Vietnam

Vietnam's Constitution and 1991 Universal Primary Education Law recognize that ethnic minority children have a right to study in their mother tongue. But with 54 ethnic groups in the country, using Vietnamese for instruction has in practice become the norm.

Unfortunately, students have struggled, with many abandoning their studies. The national primary enrolment rate of children in Vietnam stands at more than 95 per cent. But among some ethnic groups, rates have been only 40–70 per cent; and, worse, lower secondary enrolment can be as low as 20 per cent. The difference between girls' and boys' enrolment rates in those areas is as much as 20 per cent.

The government has responded through a series of partnerships with international organizations: The Ministry of Education and Training (MOET) asked UNICEF and international consultants for help in developing a flexible bilingual programme specific to the Vietnam context. Oxfam has been involved in piloting the introduction of Child Centred Methodologies in indigenous areas, and when results showed improving attendance rates and academic performance, it has subsequently been asked by the Ministry to develop CCM teacher training materials at a national level.

Drawn from MRG, 2009 and Oxfam, 2011

Case Study: Introducing health service governance reforms in Sierra Leone

The launch of free health care in Sierra Leone in 2010 was an opportunity for the government and donors to join forces to deliver better health services and fight mismanagement in the sector. The government conducted reforms at three levels: human resources, financial management, and procurement management.

The involvement of the Anti-Corruption Commission from the outset enabled the delivery of a complete complaint cycle: from complaint mechanisms to investigation, through to prosecution (where needed) and feedback, and back to beneficiaries. A formal standard computerized system including clear reporting lines is now used, ensuring that health care staff are accountable to line managers.

Results:

The removal of user fees facilitated greater access to health care and governance reforms improved the quality of health services, with improved staffing levels and greater availability of drugs. In the first year, there was a 214% increase in the number of children attending outpatient units: basic vaccinations for children in 2011 reached 69.8 per cent; around 58 per cent of pregnant women made at least four antenatal care visits; and, nationally, 53 per cent of births were carried out in health facilities. Life expectancy in Sierra Leone has increased from 47.3 to 49 years. The under-five mortality rate has decreased from 200 to 174 per 100,000 live births and the maternal mortality ratio dropped from 970 to 890 per 100,000 live births. Government spending on health increased from about \$37 to \$42 per capita.

Drivers of success:

These reforms were made possible by tripartite pressure from civil society, donors, and government agencies who worked on the issue for several years, testing different approaches, debating results, preparing background arguments, building up expertise and engaging in policy advocacy. Resistance to democratic governance reforms was overcome when top-down and bottom-up pressure was exercised in parallel with official and informal channels of interaction. Citizens were made aware of their rights, while those in authority

were pushed to open up new spaces for dialogue and debate. Authorities accepted that they would have to provide information and receive feedback on their performance.

Adapted from Oxfam (forthcoming), Held to Account: Putting democratic governance at the heart of development finance

Sexual and reproductive rights

Guaranteeing access to and promoting sexual and reproductive rights requires engagement with complex issues that may be highly controversial in political, social and cultural terms. It is also critical to empowerment for both men and women. According to UNFPA (www.unfpa.org), reproductive rights include:

- Reproductive health as a component of overall health, throughout the life cycle, for both men and women
- Reproductive decision-making, including voluntary choice in marriage, family formation and determination of the number, timing and spacing of one's children and the right to have access to the information and means needed to exercise voluntary choice
- Equality and equity for men and women, to enable individuals to make free and informed choices in all spheres of life, free from discrimination based on gender
- Sexual and reproductive security, including freedom from sexual violence and coercion, and the right to privacy.

Two high-profile approaches to the protection of sexual and reproductive rights have been the de-criminalisation of abortion and homosexuality. Other policies and reforms include the promotion of family planning and reproductive health through public education or the conditional cash transfer schemes discussed above. Family planning mitigates the need for abortions whether legal or illegal (and therefore in all likelihood unsafe). The provision of family planning education and contraceptive methods across the developing world is failing to significantly change behaviour: 'The proportion of married women using modern contraceptives in the developing world as a whole barely changed between 2008 (56%) and 2012 (57%)' (UNFPA, 2012). Yet, 'serving all women in developing countries who currently have an unmet need for modern methods would prevent an additional 54 million unintended pregnancies, including 21 million unplanned births, 26 million abortions (of which 16 million would be unsafe) and seven million miscarriages; this would also prevent 79,000 maternal deaths and 1.1 million infant deaths'.

Case Study: Access to safe abortion in Mexico

Mexico City has passed a series of reforms since 2000 increasing women's reproductive rights in relation to the termination of pregnancy. In 2000, abortion became legal in cases of foetal malformation, risk to the health of the pregnant woman, or in the case of non-consensual artificial insemination. In response, the Ministry of Health and the Attorney General established policies for female victims of rape to have access to abortion services, and other progressive states began to advance abortion legislation. The 2007 Mexico City Law has been the largest legislative change, making abortion legal up to 12 weeks of gestation and redefining the terminology:

'An abortion is the legal termination of a pregnancy of 13 weeks of gestation or more. During the first 12 weeks of gestation, the procedure is labelled the 'legal termination of pregnancy'... Sentences have been reduced for women who have an illegal abortion, and the penalty for anyone forcing a woman to have an abortion against her will, including her partner or a physician, is increased. If violence is involved, the penalty is even higher. Finally, the law explicitly states that sexual and reproductive health is a priority in health

services, with the goal of preventing unwanted pregnancies and sexually transmitted infections.' These changes have been made possible by the combination of a united policy community, strong civil society activism and leadership and a supportive national political and social environment (including the popularity of left-of-centre governing party and recent scandals within the Catholic church). The international community has also played an important role e.g. through the CEDAW.

