Report

Strengthening social justice to address intersecting inequalities post-2015

Veronica Paz Arauco, Haris Gazdar, Paula Hevia-Pacheco, Naila Kabeer, Amanda Lenhardt, Syeda Quratulain Masood, Haider Naqvi, Nandini Nayak, Andrew Norton, Nidhi Sadana Sabharwal, Elisa Scalise, Andrew Shepherd, Deepak Thapa, Sukhadeo Thorat, D. Hien Tran, Leandro Vergara-Camus, Tassew Woldehanna, Chiara Mariotti

ODI | cooperación española | SDG⋮F SUSTAINABLE DEVELOPMENT FUND

Report

Strengthening social justice to address intersecting inequalities post-2015

Veronica Paz Arauco, Haris Gazdar, Paula Hevia-Pacheco, Naila Kabeer, Amanda Lenhardt, Syeda Quratulain Masood, Haider Naqvi, Nandini Nayak, Andrew Norton, Nidhi Sadana Sabharwal, Elisa Scalise, Andrew Shepherd, Deepak Thapa, Sukhadeo Thorat, D. Hien Tran, Leandro Vergara-Camus, Tassew Woldehanna, Chiara Mariotti

Key messages

- The people most likely to be left behind by development are those facing 'intersecting inequalities', or economic deficits intersecting with discrimination and exclusion on the grounds of identity and locational disadvantage.

- The experience of seven countries (Brazil, Ecuador, Bolivia, India, Ethiopia, Pakistan and Nepal) shows that key ingredients for addressing intersecting inequalities are: social movements demanding changes in the 'rules of the game'; political trajectories and processes of constitutional change that facilitate and actualize these changes; social guarantees, opportunity enhancements and developmental affirmative actions as well as specific policies and programmes which show commitment to reduce intersecting inequalities over time.

- The post-2015 agenda can help establish global norms which will support and encourage mobilisation to tackle intersecting inequalities, including a strong commitment to universal quality basic services, and the development of country-specific frameworks of targets and indicators monitoring intersecting inequalities.

Acknowledgements

Table of contents

Figures

Tables

Boxes

Abbreviations

CSOs	Civil Society Organisations
DHS	Demographic and Health Surveys
HLP	High-Level Panel
LIC	Low-income Country
LMIC	Lower Middle-income Country
MDGs	Millennium Development Goals
MIC	Middle-income Country
NGO	Non-Governmental Organisation
ODA	Official Development Assistance
OECD	The Organisation for Economic Co-operation and Development
OWG	Open Working Group
PASDEP	Plan for Accelerated and Sustained Development to end Poverty
PRSP	Poverty Reduction Strategy Paper
SDGs	Sustainable Development Goals
SDPRP	Sustainable Development and Poverty Reduction Programme
UNGA	United Nations General Assembly
UNRISD	United Nations Research Institute for Social Development

Foreword by the Secretary-General of the Spanish International Development Cooperation

Reducing inequalities is one of the chief priorities of the Spanish Cooperation. In fact, it features as the second strategic priority area in the *IV Spanish Cooperation Master Plan* for the period 2013-2016. Reducing inequalities steers our work in the field and it has turned into a guiding principle for positioning Spain in the international debate on the post 2015 development agenda. Within the Open Working Group on the Sustainable Development Goals, Spain has argued that rising levels of economic and social inequality weaken the efforts to eradicate poverty and undermine the prospects for equitable long-term development. Together with the eradication of absolute poverty, the reduction of inequality between and within countries certainly constitutes the major challenge of the post 2015 development agenda.

The inclusion of the goal of 'reducing inequality between and within countries' in the outcome document of the Open Working Group in July 2014 is a first important step which we should continue building on. Further, concrete initiatives should take into account that the reduction of inequalities will have to take place in middle-income countries, where the majority of the world's poor population live. The Spanish Cooperation is aware of this and getting ready for the challenge. In March this year, we organized an international meeting in Salamanca, Spain, with the title: 'Development with equality: Reducing inequality in middle-income countries'. Representatives of governments, civil society, international organisations and development specialists shared ideas on development cooperation in middle-income countries and discussed a proposal to achieve equitable development.

In order to turn into concrete action the promise of supporting the achievement of sustainable and equitable development and of prioritising poverty reduction, the Spanish Cooperation, in collaboration with the United Nations Development Programme (UNDP), created the Sustainable Development Goals Fund (SDG-F), the first specific global fund for the achievement of the SDGs. This report is another step towards keeping our promise. Through the analysis of concrete examples, this report extends our knowledge on what is needed to tackle inequalities between groups of a population. It shows lessons from countries that have made progress in this field, which all underscore the importance of citizen participation and social mobilization.

I am convinced that this document will become a reference point for all those engaged in the difficult task of devising concrete ways to construct a more sustainable and equitable world post 2015. From our side, the Spanish Cooperation will continue to work towards this end through cooperation with our partner countries as well as through participation in, and support to, international discussion, knowledge sharing and research on how to achieve a more just and sustainable world.

Gonzalo Robles
Secretary-General of International Development Cooperation, Spain

Foreword by the director of the MDG Achievement Fund

In 2013, the UN Secretary General established a High Level Panel (HLP) of Eminent Persons to work on proposals for the Post-2015 Development Agenda. The recommendations of the HLP were the outcome of extensive global consultations, including with civil society organizations. In July 2014, the UN General Assembly Open Working Group approved a document containing 17 Goals to be put forward for approval by the General Assembly in September 2015. They will constitute the new goals for the Global Development Agenda from 2015 to 2030: the Sustainable Development Goals (SDGs).

From the very beginning of this process, a powerful concept was formulated to represent the 'raison d' etre' of this new phase: *leave no one behind*. The implications of such a concept are remarkable from many points of view. From one side, it is a declaration that there is just one humanity to which we all belong, expressed through many peoples, races and creeds, who share the same fundamental values, principles and aspirations for a more just and equal world. The principle of *leave no one behind* also reflects what still remains to do, after the MDGs expire. While the MDGs set most targets around the famous statement "reduce by half …", the future SDGs agenda aspires to eliminate poverty and inequalities for all, giving to all humanity the same opportunities for a life with dignity and freedom from need.

The MDGs represented a remarkable achievement by the international community, and the lessons learnt are fundamental in inspiring the post 2015 phase that is fast approaching. With the MDGs, for the first time, all actors of the development community were aligned around the same priorities. The results have been impressive and well documented. However, it has also been recognized that the global averages recording the achievement of the goals did not represent faithfully local realities, and that improvements have been uneven and concentrated in some countries. Moreover, extreme poverty and inequalities have proved to be resilient to most public policies aimed at addressing them. The MDGs also paid insufficient attention to the relationship between development and the environment.

During the MDGs era, other relevant steps were taken by the international community with the purpose of deploying better development cooperation. The *Paris Declaration on Aid Effectiveness* (2005), followed by the *Accra Agenda for Action* (2008) and the *Busan Partnership for Effective Development Cooperation* (2011) all deserve a mention. The UN followed suit with its reform process, known as *Delivering as One*, aimed at achieving a better coordination, coherence and economy of scale among the UN Agencies. Within this creative framework, the UNDP and the Spanish Cooperation launched in 2007 the MDGs Achievement Fund (MDG-F), with the purpose of providing significant funding to accelerate the achievement of the MDGs through the adoption of the principles of development effectiveness and UN Coordination in the design, implementation and management of inter-sectorial initiatives by the UN. The MDG-F funded 130 joint programmes (JP) in 50 countries, with the participation of 27 UN agencies, producing outstanding results and an innovative JP governance system to advance in the *Delivering as One* process.

Another significant contribution of the MDG Achievement Fund was the promotion of applied research and analysis, with the scope of achieving a better understanding of the nature and context of poverty – and consequently, the design of public policies and development programmes better equipped to address

the core reasons of inequalities and exclusion. It is within this context that collaboration between the MDG-F and the Overseas Development Institute (ODI) was established. The initial objective was to analyse the reasons why so many years of anti-poverty public policy making were having mixed results and recurrent shortcomings. In 2010, this collaboration produced a seminal work, coordinated by Naila Kabeer, which introduced the concept of *intersecting inequalities* and assessed the adequacy of the existing policy framework to address these inequalities. This work put emphasis on the different layers of exclusions faced by the poor, which often become or act as barriers to escapes from poverty. These barriers are often intergenerational and inherited, and leave a memory of neglect and abandonment by the State. Sometimes, they prevent anti-poverty programmes from reaching the intended beneficiaries and having a long lasting impact. So, effective public policies for poverty eradication can only be achieved if these barriers of exclusion and intersecting inequalities are dismantled.