(Extracted and adapted from: Fuentes et al., 2008)

Case study: Involving women as community health promoters. Pakistan's Lady Health Workers

The Lady Health Workers programme (LHWP) provides reproductive healthcare to women by employing almost 100,000 women as community health workers. They provide information, basic services and access to further care. Women are now more visible and mobile within the communities where the LHWs operate. The LHWs receive training, are knowledgeable, earn their own income, and gain respect, challenging gender imbalances in the home and the community.

Empowerment outcomes:

- Taking a paid job increases the LHWs' education through training and work experience, which results in increased decision-making power within the family and mobility in the community, breaking down caste, class and gender barriers.
- Some LHWs have become leaders in their communities because of the relationships they have had to forge across class and caste barriers. There have been shifts within the practice of Purdah in response to negotiations about the LHWs travelling around unaccompanied.
- Their work has spurred collective action such as resignations among a group of LHWs in one town in reaction to defamatory reports in the local press, and collective protests by LHWs against sexual harassment, including their refusal to participate in an immunisation campaign until a case had been brought against the perpetrator.
- The women in receipt of the health service itself benefit, particularly as women of child-bearing age are those most restricted from public exposure.

Drivers of success:

- The initiative builds on existing processes of socio-economic change taking place in Pakistan including rapid urbanization, increased exposure to media, increasing acceptance of female education, many women wanting to work especially following access to education.
- The initiative is driven by the state, which earns the women the respect of having a 'government job'.
- Government-run television adverts helped women to gain credibility.

Limitations/challenges:

- Lowest castes have been marginalised by some LHWs in terms of the service and employment opportunities as LHWs, partly because it requires at least the completion of primary education.
- Other women or girls in the family often have to make sacrifices to free up the time for LHWs to perform their duties.
- Programme not as effective in peri-urban areas because they do not have the same level of community cohesion, there is a mix of ethnic groups, LHWs don't have same ethnic and kinship ties; and because of this, families are more disapproving.

(Extracted and adapted from: Eyben, 2011)

2.4 POWER WITH

States can support the formation and sustainability of collective action by creating an enabling institutional environment and channelling resources towards popular groups and organisations in carefully managed ways that do not create dependency and are not driven by motivations of co-optation. An enabling institutional environment includes guaranteeing certain rights and freedoms (such as freedom of association, expression and information) – the Namibian government, for example, has a constitutional commitment to the encouragement of trade unions (Mubangizi, 2006); establishing and channelling sufficient resources into institutions which provide for and protect access to justice (such as the judiciary, anti-corruption agencies, and ombudsman); creating effective mechanisms for collaboration with workers' organisations in both the formal and informal economy to ensure all workers have access to social protection and social services (Gallin, 2002) and the provision of accessible formalised channels for popular organisations to engage and interact with government. Access to justice has been discussed under legal empowerment above and channels for interaction with government will be explored with regards 'power to influence' below.

The reasons for states to adopt a positive, proactive approach to these kinds of engagement go beyond the immediate benefits. Throughout history, social movements have served as incubators of new issues that have subsequently become a core part of the state's agenda (Mulgan, 2006). Most recently, the women's, environmental and indigenous movement have performed similar functions and today, the nascent movements of disabled people's organizations (Wainwright, 2011) and older people (for example, through Older Citizen Monitoring Groups, Beales, 2012) are in all likelihood sowing the seeds for greatly increased state involvement in the years to come. States that are aware and responsive to these nascent movements can short circuit decades of conflict and frustration.

This section provides some case studies of effective popular organisations of the urban and rural poor and the ways in which their governments have supported their emergence and sustainability.

2.4.1 Rural producer organisations and self-help groups

In order to generate 'power with' – the power of disadvantaged groups to act together to reshape power relations – these groups have to become organized. In rural settings, producer organizations and self-help groups have been effective at increasing incomes and social status, which in turn are enabling factors for increased participation in community and political life. In towns and cities, some savings and credit groups have begun to challenge social norms like gender roles and by forming apex structures have effectively represented their interests with private companies or local governments (Mitlin, 2004). Through group participation, members learn how to work with others, how to negotiate and reach compromise, people also gain the confidence to speak in front of others, and eventually can transfer these skills into other arenas (Thorp et al., 2005, White, 1996). Facilitative factors which enable these processes to occur include solidarity around livelihood concerns and/or a shared ethnic, class or gender identity, membership and savings-based finance, and the importance of a federated structure for having an influence at different levels of market operations or government administration (Agarwal, 2010, Kabeer et al., 2010, Thorp et al., 2005).

Governments can support disadvantaged groups to cultivate 'power with' by providing training and capacity building support, agricultural extension workers in rural areas with the skills to facilitate reflection and action-planning about how to work collectively for change and providing livelihood groups with technical inputs and equipment.

There are a series of challenges that need to be considered by governments interested in fostering more effective organisations among excluded groups. These include the importance of playing a facilitative, rather than a directive, role; where financial or asset-based inputs are concerned, it is important to develop mechanisms to avoid the capture of these resources by the non-poor; everywhere mechanisms need to be established to curb corruption and mismanagement and the exclusion of the most marginalised groups.