With the present publication, *Strengthening Social Justice to address Intersecting Inequalities*, ODI goes a step further and enters the 'crafting rooms' of policy makers, with the aim of analysing the reasons for the relative success of seven selected countries in dealing with intersecting inequalities. From the analysis, it strongly emerges that devising policies that are relevant for addressing extreme poverty and inequalities is not just a technical exercise of finding the right mix of interventions. It is also a matter of promoting justice and rights, enhancing inclusion and participation for all groups of the population, and ultimately of achieving a more effective democracy and a better State.

It is a tremendous work that is accomplished in the 'crafting rooms' of policy making, where experts, technical staff and policy makers face numerous challenges and often work with limited resources and tight budgets. In doing this work, public policy makers are compelled to take into primary consideration the interests of their constituencies, the results of elections and their implication for political alliances. That is so everywhere. But who takes care of the constituency of the extreme poor, who have a weak political voice and limited electoral relevance, but very specific needs? This study presents findings from the field that are relevant to address this dilemma, presenting examples of countries that have managed to introduce policies aimed at reducing different forms of exclusion and inequality.

Finally, effective policy making is also a matter of management and sequencing of public policies. In fact, success in economic development, as in poverty reduction, requires the coordination of activities. Some countries have substantially improved their coordination capacity, and this study presents examples of different approaches that they have taken. Lessons from these countries are also a reminder for the UN Development System of the importance of a better coordination and an incitement to keep working to improve the efficiency, efficacy, timeliness and fairness of our operations.

To conclude, I would like to express my special gratitude to the Government of Spain, which made possible this study within the MDG-F framework. I feel that this report will bring important insights to the next generation of SDGs, helping to answer the questions of 'what to do?', and more importantly, 'how to do it right?' A big thanks also to ODI, for undertaking a research that I am convinced will substantially contribute to the discussion on the best way to design and implement policies to comply with the post 2015 commitments. And, finally, I would like to ackwloledge the work of the colleagues in the MDG-F and the new SDG-F who enthusiastically promoted and supported this whole process.

Bruno Moro
Director of the MDG Achievement Fund

Summary

This report builds on Kabeer (2010) to address the significance of deep identity based forms of exclusion, which constrain the life chances of affected social groups. Those most likely to be left out of development progress are the groups in the population whose economic deficits intersect with culturally devalued identities, locational disadvantage and lack of political representation. The most enduring forms of identity-based inequalities are ascribed from birth; such as race, caste, and ethnicity, and which persist over generations. The compounding quality of this form of disadvantage is captured by the term 'intersecting inequalities'. This report explores policies and programmes that address these intersecting inequalities in a group of countries that have made significant efforts and improvements, as a way of indicating what is possible in this difficult terrain. It considers the lessons provided by these experiences, which can inform the development of the next generation of global development targets, post-2015.

We found that sustained success in tackling intersecting inequalities at the country level derives from a range of factors, which pertain more to social and political mobilisation for goals of social justice than they do to technocratic details of aid or policy formulation. Some policy issues are obviously critical; but the key factor is sustained determination over time to tackle deeply rooted inequalities, providing a crucial platform for effective policy implementation. Politics matters for this; but so do social norms and cultural values. We consider in turn the role of social movements, political projects with a goal of enhancing social justice, the transformational potential of moments of constitutional change, the potential of frameworks of rights and guarantees, and the significance of certain specific policy domains and approaches for developing what we term an 'inclusive political settlement', capable of underpinning long-term progress.

The current international context is conducive to such initiatives. The major document on the post-2015 goal framework so far, the Report of the UN Secretary-General's High Level Panel on the Post-2015 Development Agenda has adopted 'leave no one behind' as one of five guiding principles (UN, 2013). The Report states that: 'targets should only be considered achieved if they are met for all relevant income and social groups'. If this can make it through to the agreement itself, and find practical expression in the structure of goals and targets, this will be a foundation for addressing the issues faced by people experiencing intersecting inequalities. In July 2014, the Open Working Group on Sustainable Development Goals (established by the Rio + 20 process) presented a broader outline for a potential goal set with seventeen proposed goal areas, including specific proposals for goals on reducing inequality and promoting gender equality.

While the reality of long term progress on such intractable policy agendas might seem far removed from the process of setting global goals and targets, there are nonetheless some areas where the Sustainable Development Goals (SDGs) can make a difference to establishing the conditions for transformational change. In particular, they can do this by establishing global norms which will support and encourage mobilisation to tackle intersecting inequalities. A clear example would be a strong commitment to universal quality basic services (health, education, WASH, energy, social protection). Our research indicates the importance of the universality principle as a foundation for claims by the excluded. The commitment in the OWG document to universal health coverage is a welcome step in this direction. A specific inequality goal would be a powerful normative signal to encourage countries to tackle

intersecting inequalities. The OWG draft contains a proposal for a goal and accompanying targets to address national and international inequality; although work still needs to be done to strengthen the incorporation of concerns over identity-based exclusion and intersecting inequalities.

There will of course be significant data challenges in monitoring progress for disadvantaged groups in many countries, which will need to be addressed by national statistical offices. The more serious challenges lie in developing adequate policy responses. Cross-country analysis indicates that few countries have so far made significant progress, and that the poorest and most disadvantaged people have either not progressed at all (the bottom 5%) or lost ground relative to progress made by others. In a few cases the poorest people have lost out absolutely – on access to land and in some countries on age of marriage.

The national context for addressing intersecting inequalities is highly varied. There is a need for principles of inclusion, sectoral policies focused on rights and guarantees, opportunity enhancements and 'developmental' affirmative action and underlying institutional changes. Political inclusion is critical, and the report picks out two main types of political settlements which have significantly addressed intersecting inequalities: i) governments with a strong inclusive and redistributive agenda combined with class-based social mobilisation and ii) multi-ethnic countries in which movement-based governments result from identity-group mobilisation.

The report is structured around the framework in Figure 1. Social mobilisation through social movements (and sometimes conflict) contributes to political change, which in turn generates new constitutions (principles), new sectoral policies combining universal and targeted measures and increased space for political participation, which reinforces social mobilisation. Countries focused on in this report from which this model has been derived include: Bolivia, Brazil, Ecuador, Ethiopia, India, Nepal, and Pakistan. Country studies on each of these can be found at www.chronicpovertynetwork.org. The bulk of the document is devoted to considering these experiences.

The improved outcomes achieved through such measures may remain marginal for some time, as the challenges of reversing the exclusion and discrimination built up over centuries are very deep and require sustained policy effort as well as change in societal values and norms. The initiatives reported on here have made a good start, however. While all countries making progress do not major on all elements of the model, all have established new principles or rules of the game in some way, even if not at a constitutional level. For example, the principle of 'Active Search' (Brazil) or a census-based approach to listing beneficiaries of social protection (Pakistan) can make a big difference to the degree of inclusion achieved. All countries have combined universal and targeted sectoral policies, with basic services frequently being universal and income or food based support often targeted. The pattern of social mobilisation varies significantly, as does the degree of opening of spaces for political participation in policy making. Access to land remains a difficult issue in most political contexts, with major equalisation (Ethiopia and Bolivia) the product of particular political circumstances.

Figure 1: Essentials of addressing intersecting inequalities
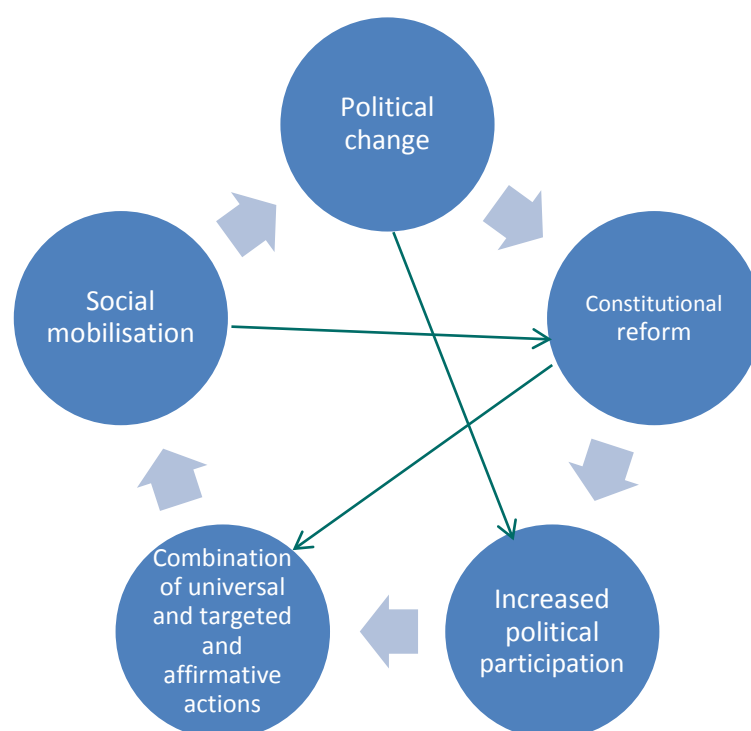
Positive outcomes require long term political commitment and stability, political coalitions held together by long term vision, and a wide policy agenda. Even then positive outcomes can be difficult to achieve for some groups. It is not only a progressive government that is required, but also progressive social change, which modifies attitudes and values towards excluded groups. It may be easier to address intersecting inequalities in Africa through universal policy measures compared to Asia and Latin America, where the discrimination faced by excluded groups is often more socially and historically embedded, though there are cases in Africa too where such inequalities are entrenched (South Africa, Sudan and South Sudan, for example).

Clear policies backed up by long-term commitment (often driven by specific political projects) emerge as the basis for effective action. Other significant positive elements from the case studies include using widely communicated and clear legally based guarantees (India); and building information systems that enable the excluded to be reached (Pakistan and Brazil) and enable accountability in delivery to be verified.

For the post-2015 Sustainable Development Goals, the challenge will be to develop indicators across all relevant goals and targets to ensure the most disadvantaged are included and to create an incentive for UN member states to monitor this progress. Major public programmes need to be seen to include the most disadvantaged. This will put some flesh on the commitment to leave no one behind, post-2015.

We can identify three key groups of specific lessons and pointers for addressing intersecting inequalities in the post-2015 framework:

1. *Frameworks of targets and indicators which enable learning and promote action to address intersecting inequalities.*

Concrete mechanisms can be embedded in the framework to ensure that no one is left behind, including the groups facing multiple disadvantages. For a start, it will be important to monitor the inclusion of the most marginalised across whatever goals and targets are agreed by focusing on how the bottom 5%, 10% and 20% have fared in any distribution of outcomes.

Stepping stone equity targets can be set for narrowing disparities between disadvantaged groups (identified by region, social identity or wealth category) and the average or higher groups. The disparities to be monitored would concern basic life chances in survival, nutrition, education and wider opportunities and be set over intermediate time periods between 2015 and 2030 (Watkins, 2014). For example, halving over a five year period the gap in child survival, maternal mortality or school attendance between the richest and the poorest 20%, between urban and rural regions, and between ethnic minorities and the rest of the population. These stepping stone targets should be defined at the national level through an open discussion between the government and civil society, trade unions, health-care workers and education specialists, etc., but be aligned to broad parameters established by the post-2015 framework against which to measure progress in narrowing inequities (Watkins, 2014).

Critical to making the aspiration for the SDGs to tackle intersecting inequalities will be the capacity of the post-2015 architecture to provide incentives for countries to develop meaningful targets and to adapt their monitoring systems. The specific disaggregation of data between quite specific social realities (boys from dominant and girls from minority, disadvantaged ethnic groups for example) is not absolutely necessary – though clearly desirable. Using marginal Districts or poor urban zones as a proxy may be adequate to produce the policy responses necessary (e.g. focusing service delivery budgets and institutions on the challenge of raising outcomes for groups subject to intersecting inequalities). But the process of addressing inequality is essentially political. The theory of change which supposes that goals and targets can influence country level processes to promote equity assumes that changing global norms – allied to a process which requires countries to consider how to set targets and measure their attainment – can stimulate meaningful change in areas where elites may resist. Finding the right language for goals – but also the right processes to commission, aggregate, document and measure national targets – will be critical to making this ambitious aspiration work.

The framework should be endowed with a comprehensive and effective Monitoring and Evaluation (M&E) strategy; one that relies on **cross-country (particularly South-South) learning**. M&E should include mechanisms for the identification of relative successes and their causes, so that actors from other countries (governments, political parties including opposition parties, civil society) can learn from them. M&E also needs to include inequality indicators that reflect change in both the overall shape (Gini index) as well as in the tails (Palma index) of the distribution, and that capture inequality in income as well as in other dimensions. Implementing such system of M&E would require significant improvement in the disaggregation, coverage, quality and timeliness of data.

Using a wide range of indicators would increase the chances that the 'hardest cases' of exclusion stand out and are taken care of. UN and member states need to commit to actively watching these through some specific mechanisms, for example an annual report and conference or meeting attached to UNGA. While it will be a big challenge to include identity-based indicators, the following approaches should be considered:

a) Indicators across all relevant targets to ensure that the most disadvantaged are included in progress.
b) Stepping stone equity targets aimed at narrowing disparities in basic life chances (including survival, nutrition, education, and wider opportunities) between relevant social groups, to be set over 3-5 year periods.
c) A multi-dimensional poverty indicator with particular reference to identity-based poverty.
d) An inbuilt mechanism to motivate monitoring these indicators, given the failure to do so under the Millennium Development Goals (MDGs). This could be an annual day at the UNGA devoted to the very bottom of the distribution, and to intersecting inequalities in particular.

2. *Policy measures that effectively address intersecting inequalities.*

Mechanisms which rigorously and transparently ensure inclusion in social policy measures like Brazil's Active Search, or Pakistan's census approach to social protection, are critical to efforts to reach the hard to reach, and include the marginalised. These mechanisms ensure that everyone gets some consideration. This element of universality as a background to what may be a targeted programme, goes a long way towards addressing exclusion. Some key points to consider include:

a) For the post-2015 agreement putting some flesh on the principle of 'not leaving anyone behind', as suggested by the Secretary General's High Level Panel would be useful. This might be achieved by a principle of 'active targeting within universal provision' – including an indicator which measures whether the multiply disadvantaged are being left out of major public programmes (health, education, social protection).

b) Universal registration of births has been proposed as a governance target. This would enable implementation of measures like Active Search or a census approach to service delivery.

c) In both Pakistan (BISP) and India (MGNREGA), significant social protection schemes have been designed explicitly with a view to strengthening poor people's capacity to make claims on the basis of citizenship rather than patronage. There is a clear synergy between the citizen registration agenda and these approaches to social protection.

3. *Strengthening tenure rights for the powerless.*

Where high inequality in land distribution prevails, governments can be encouraged to think of innovative schemes to provide greater security of land tenure and new ways of providing small parcels of land to highly disadvantaged rural residents for a house and garden at least. It will also be important to address situations where land alienation is taking place at a rapid pace and put in place measures to ensure that loss of land does not occur by force and/or without compensation and prior consent. Key areas of actions include:

a) Strengthening systems for recognising local tenure rights, particularly where these are held informally and/or collectively by marginalised social groups suffering multiple disadvantages.

b) Special schemes/measures to strengthen land access for excluded groups.

c) Strengthening transparency of land acquisition processes.

d) Working with a range of stakeholders (including firms, social movements, and national/local civil society) to ensure positive social impacts from new commercial investments in land and agriculture.

The suggestion for a target on providing secure land tenure made by the High Level Panel is a very relevant one. Given that land is only one asset among several that may be of importance to the poorest people, the concern could be broadened to include assets in general, if practical ways can be found for this.