Case study: Adivasi Women's Cooperatives, West Bengal

Adivasi women (officially categorised as scheduled tribals) in south-west Bankura District have been rearing silkworm cocoons as a cooperative income-generating activity since the 1980s. These cooperatives emerged as an alternative to migrant labour, as the Adivasi were over time dispossessed of much of the forest land formerly used for cultivation. The women have successfully negotiated for government inputs such as child care centres, and health and literacy programmes and gender norms have shifted in response to the economic and social gains the women have made. The cooperatives are organised into an apex body - the NBS² - supported by an academic NGO, the Centre for Women in Development Studies (CWDS). When successive state reforms created Forest Protection Committees (FPCs) (covering approximately the area of a village and comprising one adult member of each household within that area) the Adivasi women were able to organise to gain one-third representation for women within District Government policy. With the help of CWDS they later formed an apex body of the FPCs, still with one third representation for women, to enable local people to have an influence on forestry policy beyond the *Panchayat* (village council) level.

Government's facilitative role:

- Introduction of 1988 joint forestry management policy by central government
- Central Government funding for CWDS which has 'an ideological commitment to being pro-women, pro-poor and pro-collective action'.
- Pro-poor state government that has established a series of local rights for women
- Strong support from the State Government's Land Minister, who has persuaded forestry department to release land for the women's cooperatives and encouraged local government officials and party members to help the women's cooperatives
- A small band of reformists within the Forestry Department showing support for the women's cooperatives

(Extracted and adapted from: Webster, 2002)

Urban informal workers

The majority of the most excluded and marginalised people in the world either do not perform waged work, or work outside the formal economy. While notoriously hard to organize, it is possible for governments to help informal economy workers build their 'power with' as this example from Brazil shows.

Informal waste management workers in Belo Horizonte, Brazil

Building on a supportive legislative framework, the municipal government of Belo Horizonte designed a solid waste management system in the 1990s that has integrated two sets of informal worker cooperatives - *catadores* (waste pickers of recyclables), and *carroceiros* (informal collectors of debris). All non-organic recyclable waste is collected by the public authority and delivered to warehouses of the informal workers where they are processed and moved on through the recycling chain. The materials are sold to local industries and

the 'cooperatives receive all the money from sales, which is then shared between the associates.' These groups also now form part of a Municipal Waste and Citizenship Forum along with government and other civil society representatives where issues can be brought for public debate.

The municipality has created an enabling environment for these informal workers in a number of ways. In 1993, it introduced an 'Organic Law' and related legislation which 'included recycling, social inclusion, job creation and income generation as the four key pillars of solid waste management.' The municipality also supports informal workers through social assistance programmes. The public authority for waste management has been in operation for over three decades and operates at a high level of independence. Officials used to report directly to the Mayor, and more recently, the Secretariat of Urban Policies. This has attracted high levels of human capital and institutional memory which has been supportive of continued innovation. Beyond the municipality, a key reason for the effective integration and protection of these workers is the high level of organization and social mobilization of the waste pickers themselves and their supporting NGOs.

(Extracted and adapted from: Dias, 2011)

2.5 POWER TO

2.5.1 Affirmative action for political representation of disadvantaged groups

Strategies for more inclusive political representation include both decentralisation reforms with a specific focus on including disadvantaged groups such as the Bolivian Law of Popular Participation or the People's Planning Campaign in Kerala; and the reservation of representative seats for marginalised groups such as women, indigenous people, or the disabled.

These reforms are highly complex and have generated mixed outcomes for empowerment. Factors shaping these outcomes are often highly context specific. In decentralisation reforms, issues that arise include whether decentralisation is administrative or fiscal, the degree to which representatives at local levels have control over how either central or locally-raised revenue is spent, and the advantages and constraints of including representative groups according to area of residence or by social group.

Case study: The Law of Popular Participation, Bolivia

In 1994, the LPP decentralized fiscal and political power from national to municipal governments, which were assigned 20% of national tax revenues along with responsibility for maintenance and construction of schools, health clinics, secondary roads, micro-irrigation systems, and sports facilities. The law created an institutional framework for participatory planning by urban neighborhood organizations, indigenous organizations, and peasant unions. The law also created oversight committees with members drawn from the community, with the power to veto municipal budgets and recall mayors (Davies and Falletti, 2012).

Empowerment Outcomes:

The degree to which the reform has empowered previously disadvantaged groups such as peasant organisations and indigenous people has been the subject of debate and has largely depended on local contextual conditions within particular municipalities. The law undeniably resulted in a shift of large amounts of government resources to local areas and increased channels for popular organisations to represent their interests. There has been a slight increase in participation by younger people, women and indigenous groups since President Evo Morales was elected in 2005 as Bolivia's first indigenous president. But

there has been no significant increase in control over property and natural resources for indigenous groups (Regalsky, 2010).

Case Study: Reserved seats for women in the Panchayati Raj, India

A frequently cited example of effective empowerment through affirmative action is the reservation of one third seats for women in the *Panchayati Raj* in India. The Panchayat is a system of village-level, block-level (Panchayat Samiti), and district-level (Zilla Parishad) councils, members of which are elected by the people, and are responsible for the administration of local public goods. Each Gram Panchayat (GP) encompasses 10,000 people in several villages (Chattopadhyay and Duflo, 2004).

In an attempt to increase the effectiveness of the existing local government system, in 1992, a constitutional amendment introduced a three tiered Panchayati Raj requiring regular elections, and reserving seats for women, Scheduled Castes and Scheduled Tribals. Responsibility for implementing development and welfare programmes, identifying local needs, and administering infrastructure was devolved to the GPs. This was the first constitutional change to mandate reserved seats for India's women.