Finally, this report would provide support to those who would like to see the post-2015 development framework provide incentives to governments to legislate or make constitutional provision for socio-economic and political changes that would enable intersecting inequalities to be addressed. Future UNGA meetings could then be informed by an assessment of the extent to which these are in place, and implemented, in each country. While this would be difficult to build into the structure of goals and targets as developed for the MDGs, it could be an accompanying measure.

1 Introduction

The objective of this study is to address the social justice dimensions of the global development goal framework we have now (the Millennium Development Goals), and the one that will take over from it in 2015. We will do this through: a) a rapid review of relevant and influential debates on inequality, social justice and global goals; and b) an in-depth review of 8 country experiences which demonstrate practical social, political and policy approaches to addressing the situation of the poorest and most marginalised. The departure point is Kabeer's 2010 review of the issue of 'intersecting inequalities' – the 'deep exclusion' of groups of people who suffer multiple forms of discrimination and disadvantage – and the need to tackle such intersecting inequalities in order to complete the job of eradicating absolute poverty (Box 1).

The Millennium Declaration laid out a comprehensive vision for the realisation of human well-being, with a balance of aspirations in the areas of peace and security, poverty reduction, environmental sustainability, human rights and governance, protecting the vulnerable, and meeting the specific needs of Africa. Although the 'peace and security' agenda is placed first sequentially in the document, follow up action to the Declaration has mostly influenced the world through the framework of goals, which are drawn largely from paragraph 19 of the document within the 'development and poverty reduction' chapter. Specifically, goals one to six of the familiar eight goals are drawn from that section of the document.

Box 1: Intersecting inequalities and the MDGs (Kabeer, 2010) – a summary of the findings

A review of findings on patterns of deprivation across the world showed that whilst progress on the MDGs was uneven across countries, progress was also uneven *within* countries. Those most likely to be left out or left behind were those groups in the population whose economic deficits intersected with their culturally devalued identities, locational disadvantage and lack of political representation. The most enduring forms of identity-based inequalities were those that were ascribed to groups from birth, such as race, caste and ethnicity and persisted over generations.

For example, while India experienced rapid economic growth between 1983 and 2004-5, accompanied by a decline of 40% in national poverty rates, the pace of decline was much lower amongst socially marginalised groups who were already over-represented among the poor. Poverty declined by 35% among dalits, the lowest castes, and just 31% among adivasis, its tribal groups, though the experience of these groups has been different across the regions and states of India. In China, average incomes grew for both ethnic minorities and majorities over the 1990s (a period of rapid economic growth), but incomes grew at a much slower rate for ethnic minorities, leading to an increase in income inequality between the two groups. In Latin America, moderate and extreme forms of poverty decreased over the previous decade but remained considerably higher for ethnic and racial minorities in all countries for which disaggregated data is available. Thus, white people made up 88% of the richest 1% of the population of Brazil in 2005 and just 27% of the poorest 10%, while Afro-descendants made up 12% of the richest 1% and 74% of the poorest 10%.

This story of persisting inequality among historically disadvantaged groups was repeated across countries for other dimensions of poverty. As Sumner points out (see below), about two-thirds of education, health and nutrition poverty in low-income countries (LIC) and lower middle income countries (LMIC) is found in ethnic minority households. The close association between group-based identity and deficits in human capabilities is confirmed by country level data. Infant mortality rates are systematically higher among indigenous groups in Latin America, just as school enrolment rates are lower. In India, despite declines in under-five mortality rates across the population, mortality rates are considerably higher among adivasis (followed by dalits) compared to the rest of the population. In Nigeria, child mortality rates vary between different zones - a rough proxy for religious and ethnic differences- from a low of 32 deaths per 1000 children in the South-west zone, to a high of 139 deaths in the North-west zone.

While gender on its own did not lead to social marginalisation, its interaction with other forms of group-based inequality generally worked to the detriment of women and girls. Thus, head count poverty is higher among South African females than the rest of the population, while the lowest incidence of poverty was found among white males followed by white females. In Brazil, the intersection of race and gender gave a somewhat different ranking, with white men reporting the highest earnings and black women earning the lowest at all levels of education, but with black men earning more than white women at higher levels of education. In Nigeria, girls from poor Hausa communities living in rural areas were least likely to go to school while boys from affluent urban households were most likely.

National location explains more than two-thirds of global inequality and class explains the rest, according to one analysis of global data (Milanovic, 2012). A more fine grained analysis tells us that within national locations across the world, regardless of income levels, social identity will differentiate the disadvantages of class and provide a powerful predictor of chronic poverty and social exclusion. The poorest 5% of the world's population who have failed to benefit from recent declines in global poverty (Milanovic, 2012) are most likely to be drawn from these socially marginalised groups.

The MDG framework contains goals, targets and indicators. Arguably its greatest influence on development practice has come not from the goals themselves, but from the headline *targets* for goals 1-6, which are specified with enough clarity to have become a significant navigational instrument for: a) flows of development assistance and b) narratives of global progress in the eradication of absolute poverty.[1] The influence of this framework on the world is hotly contested, but four elements are worth picking out:

- It is broadly agreed that the framework has positively influenced aid volumes by providing a clear consensus on what aid is for, which can be communicated to tax-payers of donor countries (Melamed, 2012).
- The framework is also thought to have influenced the sectoral focus of aid (by focusing attention on human development) – with far less consensus that the effect has been positive on development practice (Melamed, op cit.).
- Deeply marginalised and excluded groups are generally bypassed – or placed out of sight of policy – by the tendency of the MDG target framework's focus on 'average' rates of progress, or crossing 'thresholds', such as the $1.25 global poverty line (Kabeer, 2010).
- The bulk of the action that has contributed to global attainment of the headline target (the income poverty target for MDG 1) has had very little to do with aid, being largely a result of accelerated growth in Asia.

The debate on what should replace the framework laid out in the Millennium Declaration and accompanying framework of goals and targets has taken on a scale and intensity that few would have anticipated. There are multiple dimensions of the process within the UN system alone and member states have been conducting a set of eleven global thematic consultations, and national consultations in

---

[1] For a brief & simple overview of progress against the MDGs, see http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/7809.pdf under the heading 'persistent poverty'.

over 60 countries. These steps are facilitated by the <u>United Nations Development Group</u> and include partnerships with multiple stakeholders. A <u>UN System Task Team</u> to coordinate preparations for beyond 2015 was established by Secretary-General Ban Ki-moon and, in July 2012, 27 members of a <u>High-level Panel</u> (HLP) were charged with the task of advising on the global development framework beyond 2015. The Panel was composed of civil society, private sector and government leaders and was co-chaired by President Yudoyono of Indonesia, President Johnson-Sirleaf of Liberia and Prime Minister Cameron of the United Kingdom. The Panel's report, *A new global partnership: eradicate poverty and transform economies through sustainable development* (UN, 2013) was delivered to the Secretary-General in May 2013 and drew on experience gained from the MDGs, as well as focusing on new development challenges. Also feeding into this work were results from the global consultations and initiatives to include the views of global citizens such as the 'World We Want 2015' and <u>'MY World'</u> surveys. The key elements of the document are the following:

- Five 'transformative shifts' which dominate the main narrative of the report: 'Leave no one behind' – a critical principle in the context of addressing intersecting inequalities; 'Put sustainable development at the core'; 'Transform economies for jobs and inclusive growth'; 'Build peace and effective, open and accountable institutions for all'; 'Forge a new global partnership'.

- An illustrative structure for 'universal goals, national targets' with twelve goal areas (each with four or more targets): End poverty; Empower girls and women and achieve gender equality; Provide quality education and lifelong learning; Ensure healthy lives; Ensure food security and good nutrition; Achieve universal access to water and sanitation; Secure sustainable energy; Create jobs, sustainable livelihoods and equitable growth; Manage natural resource assets sustainably; Ensure good governance and effective institutions; Ensure stable and peaceful societies; Create a global enabling environment and catalyse long-term finance.