Empowerment Outcomes:

- Research suggests highly varying results across different states but generally positive outcomes for women's empowerment, particularly in states with an existing pro-poor political context such as West Bengal, Kerala, Madhya Pradesh and Karnataka (Heller, 2011, Manor, 2007, Chattopadhyay and Duflo, 2004, Harriss, 2010).
- Increased representation of women has improved the uptake of health care services because women councillors are better able 'to explain to other women villagers the utility of seeking ante- and post-natal care', for example (Manor, 2007).
- Results in West Bengal suggest that there are higher levels of participation in Panchayat and Gram Panchayat meetings when a woman chief has been elected; women are twice as likely to raise complaints in Gram Panchayats with reserved seats for women, women councillors were also more likely to invest resources in ways which benefitted other women (Chattopadhyay and Duflo, 2003).
- However, even in places like West Bengal, villages with greater landlessness or where lower-castes predominate receive fewer resources (Chaudhuri, 2007).

Drivers of success:

- The presence of progressive state reformers were key in more effective states (Heller, 2011).
- Increased opportunities to engage with public authority that have opened up in recent years beyond the Panchayati Raj, including participatory governance of services, increased access to information, social audit mechanisms for public service delivery (Corbridge et al., 2005, Heller, 2011).
- The presence of an active civil society sector (*ibid*).

2.5.2 Transparency and Accountability

While transparency campaigns are important in providing citizens with information concerning (1) their rights, entitlements, and the content, including financing and budgeting, and organization of benefits and services, and (2) the quality and performance of service providers (Ringold et al., 2012), they do not automatically generate accountability, particularly at the level of enforcement (Bukonya et al., 2012). According to McGee and Gaventa (2010),

“Transparency is a necessary but insufficient condition for accountability, ... transparency initiatives which ‘mobilise the power of shame’ have no purchase on the shameless.”

Reforms and initiatives for increased government transparency and accountability (T & A) towards citizens have been pursued increasingly since the 1980s, alongside increased drives for ‘good governance’. Initial moves focused on supply-side reforms (actions by governments), but the momentum soon shifted towards demand-side initiatives (those driven by citizen groups) in search of greater effectiveness (Bukonya et al., 2012). An increasing consensus now suggests that T & A strategies that include *both* supply and demand-side drives are more successful in empowering disadvantaged groups and internal reformers to bring positive changes to governance arrangements and better outcomes for the poor (Citizenship, 2011, McGee and Gaventia, 2010, Unsworth, 2010).

State-driven T & A initiatives that encompass both demand and supply-side pressure for change cover three spheres of state policy and expenditure: budget processes; governing or managing public goods; and auditing and monitoring how public resources have been used.

a) Budget processes

States can make budget processes more transparent by facilitating parliamentary and citizen access to accurate information about government revenues and expenditures and by facilitating citizen participation in budget negotiations. As well as providing the legal basis for access to information, states can provide budgetary information in simplified formats for consumption by different audiences with different levels of fiscal capabilities. The International Budget Partnership (IBP) has a programme for mentoring governments in how to ‘make budget systems more effective, accountable and responsive to the needs of low-income and poor people’ (IBP, 2010).

Budget transparency can make a critical contribution but is not enough as a standalone strategy. Citizens, civil society, political parties and other agents for social change also need to be organized enough to make use of the information, while government must have the capacity and receptivity to respond positively to the external pressures that result. Recent comparative studies of the effects of Public Expenditure Monitoring Surveys (PETS) and public information campaigns in different countries suggest that these other factors are if anything more critical as drivers of change (see for example the discussion in Hubbard, 2007, and Sundet, 2008 about differential outcomes in Uganda and Tanzania). Participation in budget negotiations requires significant mobilisation and coordination of interest groups as well as investment in capacity-building to enable participants to engage on a more equal footing and to contribute effectively.

Case study: Participatory Budgeting in Brazil

Since the workers party (PT) came to power in Porto Alegre in 1989 and began working with community associations to develop the process, Participatory Budgeting (PB) has spread across the globe, with some estimates suggesting 2,500 local administrations have adopted PB across Latin America alone (Abers, 2001, Fung, 2011). The innovations in Porto Alegre were supported by Brazil’s 1988 constitution, which granted cities equal status with states, with the power to call for popular participation in planning at the municipal level. Municipalities in Brazil now control between 15% and 20% of all government spending, and are responsible for health, education, transport and other key public works and services (Fung, 2011).

PB has been implemented to differing extents and with widely varying effects in localities across the world. The basic principles in Porto Alegre have been that PB should be ‘open to any individual citizen who wants to participate, combines direct and representative democracy, involves deliberation (and not merely consultation), is redistributive towards the poor, and is self-regulating, such that participants help define the rules governing the process, including the criteria by which resources are allocated’ (Goldfrank, 2006). The

municipal budget is a bottom up process – district and city budget councils comprise delegates elected at neighbourhood and district levels, councils are engaged in negotiating the overall objectives for budgets as well as the detail of budgetary allocations and are supported to do this through investment in capacity-building of citizen representatives and regular scrutiny of their practices, which creates the drive for learning and improvement (*ibid*).

Results in Porto Alegre:

- Resources are allocated according to principles of re-distribution and collective priority-setting rather than according to patron/client politics (as was the case before 1989)
- Civil society organization has deepened even in areas with previously low levels of mobilization – fostering greater inclusion - and citizen representatives have increased their political capabilities

Drivers of success:

- Porto Alegre benefited from extensive financial investment, political support, and a central government with strong capacity for implementation, backed by an enabling constitutional framework, a well-developed civil society
- A comparative study of PB initiatives across Latin America suggested that common drivers of success include the presence of a left-leaning or indigenous mayor, weak political opposition to the municipal leadership, significant funding from central government and international donors; access to enough revenue to make large scale investments in public works and a cohesive civil society (Goldfrank, 2006).

Challenges/limitations:

- A legal mandate for PB has not been enough to ensure success in other places and PB has not been shown to significantly reduce poverty.

Case study: Public Financial Management Reforms in the Philippines

The Aquino administration has introduced a series of reforms on the back of a 2010 election pledge to ‘enhance citizens’ access to information and participation in governance’. These reforms include giving the public access to information on the allocation, disbursement, and status of programs; fully disclosing local budgets and finances; and introducing zero-based budgeting (meaning every line of a budget must be approved), officially inviting civil society participation throughout the national budget cycle, and a commitment to the international Open Budget Initiative.

Results:

While it is too early to assess the development outcomes of these reforms, they have already resulted in a vastly increased involvement by civil society actors within decision-making processes. The question is whether these civil society actors are able to effectively represent the interests of the poor within these fora and make effective use of the budget information available.

Drivers of success:

A critical ingredient in the introduction of the reforms has been the role of ‘policy-brokers’ – reform-minded individuals within government who have experience in other spheres (e.g. civil society and academia) and who can play a mediating role between citizen interests and competing interests and pressures within government.

(Extracted and adapted from: Dressel, 2012)

b) Governance and management

Many states have opened up governance processes - from national policy-making processes like Poverty Reduction Strategy Papers (PRSP) (IMF, 2013) through to devolved community management of public goods at a local level - in response to an increasing consensus that this leads to more pro-poor decision-making and more effective and empowering service delivery. Concerns about participatory governance processes include their potential for tokenistic engagement of citizen representatives; the capture of resources and local decision-making by local political and economic elites; and the re-creation of existing power relations within new participatory spaces – such as domination by men; or the reluctance of social ‘inferiors’ to publicly challenge someone they rely on for work or housing (Cornwall and Coelho, 2007).

The case studies presented here suggest that given the right conditions and drivers of change, co-governance and co-production of services can lead to the empowerment of disadvantaged groups. Importantly, states can also empower the poor by being receptive to the models promoted by organised social actors for service provision that might better meet their needs.

Case study: Devolving forest management to local people, Dak Lak, Vietnam

By the mid-1990s the lack of effective provincial forest management in Dak Lak province had resulted in extensive deforestation, as indigenous and migrant groups cleared land for subsistence and commercial production. In 1997, the central government called on the provincial government to curb deforestation and uncontrolled migration. From 1997 the official German development agency GTZ worked in partnership with the provincial department of agriculture and rural development to introduce participatory and sustainable forest management. The programme involved technical assistance to the local government, developing capacity for land-use planning at the commune-level; and land distribution to ethnic minority households. Local people were engaged in developing village-level regulations for land use. Local households were given the rights to forest resources as well as long-term land titles, and families involved in managing the forests were granted a quota of timber and 6% of after-tax value of the timber logged once the forest matures.

Results:

- Deforestation slowed down in devolved areas
- Between 1999 (the year before devolution was introduced) and 2001/2, the total value of goods harvested from the forest grew by 170%
- This harvest accounted for on average 67.6% of non-farm income for participating households
- Indigenous groups’ land rights were strengthened
- The programme was effectively extended to other forested provinces

Challenges:

- The programme did not incorporate aspects of the customary forest governance structure of the local ethnic group
- Local people had little or no access to justice in order to defend their new rights – farmers therefore struggled to protect their timber from illegal logging
- Tensions remained with local state forestry authorities who experienced a loss of control and associated benefits

Drivers of success:

- There was an urgent need for change because of the serious decline in forest resources under state management
- Despite tension with the local forestry authority, there was political support for the reforms within the provincial government and strong political commitment from central government, including investment of financial resources
- Availability of technical support from GTZ. This was particularly helpful as forest devolution was unprecedented in Vietnam.

- The initial emphasis on training and capacity-building of provincial administration.

(Adapted from: FAO, 2013, OECD, 2012b)

Case study: Responding to civil society initiatives - co-production of sanitation in Karachi

Orangi is a large informal settlement in Karachi, Pakistan. In 1982, residents suffered from high child mortality rates linked to appalling local living conditions. A local NGO called the Orangi Pilot Project (OPP) developed an alternative model for sanitation: 'the residents of a lane or street paid for the lane investment in sanitation while the municipality took on responsibility for the sewer network into which this fed, and also the waste treatment plants'(Mitlin, 2008: 348). After initial reluctance, the municipality eventually agreed to this co-management arrangement and the idea of community-installed and managed sanitation spread rapidly through the settlement.

Results:

- The process has strengthened local organisations and made them more likely to engage with formal political structures, rather than operating through clientelist networks
- In Orangi, 96,994 houses have built their neighbourhood sanitation systems, by investing Rs. 94.29 million (US\$ 1.57 million)
- 20 years after the work began in Orangi, the city of Karachi decided that the strategy should be supported throughout the city.

Adapted from: Mitlin, 2008

Auditing and Monitoring

Many state-led (and donor-led) T & A initiatives have introduced increased scrutiny of public service effectiveness through community monitoring or complaint mechanisms such as parent or user committees, social audits, citizen report cards, and public expenditure tracking surveys (PETS). These tools and strategies are aimed at both increasing the quality of the services being monitored and increasing uptake of those services e.g. school enrolment and retention (Joshi, 2010).