The work of the High-level Panel was closely coordinated with that of the intergovernmental Open Working Group on Sustainable Development Goals (OWG), which emerged from the agreements made at 'Rio+20' the <u>UN Conference on Sustainable Development</u> - in June 2012 in Rio de Janeiro, Brazil. The outcome document of this conference, *The Future We Want*, called for the creation of the OWG to 'develop a proposal for SDGs for consideration by the 68th session of the General Assembly. The work of both the High-level Panel and the Open Working Group [would] strive to form a single development framework with poverty reduction and sustainable development at its core.'[2] The OWG met 13 times between March 2013 and July 2014, and in July 2014 it released the 'zero draft' of the Sustainable Development Goals: the 'Introduction and Proposed Goals and Targets on Sustainable Development for the Post 2015 Development Agenda' (UN, 2014). The document proposed 17 SDGs (Sustainable Development Goals) to be attained by 2030, with 169 associated targets. The final proposal is to be submitted to the 68th session of the UN General Assembly in September 2014.

The document identifies poverty eradication and climate change as the greatest challenges of our time, and it recognises that 'promoting sustainable patterns of consumption and production and protecting and managing the natural resource base of economic and social development' are critical to meeting these challenges. While reaffirming the importance of human rights principles (including the rule of law, good governance and gender equality), it also acknowledges that different countries will face different challenges in achieving sustainable development, and that this will be reflected in different approaches, visions, models and tools. Specific mention is made of the special challenges faced by the most vulnerable countries, including African countries, least developed countries, landlocked developing countries and small-island developing States, middle-income countries and countries in conflict.

---

[2] http://www.un.org/millenniumgoals/beyond2015.shtml at 29/01/13

The key point to take from the complex set of political currents at play is that the next set of goals will not simply inherit the poverty reduction framework which dominated the 2000s goal set. The politics of the process will demand that the sustainability agenda is addressed as well. The impacts of climate change are most strongly and negatively felt by the world's poor – who did the least to create the problem (Mearns and Norton, 2010). Addressing climate action requires us to see beyond linear progress to a 'poverty-free' world and take into account the processes which threaten progress. From the point of view of the marginalised and excluded we should see the sustainability challenge in these terms.

There has also been a lively debate on the handling of inequality within the HLP report and the OWG's 'Zero Draft'. The HLP report does contain a commitment to dealing with inequality which, on the face of it is rather well in tune with the argument presented in this report, as it is framed around the issue of group based (or category based) inequality:

> *"The suggested targets are bold, yet practical. Like the MDGs, they would not be binding but should be monitored closely. The indicators that track them should be disaggregated to ensure no one is left behind and targets should only be considered 'achieved' if they are met for all relevant income and social groups."[3]*

This provision is framed with the clear intent of putting the needs of marginalised groups at the very heart of the policy guidance that will emerge from the process of defining the next set of global goals for poverty reduction and sustainable development in 2015. However, analysts who favour metrics of income inequality, whether the traditional Gini coefficient or alternatives such as the Palma (Cobham and Sumner, 2013), were critical of the absence of formal commitments within the goal set to target reductions in inequality.

Possibly as a reaction to these criticisms, and as a result of advocacy by Civil Society Organizations (CSOs), the 'Zero Draft' (in its latest version) includes a proposal for a goal on reducing 'inequality within and between countries' (Goal 10). This includes targets focused on reducing inequality among individuals and others on international actions to reduce inequalities among nations. As it stands, Goal 10 is a compromise between the aspiration of having an 'inequality goal' in the SDGs and the necessity to draft it in a way that would make it sound more acceptable to the countries in the UN General Assembly.

There is no numerical target associated with an indicator of inequality. Rather, the first target is to achieve and sustain income growth of the bottom 40% of the population at a rate higher than the national average by 2030 (10.1). There are also – fairly generic – targets on empowerment and inclusion of all regardless of age, sex, disability, race, ethnicity, origin, religion or economic or other status (10.2); the promotion of equal opportunities; and importantly, the reduction of inequalities of outcomes (10.3). No numerical target about inequalities between countries is included, but targets indicate how international policy making should be made more equal. For example, improving regulation and monitoring of global financial markets (10.5); increasing the representation and voice of developing countries in decision making in global international economic and financial institutions (10.6); facilitating international migration (10.7); reducing the transaction costs associated with migrants' remittances (10.c); implementing the principle of special and differential treatment for developing countries, in accordance with WTO agreements (10.a); and encouraging Official Development Assistance (ODA) and financial flows, including foreign direct investment, to states where the need is greatest (10.b).

Care is also taken in suggesting measures that should be taken at the national level to achieve the Goal, which span from legal measures (e.g. eliminating discriminatory laws) to economic (fiscal and wage policies) and social policies (social protection). While the breadth of the national and international measures included in the targets is commendable, equally striking is the absence of any specific reference to national and international taxation – a concession to pragmatism in the hope of making the Goal more acceptable in the final document.

---

[3] See p.2 of the report's Executive Summary.

In reference to the topic of this report, that is intersecting inequalities, the Goal does not fully reflect the view advanced here that identity-based inequalities are a powerful driver of social harm. Indeed, any explicit reference to the elimination of inequality *between* groups of a given society is lost (it did make an appearance in intermediate versions of the 'Zero Draft') and inequality, even inequality within countries, is ultimately understood as an individual phenomenon. References to promoting inclusion and eliminating discrimination based on social identity can be taken as implying the need for policies and programmes that target groups as much as individuals and that tackle the roots of group-based disadvantage – although they also leave latitude for a more individualistic model of social exclusion.

While this version of Goal 10 may not by itself be up to the challenges posed by intersecting inequalities, many of the factors underlying them are addressed in other goals. In addition, one of the main strengths of Goal 10 is that, unlike other goals, it is dynamic. Being linked to a distribution and not to absolute values, it doesn't have a logical end, so its relevance is not supposed to change with the evolution of national and international circumstances. Overall, if indeed this were the version of the SDGs to be approved by the UNGA in 2015, there could be some optimism concerning its ability to address inequality between individuals, groups and countries.

1.1 Global inequality – big data, global elites and the 'high altitude' view

At this point we do not know how the inequality issue will be handled within the final goal set that will be announced at the 2015 UNGA. It is however clear that momentum has been gathering to take inequality seriously – with significant contributions to public debate from a range of actors including researchers (notably Thomas Piketty) through to political actors (such as United States President Obama, and New York Mayor de Blasio), religious leaders (such as Pope Francis) and the business oriented community of the World Economic Forum.[4]

The 2014 World Economic Forum's 'Global Risks Report' (essentially a survey of what worries global elites), listed 'severe income disparity' as the most likely global risk two years in a row. In light of this it is worth reviewing the 'big narratives' around global inequality – and how they relate to the concern of this report with those people stuck at the bottom of the social order in poor countries due to deep and intractable processes of social exclusion.

A recent virtuoso 'big data' piece by Lakner and Milanovic (2013) focuses on the data on global income inequality from 1988 to 2008, using household surveys to look at global trends and estimating a 'global Gini coefficient'. There are three major conclusions of relevance for our understanding of inequality trends from the perspective of the poorest and most excluded:

- There are two main drivers operating in the global economy: growing inequality at the national level driven largely by increasing elite incomes/consumption pushing global inequality *up;* and convergence in levels of wealth between countries pushing levels of inequality *down* (a phenomenon also strongly highlighted in the OECD review of *Social Cohesion in a Shifting World* (2012)).
- Between 1988 and 2008 these two drivers more or less cancelled each other out. Contrary to findings in an earlier paper by Milanovic (2012), Lakner and Milanovic conclude that overall global inequality did not fall in that period.
- Within the big picture there are two phenomena of great concern. Firstly the bottom 5% of the global income distribution made no progress at all between 1988 and 2008. And unsurprisingly the top 5% (and indeed the top 1%) of the global income distribution have

---

done spectacularly well[5]. These two phenomena imply an increasing polarization of the income distribution.

To these general considerations, it is necessary to add the observation that inequality trends are not linear, as the Latin American experience suggests. The most recent data from SEDLAC (Socio-Economic Database for Latin America and the Caribbean, managed by CEDLAS and the World Bank) show that inequality decreased steadily in the first decade of the 2000s across Latin America, but that the decline has slowed down in the last years. The two main factors driving the decline were a decrease in the wage gap between skilled and low-skilled labour, and an increase in government transfers targeted to the poor (Lopez-Calva and Lustig, 2010). Both these factors may now be encountering obstacles (e.g. stagnation of salary of low-skilled workers and macroeconomic conditions that constrain government expenditure) that make it hard to predict future evolution of inequality in the region.