Concerns have been raised by some critics that accountability instruments that frame service-users as individual consumers (such as complaints mechanisms and score cards) rather than as a collective set of citizens with rights can undermine drives for increased accountability (Goetz and Jenkins, 2005, Joshi and Houtzager, 2012). Synthesis studies suggest the evidence base is mixed in terms of whether these approaches empower disadvantaged groups or other categories of citizens to influence how services are provided or gain better access to services. Effective cases tend to involve an active civil society environment and committed public officials or political leaders, as well as the presence of enforcement mechanisms that guarantee that initiatives 'have teeth' (Gaventa and Barrett, 2010, Joshi, 2010, McGee and Gaventa, 2010).

Social Audits

Although first pioneered by the NGO *MKSS*, social audits have now been institutionalised within public programmes in many Indian states. The most well-cited case of success is the NREGA scheme discussed under social protection above, but there are many others. Social audits 'operate by first gathering information about the budgets and expenditure in public programmes and presenting and verifying these in a public gathering in which all relevant stakeholders—

public officials, elected leaders, private contractors and workers—are present' (Joshi, 2010: 11). A series of studies of NREGA in Andhra Pradesh have found that the audits were effective in increasing awareness and therefore take up of the employment guarantee scheme, and in exposing corruption and recovering funds, but were less effective in enforcing improvements such as greater efficiency in wage payments (Aiyar, 2010, Shankar, 2010, Singh and Vutukuru, 2010).

Citizen report cards / score cards

Report cards or score cards can be used as an individual client-to-provider feedback mechanism or within community meetings where local citizens can provide collective feedback to service providers. The evidence on effectiveness in terms of increasing local uptake of services or empowering local people to improve access to or quality of provision is mixed, with some studies concluding that they have only been effective in a comparatively small number of cases (Bukonya et al., 2012, Sundet, 2008). One example is community monitoring of local health services in Uganda, where following training and adequate information provision, communities became more active in monitoring local health centres, resulting in increased effort among health workers, increased uptake of services and better health outcomes including lower child mortality and increased child weight (Bjorkman and Svensson, 2009).

Mediation and collaborative local problem-solving

Academic studies are increasingly recognising the importance of good facilitation and mediation and collective action across the state/civil society divide to the effective resolution of public service and social accountability problems (Booth, 2012, Lardiés and Claasen 2010, McGee and Gaventa, 2010, Jeppeson, 2002). The case study that follows is one example of how bringing state officials and citizen representatives together to find solutions through careful mediation can generate positive and empowering development outcomes.

Case study: The Local Governance Barometer in Madagascar

Nosy Be is a remote island off the North Western coast of Madagascar that was earmarked for a large, privately-funded infrastructure project in the mid-2000s. The project catalysed serious social tensions between different layers of government and local communities. In response, the national government development programme and the World Bank commissioned a consultancy firm to facilitate a mediation process and find a way forward using a tool called the Local Governance Barometer (LGB).

The LGB takes a participatory approach, engaging government, civil society and the private sector to identify an appropriate local governance model and the kinds of data that can measure the integrity of that model, which that can then be used to analyse performance and draw up proposals to improve local governance. Over a 3 month period the different stakeholders were able to air their grievances and come up with an action plan to increase government accountability and social responsibility within infrastructure development on the island, improve civil society and private sector participation in development planning, and increase awareness about and enforcement of legislation on land rights, women's rights and corruption. A mixed committee was then tasked with taking the plan to national government and relevant donors.

Results:

- 'Most of the activities recommended in Nosy Be's action plan have been rapidly adopted by projects and donors in the region', including:
- Increased channels for collaboration and communication between the municipality and local communities
- Increased outreach to raise awareness about complaint procedures

- Recruitment procedures for municipal staff were improved, with an emphasis on employment of women in senior positions

Key considerations:

Timing is important: A maximum of four months is recommended to avoid fatigue among local stakeholders and maintain momentum, and to avoid tensions among stakeholders, the LGB process should not be applied in sensitive periods such as elections or times of civil unrest

(Extracted and adapted from: Dufils, 2010)

3 THE CASE FOR AN EMPOWERING APPROACH

As recent developments in North Africa, Turkey, Chile and Brazil have highlighted, states are seldom in total control of the processes that may or may not lead to the empowerment of excluded groups and individuals (Naim, 2013). There are numerous other players with significant influence on decision-making (social movements, trade unions, political activists and opposition groups, faith leaders, business associations, public intellectuals), and some degree of external influence from neighbours, private investors, aid donors and international institutions that supports/constrains their actions.

In any case, it is arguable that attempts by governments to 'empower poor people' are liable to be self-defeating. Empowerment is not something that is done to excluded groups, but something they must do for themselves, with the active support of others, notably the state.

For governments, this means that policies aimed at empowering excluded groups and individuals are necessarily messy, characterized by complexity, uncertainty and the absence of full control. States therefore should avoid the temptation to simply set out, in advance, a blueprint for empowerment and then try to implement the plan. Instead, they should consider adopting an 'empowering approach' (Kabeer, 2002) that

- Creates the enabling conditions required by excluded groups and individuals to empower themselves.
- Develops a process through which all parties come together to search for solutions to collective action problems, by working with the grain of existing institutions and traditions
- Is willing to 'cross the river by feeling the stones', testing different options and discarding the least successful options. This approach has been termed 'Problem-driven iterative adaptation' or (more memorably) 'purposive muddling' (Andrews, 2013).
- Recognizes that change is likely to be discontinuous, and respond to the importance of 'critical junctures' (Acemoglu & Robinson, 2012), such as economic and political shocks, that are likely to create particularly fertile conditions for both empowerment and disempowerment.

Taken together these constitute an 'empowerment approach'. Kabeer stresses that this is not a stand-alone strategy but a way of doing business.

3.1 GOING WITH THE GRAIN

A five year research programme into good governance³ by the Africa Power and Politics Programme (Booth and Cammack, 2013) found that both supply and demand-side approaches to governance (i.e. boosting government capacity, or supporting civil society demands for accountability) have failed to deliver concrete benefits. Instead 'governance challenges are not fundamentally about one set of people getting another set of people to behave better. They are about both sets of people finding ways of being able to act collectively in their own best interests. They are about collective problem-solving in fragmented societies hampered by low levels of trust.'

Rwanda demonstrates the value of 'going with the grain' of local, context specific institutions. A decentralization process from 2000 onwards revived old Rwandan traditions such as Umuganda (voluntary work), Ubudehe (collective action for community development) Unusanzu (norms stressing support for the needy) and Imihigo (where local leaders publicly vow to achieve certain deeds). Out of these traditions emerged a 'performance management system, planning tool, multi-layered oversight system and way of using social and traditional pressure to push mayors to greater levels of achievement.' A survey in 2011 found that a healthy percentage of citizens were actively involved in their local governments and link decentralization to improved service delivery.

In the West African countries of Niger, Mali and Senegal, the education system inherited from the French colonial period is deeply secular: as a result, most [Muslim] parents have seen official state schools as unattractive options at best, and often resist efforts to enrol their children. A further reaction has seen the development of a vast parallel system of informal and religiously-based education functioning outside the official state system.

Following a series of failed reforms that largely ignored (or even tried to suppress) the flourishing parallel world of religious schools, the three governments decided instead to 'go with the grain', 'both bringing unofficial schools more squarely into the formal state system and reforming the formal system by borrowing characteristics from the informal, such as introducing religious education in state schools.

In Niger, this involved expanding the existing network of 'Franco-Arabic' schools; in Mali, the government created incentives for previously unrecognized madrassas to adopt the official state curriculum without abandoning their religious mission. In Senegal, state schools have included religious instruction since 2002 in an effort to compete with the informal system.

Hybrid schools in their various formats have been extremely popular with parents, and the major challenge to the State is how to meet the high and growing demand they have created.

Despite the fears of some observers, the reforms have not exacerbated gender imbalances. At primary school level, for example, the emphasis on religion has proven particularly attractive to parents of girls. In many hybrid schools, girls outnumber boys, sometimes significantly. Finally, preliminary indications suggest that the success rates of the hybrid schools, as measured by the number of students passing state exams, is as good as or better than that of the classic francophone schools.

The researchers concluded 'We find that the 'grain' of popular demand in contemporary Africa is not a desire for 'traditional' institutions, but rather for modern state structures that have been adapted to, or infused with, contemporary local values.'

3.2 'PURPOSIVE MUDDLING'

The 'Problem-driven iterative adaptation' (PDIA) approach proposed by Harvard's Matt Andrews, Lant Pritchett and Michael Woolcock (2012) argues that the appropriate response to institutional reform in complex systems is a process of problem-driven learning, that may start with the state taking a lead in identifying, analyzing and publicising problems and bottlenecks, but requires it to stop short of trying to impose simple solutions.

Instead, solutions must be arrived at through a process of trial and error, fast feedback and openness to experimentation. This means mobilizing a broad set of actors to engage in the search for these solutions and often involves a 'slow, incremental process whereby localized hybrid [institutions] emerge' (Andrews 2013).

This approach requires a particular mindset from policy makers: openness to receiving messages from outside, even uncomfortable ones; a readiness to seek collective solutions with other stakeholders, and the patience to let solutions emerge slowly, rather than to try and impose top-down solutions that are likely to fail.

Case Study: Water and Sanitation in Tajikistan

An important aspect of PDIA is being open to constructive engagement with non-state actors. In Tajikistan, Oxfam identified a problem with water and sanitation. With funding from the Swiss Agency for Development and Cooperation (SDC), it set up a project based on 'convening and brokering'. Rather than lobby for a particular pre-determined solution, Oxfam set up a network that meets every two months, involving over 50 representatives of different sectors – 17 government ministries and agencies; the UN family; INGOs; academia; the media; Tajiki civil society organizations; the private sector and Parliament.

The initial impact was institutional, with more practical impacts following later. As a result of the discussions, the government set up an Interministerial Co-ordination Council (IMCC), established by presidential decree, with membership from 14 ministries and government agencies. This meets four times a year. The project's biggest achievement so far is a new Water Law. Previously there were laws on water and agriculture, water and energy, but not on drinking water. This created chaos, with everyone claiming water supply rights, without any quality control. The law frames the issues, establishes who is in charge, who regulates, who is the service provider and targets monopolies. It is bringing order to an important subsector.

The Tajikistan water and sanitation project is one example of a 'multi-stakeholder initiative' – institutions that bring together diverse stakeholders in search of solutions to agreed problems. Better known examples include the Extractive Industries Transparency Initiative⁴ and the Open Government Partnership⁵. By building relationships based on trust, these initiatives offer an important and stable means for addressing some of the typical challenges facing governments, such as implementation gaps between stated policies and reality on the ground, or the need to respond promptly and effectively to crises and shocks.

But such relationships are easier to build in some contexts than others. Findings from a World Bank evaluation of community empowerment projects found that the strongest performance was in cases where there were pre-existing organisations of people living in poverty such as SEWA in India⁶ and AKRSP in Pakistan⁷ and these organisations had generally been built up over a considerable time. This suggests that governments need to recognize and work with existing institutions (rather than try and create new ones). This can be hard in contexts where civil society organizations are weak or absent, but even there, reserves of 'social capital' may exist in the shape of faith organizations or traditional authorities.