Milanovic uses data derived from household surveys of the classic 'Living Standards Survey' kind. These data are well suited to producing aggregate information on money-metric poverty incidence (usually using measures of household consumption rather than income). Money-metric indicators alone however are not sufficient to monitor the different dimensions of deprivation. Two recent attempts to 'sketch' changing poverty trends rely on Demographic and Health Surveys (DHS), which are better adapted to tracking health, education and nutrition poverty. Demographic and Health Surveys are designed to be comparable across countries and the primary approach to material poverty involves grouping households into wealth quintiles using an index based on ownership of selected assets. The DHS also provides (inevitably in a rather crude way) a measure of identity based exclusion, through recording whether the household head belongs to an 'ethnic minority group'.

Using DHS data from 33 developing countries to compare trends between the 1990s and 2000s, Sumner constructed - and tested against - various factors (measures of education, health and nutrition poverty), producing the following key findings (Sumner 2012b):

1. More than three quarters of education, health and nutrition poverty in LICs and LMICs (combined) is found in rural areas. However, an increasing proportion of education, health and nutrition poverty is in urban areas.
2. Half of the education, health and nutrition poverty in LICs and LMICs (combined) is concentrated in those households where the head has 'no education'. However, this share has fallen since the 1990s.
3. A third of the education, health and nutrition poverty in LICs and LMICs (combined) is focused in the poorest wealth quintile (by DHS Wealth Index). And this share is increasing.
4. A third of the education, health and nutrition poverty in LICs and LMICs (combined) is concentrated among those in households where the head is 'not in work' and a further third where the household head is working in agriculture.
5. Two thirds of the education, health and nutrition poverty in LICs and LMICs (combined) is found among those households where the head is the member of an 'ethnic minority group' (meaning an ethnic group which is not the largest ethnic group). However, this finding should be viewed as tentative due to data constraints.

Taken together these findings are suggestive (indicatively) of a growing concentration of multi-dimensional poverty at the bottom of the wealth distribution (finding 3), and of a very significant correlation of minority ethnic status with multi-dimensional poverty.

Another analysis of the same sample of 33 countries and using DHS data compared between the 1990s and the 2000s generates a very striking finding on land assets among the bottom wealth quintile (Lenhardt and Shepherd, 2013). In absolute terms these findings suggest that in the 2000s 5.3% fewer poor households owned land than in the 1990s, a striking decline over an average 12 year span. They also found no systematic counter-balancing of this trend by rising agricultural wages. Given the importance of land as a buffer against shocks, not to mention land's significance as a productive

---

[5] The top 1% of the distribution receives 15% of global income vs. 11.5% twenty years earlier.

resource and source of status and what we know about the impoverishing effects of losing it, loss of land is a critical indicator of distress. Furthermore, given the importance of land to the livelihoods and way of life of indigenous groups in particular, such loss is likely to impose far greater hardship and disruption on these groups.

The gender dimension of inequality emerged strongly once again in this exercise. The poorest women failed to gain in any significant way from general reductions in inequalities and intersecting inequalities among women may be increasing. For example, the poorest girls and women are not participating in the demographic transition to the same extent as less poor groups. In some countries, age of marriage of the poorest girls has even reduced, and in many countries it has only increased marginally compared to less poor girls who are marrying significantly later. Similarly, parity in men's and women's education outcomes has improved, but the analysis suggests that the poorest women are left behind in that progress. This suggests that gender equality has been underemphasised in the way the MDGs have been conceived and implemented (Lenhardt and Shepherd, 2013).

One final meta-theme is worth considering at this point, and that concerns the location of poverty in terms of regions and country contexts. As LICs have progressed to (L)MICs, there has been a significant shift in the distribution of the bulk of the world's poor from LICs to MICs[6] (Sumner, 2012a). While the meaning and significance of this finding has been widely debated, two important implications can be drawn out for the concerns of this report. Firstly, the poorest people are largely in the same countries they were in twenty years ago, but a large number of these countries have changed status (not by any means only India and China). Arguably these groups have not benefited from higher growth rates at the national level as much as might have been expected. Secondly, the finding draws attention to the challenge for poverty reduction efforts in large LMICs and the need to pay greater attention to policies that will reduce inequality. Many of these countries are exemplars of the processes of discrimination which produce the 'intersecting inequalities' identified by Kabeer (2010).

There has then been a lively debate over the extent to which the current 'bulge' of the poor in MICs is a transient, temporary phenomenon. It has been argued that: a) conventional household survey data over-estimates the poverty levels of MICs; and b) that (whatever measures are used) the incidence of poverty in stable 'non-fragile' states is falling significantly. Building on these two findings, Kharas and Rogerson argue that on present trends poverty will be largely concentrated in 'fragile states' by 2025 – and will be largely concentrated in Africa (Kharas and Rogerson, 2012). Clearly these results are to a substantial degree hypothetical and contestable. At a meta level the debate confirms two unsurprising facts: that tackling inequality and exclusion in large LMICs is a key challenge in the present, and that fragile environments also present a critically important challenge for global poverty reduction.

1.2 A high altitude view part 2 – the discourse of global goals and the poorest

The formulation of quantitative targets and indicators for MDGs 1-6 in terms of 'averages' and 'proportions' risks leaving the poorest, most excluded and hardest to reach populations out of development progress (Kabeer, 2010). For example, two of the indicators for measuring progress on the key goal of eradicating extreme poverty (MDG 1) are: a) halving, between 1990 and 2015, the proportion of people who live on less than $1 a day, and b) halving the proportion of people suffering from hunger. These indicators capture overall progress at global, regional and national levels but they do not show the uneven pace of this progress or encourage attention to those who suffer from multiple deprivations. They do not account for the increasing polarization in income distribution and the fragmentation of progress in human development discussed in the previous section. Crudely, it is possible to meet the targets without doing anything at all for 'the other half'. Only one indicator under MDG 1 touches on inequality: the share of national income going to the poorest quintile. But this is

---

[6] Specifically Sumner argues that there is a new 'bottom billion' of 960m poor people or 72% of the world's poor who live not in poor countries but in middle-income countries. This is a dramatic change from just two decades ago, when 93% of poor people lived in low-income countries.

also the measure that has featured least in MDG reports – shockingly no one has analysed progress. Whilst MDG 3 deals explicitly (through its target and indicators) with gender equality (in education, paid work and political participation), it does not differentiate between poor and affluent women or women from dominant and subordinate groups. It is this differentiated experience of progress, and the inequalities that underpin it that is the focus of this report and of Kabeer (2010).

The connection between a power-based analysis of intersecting inequalities (as in Kabeer 2010, see Box 1) and the question of how best to attain progress towards eradicating poverty has been discussed above. It is worth taking stock also of the connections between a power-based analysis and the concept of sustainable development, which is also bearing significantly on the debate about the appropriate framework for global goals beyond 2015.

A range of different understandings of sustainable development can be traced from the original Brundtland Commission view of it as 'development which meets the needs of the present generation without compromising the ability of future generations to meet their needs' (World Commission on Environment and Development, 1987). Obviously in the current context, stopping the process of anthropogenic warming of the planet looms large. If from a rights perspective sustainability addresses the balance of equity between present and future generations, then climate change is clearly the most pressing challenge to be addressed. It is tempting to suppose that a shift of focus in the global goal-setting process towards the concept of sustainability will reduce the focus on achieving real progress for the poorest. It is worth noting that this is not necessarily the case for the following reasons:

- Understandings of sustainable development have broadened to include social, economic and environmental elements – and notions of inclusion and social justice are now commonly recognised elements. (Moser and Norton, 2001; World Bank World Development Report, 2003). More recently the notion of *resilience* has crossed over from humanitarian practice to take a prominent place in the discourse of sustainable development, accompanied by an increasing focus on the well-being of the poorest. The report of the United Nations Secretary General's High Level Panel on Global Sustainability (2012), emphasises resilience, social justice and equity as core elements.

- The negative impacts of climate change on a global scale disproportionately affect the poor. Climate change is often described as the defining social justice issue of our time (Mearns and Norton, 2010). Climate change reinforces a vision of a world that is highly polarised – between heavy Greenhouse Gas (GHG) emitting countries and resource-poor countries that will suffer the worst consequences. Within those countries the vulnerability of the poor tends to be (on average) greater to the negative impacts of climate change, and their exposure to hazards (particularly extreme weather events) will grow disproportionately. Poor people tend to end up living in the most hazardous places, particularly those who are displaced or migrate under stress to urban areas.

- Successful actions to mitigate and adapt to climate change need to be highly sensitive to the impacts on the poorest. Recent civil society campaigns on poverty and hunger, such as the Oxfam *Grow* campaign and the broader *If* campaign on global hunger and tax have brought intense scrutiny to bear on policies which were designed to promote biofuels in order to reduce GHG emissions. There are reasonable grounds to conclude that these policies have contributed to rising food prices and to growing pressure on the land resources of the poor (Cotula, 2013; Deininger et al., 2011). The verdict is clear: public opinion will not tolerate emissions reduction that harms the poorest. And central to this is ensuring that the livelihood base of the poor is not eroded by actions to mitigate climate change (such as the growing use of biofuels for energy generation) – something which the finding on declining landholdings suggests may be happening on a global scale. The overriding importance for poverty reduction of halting current planetary warming implies that effective mitigation policies are inherently pro-poor – but it is vital to ensure that there are not short term negative impacts. There are also many opportunities for win-wins (e.g. enhanced public transport and pedestrian/cycling infrastructure in urban areas, distributed power approaches in rural areas) where smart mitigation actions can also bring direct

benefits to the poor. There is a major bias in much adaptation planning towards the climate proofing of existing infrastructure. This approach to adaptation risks bypassing the needs of the poorest, who do not tend to benefit as much as the non-poor from existing infrastructure.

In conclusion, it is likely that the 2015 set of global development goals will balance concerns of poverty reduction with concerns of sustainability and climate action far more explicitly. The 'sustainability' issues for the poorest will bring a sharper focus on the following issues:

- Finding models for natural resource governance, tenure and exploitation which protect the assets of the poor. It will be ever more important to find economic models that strengthen poor people's rights in natural resources by including them in the value chains that deliver benefits for ecosystem services or the sequestration of carbon. This will mean addressing the growing inequalities in access to land discussed above, especially for the poorest women.
- Finding pathways to an equitable demographic transition, in which the poorest gain both relatively and absolutely. An inequitable transition not only reduces access to natural resources over time for most and especially for the poorest, but may also result in lost opportunities to achieve sustainable development. There is a natural intersection of interests between the MDGs' focus on achieving universal sexual and reproductive health services and sustainable development.
- Improving protection for poor populations increasingly exposed to climate hazards – particularly extreme weather events, including droughts, cyclones and floods.

1.3 The pathologies of inequality – coming into focus at the national level

Coming down from the 'high altitude' view of global concepts and data sets we can identify a range of reasons why high levels of inequality or certain types of inequality might be bad for broader processes of national development. This is not the primary focus of this report, but it is worth bringing into consideration. In short the following are reasons why national societies that suffer from high levels of inequality – particularly those forms which are associated with durable and historically embedded forms of social exclusion – would want to reduce identity based, intersecting inequalities in particular:

A broad range of work summarised by Stewart (2008) demonstrates that group based (or 'horizontal') inequalities are an increasingly significant driver of conflict. For example, the proportion of all global conflict labelled as 'ethnic' increased from 15% in 1953 to nearly 60% by 2005. Underlying these conflicts are processes whereby inequalities between groups drive a sense of grievance, which finds expression in mobilisation and ultimately violence.

While conflict can be regarded as one of the 'noisy' consequences of group-based inequalities, there are other more silent and on-going consequences in terms of the stake that excluded groups have in the societies in which they live, and their willingness to live by its rules and norms. Denied a voice in the affairs of their communities, overlooked in the provision of basic services and social protection, these groups are often characterised by high rates of crime, alcoholism and other forms of addiction, violence, depression, and alienation. Such behaviour undermines the democratic process and serves to reproduce divided and fragmented societies over time.

A society characterised by group or identity-based inequalities is a fragmented society, where achieving political consensus for social and redistributive policies will be particularly difficult. This will result in fragmented systems of social provision that deliver good quality services only to those who are able to pay, thus perpetuating rather than reducing inequality.

Violence against women and girls is one of the most pervasive consequences of inequality. Recent high profile incidents of such violence in South Asia have produced an extraordinary political and social

reaction (Kabeer, 2013). Despite considerable progress made within the region on some of the key indicators of gender equality highlighted by the MDGs, there is little evidence that this has led to a diminution of gender-based violence, either within or outside the home. There has been growing mobilisation by women's organisations and their allies across the world for recognition that the physical safety and bodily integrity of women and girls is a fundamental aspect of human rights and must be taken seriously in the post-2015 agenda (Gender and Development Network, 2013).

Inequalities impose societal costs. Enhancing equity and social justice is thought to sustain social cohesion in 'converging' economies - defined as those developing countries which sustain a per capita growth rate of double the OECD average – of which there were 83 in the 2000s (OECD, 2012). Similarly cross-country analysis suggests that measures of 'social cohesion', including income inequality and ethnic division, endogenously determine institutional quality, which in turn has a positive causal impact on growth (Easterly, 2006).

1.4 Social exclusion and intersecting inequalities

Given the consequences of inequality on various aspects of development, broadly defined, a detailed understanding of the processes which give rise to its more intransigent forms - those which persist over the lifetimes and often over generations of particular groups - is essential if these inequalities are to be tackled. In drawing attention to the group-based nature of this phenomenon, such an understanding helps to highlight the need for more collective and holistic approaches to the problem rather than the more individual approaches which have characterised mainstream efforts at poverty reduction.

As the key indicators used to measure progress on MDG 1 suggest, poverty has largely been understood in terms of individual deprivation: deficits in income and assets as they relate to individuals or households. The subsequent ranking of households by these economic characteristics gives rise to what has been described as a 'vertical' model of inequality. The focus on the income share of the poorest 20% of the population is derived from such a model.

The literature on social exclusion, on the other hand, is concerned with the group-based disadvantages (or 'horizontal inequalities') which exacerbate the effects of income and asset poverty. Such disadvantage is the product of social hierarchies which define certain groups as inferior to others on the basis of their identity. It is created through cultural norms and practices which serve to demean, disparage, stereotype, ridicule, trivialize and make these groups invisible, denying them full personhood and the equal right to participate in the economic, social and political life of their community. The identities in question may take different forms in different societies. The most common and enduring forms of group-based disadvantage tend to be associated with identities which are ascribed from birth such as race, caste and ethnicity but religion and language also feature as axes of inequality in some societies along with disability and sexual preference.

Gender cuts across these different identities so that within most groups, women and girls are positioned as subordinate to men. Unlike most socially subordinate groups, however, women and girls are distributed fairly evenly across different economic classes so that gender on its own does not constitute a marker of poverty7. It is the intersection of gender with economic and other inequalities that explains the intensified nature of disadvantage often faced by poorer women and girls.

Social exclusion frequently entails spatial inequalities in that culturally devalued and economically impoverished groups tend to live in adverse locations: remote and difficult to reach rural areas or underserved and overcrowded urban slums. It is also likely to have a political dimension: the struggle

---

[7] This results in part from the fact that the vast majority of poverty data systems do not disaggregate income and consumption levels within the household – so family-level inequalities are largely invisible in money-metric measures. It is however often possible to infer from other data (e.g. child mortality) that girls in particular suffer severe disadvantage in terms of their share of household level consumption.

of excluded groups for daily survival, their distance from decision-making institutions and their reliance on the patronage of more powerful groups mean that they exercise very little voice and influence in the laws and policies that affect their lives and govern the communities in which they live.