3.3 SHOCKS AS CATALYSTS

A conclusive role is often played by the ability of reformers to respond to the opportunities provided by shocks. Historically, major empowering reforms such as the New Deal and the creation of welfare states in Europe have been intimately linked with (respectively) economic crises and conflict, whose impact is to create a sense of urgency around the need for change, and weaken the forces of inertia. In many developing countries, natural disasters (earthquakes, floods) have played a significant historical role as a driver of political and social change. Existential crises, such as external threats or the danger of social or political disintegration, as in Rwanda following the 1994 genocide, are also powerful drivers of change.

For governments wishing to build empowering approaches and capitalise on these opportunities 'readiness is all'. A solid network of relationships with different stakeholders; well-networked decision makers, aware of developments on the ground and picking up signals from non-state actors; recognition of the importance of allowing policy entrepreneurs to respond, rather than attempting to maintain centralized command and control at all times. All are important characteristics of an empowering approach.

4 CONCLUSIONS AND RECOMMENDATIONS

Whether guaranteeing access to justice, promoting norms of equality and respect, ensuring access to quality essential services, or helping support organization and voice, governments wishing to support the empowerment of poor and excluded groups and individuals can draw on a vast repertoire of tools, research and practical experience, of which this paper provides merely a taste.

Almost as important as what governments can do, is what they should *avoid* doing. In the complex, fragile construction of excluded people's power 'within', 'with' and 'to', the first priority should be for governments to avoid becoming part of the problem. That means tackling official corruption, coercion and cooptation, and creating an environment in which the thousand flowers of genuine empowerment can bloom.

In addition, governments need to curb the 'bad power' of non state actors, in the shape of excessive concentration of power and influence, and its use against the interests of excluded groups and individuals. This is as true in the household, for example violence against women and children, as at community and societal levels.

Empowerment should be driven primarily by those whom it is intended to benefit – poor and excluded groups. Marginalized people and their organizations need to be in the driving seat, whether leading on their own, with allies, or exploring and co-creating solutions with government. The alternative is 'flash in the pan' official initiatives that prove unsustainable, or the capture of resources and power by elites, whether local or national.

This requires a shift in focus towards building 'power within' among poor and excluded people as the essential first step in any sustained process of empowerment. The role of government in promoting such power within is subtle, but important. On their own, policies and laws are seldom sufficient to achieve tangible social change. The underlying challenge is often the existence of enduring social and cultural norms that create relations of power and disadvantage between different social groups based on gender, class, disability, age, caste or ethnicity.

But states can act to help transform social norms and values. Experience suggests that the international system can provide invaluable support through its role as a global norm setter. By incorporating such norms into national law and policy, and supporting their uptake by domestic organizations, governments can achieve rapid transformation, as shown by recent progress on children's rights or violence against women.

Since the days of the suffragettes, progress in the empowerment of women and girls has been both better researched, and arguably faster, than that of many other excluded or marginalized groups. Governments can learn valuable lessons by studying the origins of that progress and adapting the findings for other groups.

More broadly, states can help create an 'enabling environment' that makes it easier for marginalized groups to empower themselves. That environment includes the basic building blocks of active citizenship – registration, literacy, health, as well as transparent and fair 'rules of the game' that create and protect the space of poor people to organize, express views and demand change.

Empowerment needs to be driven by local context, culture and history. Governments should avoid the temptation to try and identify some form of 'best practice' that can be imported and 'rolled out' wholesale. Silver bullets, even if they faithfully reflect the latest development fads, are less likely to succeed than multiple approaches that seek to learn from and adapt to reality on the ground. States need to remain receptive to new ideas - models promoted by organised social actors for innovative policies and approaches that might better meet their needs.

That demands particular skills and mindsets from the leaders and officials involved. Inclusive, co-created processes are inevitably longer and messier, and can at times be very frustrating. It may also require different kinds of people working for government; 'policy-brokers' – reform-minded individuals within government who have experience in other spheres (e.g. civil society and academia) and who can play a mediating role between citizen interests and competing interests and pressures within government.

In practice this amounts to an overall 'empowerment approach', rather than any specific set of policies (which will depend on context). Such an approach

- Creates the enabling environment required by excluded groups and individuals to empower themselves.
- Develops a process through which actors from across state, political, civil society and corporate spheres come together to search for solutions to collective action problems, by working with the grain of existing institutions, culture and traditions
- Is willing to 'cross the river by feeling the stones', testing different options and discarding the least successful options.
- Recognizes that change is likely to be discontinuous, and responds to the opportunities (as well as risks) presented by 'critical junctures', such as economic and political shocks.

An empowerment approach is both an end in itself, and a means to eradicate poverty and exclusion in their broader (multidimensional) sense.

Effective experiences of empowerment tend to involve a 'magic triangle': active civil society, committed public officials or political leaders, and enforcement mechanisms that guarantee that initiatives 'have teeth'. That means that civil society organization is an asset, and its weakness or absence a problem. Governments need to nurture independent, active civil society organizations and protect the space in which they can operate.

The good news is that history appears to be firmly on the side of empowerment, as the global broadening and deepening of the international human rights framework over the last 70 years unambiguously demonstrates.

NOTES

¹ Aadhaar means 'foundation' in Hindi

² Nari Bikash Samiti

³ <http://www.institutions-africa.org/>

⁴ <http://eiti.org/extractive-industries-transparency-initiative-0>

⁵ <http://www.opengovpartnership.org/>

⁶ <http://www.sewa.org/>

⁷ <http://www.akrsp.org.pk/>

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For more information, or to comment on this paper, email Duncan Green (dgreen@oxfam.org.uk)

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