It is the intersection, rather than the simple addition, of these different forms of inequality (economic, social, spatial and political) - the fact that they reinforce and exacerbate each other - that explains the enduring nature of the exclusions experienced by certain groups within a society. It is not surprising that they are least likely to have shared in any progress made by their country with respect to the MDGs. It is also not surprising that they will continue to be bypassed by policies that fail to address the multiple forms of discrimination that underpin their excluded status. Intersecting inequalities are then understood in this report as identity-based disadvantages interacting with other dimensions of exclusion, such as income or location. Income poverty and spatial exclusion are then both causes and outcomes of intersecting inequalities. The report proposes a dynamic analysis which does not look at each disadvantage in isolation, but rather explores how they play out when interacting with each other. Addressing intersecting inequalities then means enhancing the level of social justice in a society.

It is easy to see how intersecting inequalities operate by looking at the field of education. Education is a key site where inequalities intersect, impacting directly upon an individual's ability to exploit what opportunities exist. Evidence indicates that it is the mutually enforcing experiences of structural disadvantage and discriminatory practices that lead to corresponding lower levels of educational attainment that combine to maintain social exclusion and restricted life chances. This is especially true for women, who also face discrimination and exclusion because of their gender. Indeed, despite progress at all levels of educational provision and significant strides towards gender equality with enrolment rates for girls rising, particularly at primary level (World Bank, 2010), millions remain excluded from school. The 2010 Global Monitoring Report gathered data from 14 countries (each having more than 500,000 children out of school in 2007). In twelve of these countries (including Yemen and Pakistan), girls were less likely than boys to get into school and those from the poorest households who did were much more likely to have less than four years schooling than their male counterparts (UNESCO, 2010, 140-141). In Pakistan, the Global Monitoring Report found that in 2006 girls accounted for 60% of the children out of school (see UNESCO, 2010, 58; 152).

The reasons for girls' exclusion from education are multifaceted and vary according to the level of education (primary, secondary or tertiary), region, or subject studied. Yet it is increasingly recognised that geographic and socio-economic divisions are important contributory factors (UNESCO, 2010: 101). For instance, in Cambodia gender and geographical location intersect as key factors influencing educational outcomes. Being a girl and living in the hill provinces of Mondol Kiri and Rattanak Kiri increases the risk of not being in school by a factor of five (UNESCO 2010:152). In Nigeria there is evidence of ethnicity, geographical location, poverty and gender interacting; with only 12% of poor Hausa girls from rural areas attending school (UNESCO, 2010:58 and 152). Demographic and health surveys in many countries consistently show that girls from the poorest-quintile households are much less likely to complete primary school. Those born into poverty are in a highly disadvantaged starting position which impacts directly upon their ability to exploit what limited opportunities there are. The Global Monitoring Report found that while numbers of children out of school have declined (and the share of girls within total numbers out of school has also fallen - down from 58% in 1999 to 54% in 2010), it is girls from the poorest households who remain most at risk of never attending school.

1.5 Framing policy action at the national level

Two major recent reports have discussed identity based intersecting inequalities: Kabeer (2010), discussed above, and the United Nations Research Institute for Social Development's (UNRISD) 2010 report on *Combating Poverty and Inequality*. There is broad agreement across these two comprehensive documents that what is required is a combination of redistributive policies in a stable macro-environment (emphasised by Kabeer), and a combination of universal and affirmative action measures (emphasised by UNRISD). Affirmative action can also increase intra-group inequalities, so must be

combined with interventions aimed at increasing the capabilities of the most marginalised and deprived individuals. This is 'developmental affirmative action'. International actions including support to Civil Society Organisations to demand government accountability; support for the social protection floor; and commitment to the Human Rights framework are helpful, but the real action is at national and local level. The overall direction is clear. The question is 'what to do where' to go the extra mile to include the systematically excluded?

There are three sets of issues which governments and other actors need to address in order to tackle directly the causes of inequality:

- *Principles of inclusion* (engaging citizens in change): balancing equality with difference; group based solutions to group based exclusion; a new social contract (states, citizens, global governance); achieving transformative change.
- *Underlying institutional change* (devolution, public information/transparency): fiscal policies, legal and affirmative action (including gender equality).
- *Sectoral policies*: inclusive growth and livelihoods development; land reform, infrastructure and area development; migration and urbanization; services and social protection (Kabeer, 2010).

While principles and institutional change are critical features of the policy environment in addressing intersecting inequalities, it is sectoral or specific policies which will directly impact on the causes of persistent inequality. These can be grouped as:

- Rights based approaches and social guarantees (universal) with a strong legal basis (e.g. embedded in the Constitution). These should include guarantees on health and education and other social services, social protection and protection of access to natural resources.
- Opportunity enhancements, both for labour and self-employment (e.g. agriculture and nonfarm infrastructure; livelihood promotion including protecting and building assets; and improving working terms and conditions for the most exploited), which in many cases will have a spatial (rural/urban) and regional basis.
- Developmental affirmative action - combining affirmative action with targeted capability enhancement (educational and financial capital) to enable taking advantage of the affirmative action.

In most cases a combination or sequence of these will be needed to make a lasting difference. Given the systematic nature of discrimination and exclusion there will be few silver bullets. Sustained economic growth would make the implementation of the policies above easier and sustainable over time, and could even directly raise the income of the most disadvantaged groups, as recently observed in China and India. However, high growth rates alone would do little to alter the causes of inequality (while they could instead reinforce them). For this reason, this report's emphasis is not on growth but on the policies and areas of intervention that act directly on the roots of intersecting inequalities and aim at improving social justice. Key questions include:

- Whether one particular element, such as affirmative action, is always needed, or are there conditions under which it is not necessary? On the other hand, affirmative action by itself is rarely likely to be sufficient to produce significant change.
- What combinations of policies, institutional change and principles are likely to address intersecting inequalities in which (type of) countries? In answering this question some simple distinctions among countries will be made – between low, lower middle, and upper middle-income countries (and/or low, medium and high human development); and between emerging democracies, one party states, and autocracies.

Political inclusion – of individuals and of social groups – is arguably fundamental to progress in addressing intersecting inequalities, since these are based in the distribution of power. There are two approaches in the political science literature to this, and we add two more:

- A direct, **'consociationalist'** model, with explicit institutionalised power sharing among ethnic groups, which is concerned with achieving a balance of power among groups (Lijphart, 1977; 2004). Political reservation in Bolivia, India or elsewhere are examples.
- An indirect, **'integrationist'** approach, which structures the political space to provide incentives for group power sharing and disincentives for mobilisation on a group basis (Horowitz, 1985). This would include constitutional arrangements that encourage broad based coalition type parties (e.g. Ghanaian, Indonesian, Nigerian constitutions specify that political parties must have representation throughout the country).
- Governments that **are politically based, wholly or partly, in the excluded groups themselves** or highly and explicitly dependent on their support (e.g. Bolivia/Morales; Malaysia/*Bumiputera*; South Africa/ANC). This has typically occurred where structurally disadvantaged groups are the majority.
- Progress made through **building organisational and political capabilities** of the most disadvantaged people - the focus of a number of social movements (e.g. of indigenous people at national and global levels) and civil society action.

Others would see a combination of structural economic, institutional change and redistributive measures as being critical. The politics is clearly central to a sustained and coherent project which addresses those who suffer multiple forms of disadvantage. But it is possible that inclusive politics could be achieved with few positive outcomes for the most excluded if such changes are not introduced or are poorly implemented; or that without political reforms socio-economic measures might not be enough to make a real difference - or might not get implemented seriously.

This report contributes to the post-2015 discussion by reviewing the experience of countries that have made progress in tackling intersecting inequalities and employs an analytical framework which focuses on five key areas (see also Figure 1):

1. The social movements that build the case for and mobilize around difficult social and political changes required to address intersecting inequalities.
2. The political trajectories that have facilitated these policies and changes, and how the alignment of politics with the interests of the poorest and most disadvantaged can be achieved.
3. Processes of constitutional change which establish the potential for a 'new order'.
4. The social guarantees, opportunity enhancements and developmental affirmative actions which together or separately deliver inclusive development outcomes challenging exclusion, discrimination and marginality, together with underlying principles and required institutional changes.
5. Specific policies and programmes because despite prolonged internal war, it had managed to *contain* (rather than reduce) some identity based inequalities, which show promise in reducing intersecting inequalities over time.

The analysis employs the category of 'political settlement'. A political settlement is produced by the relationship between power and institutions, and it refers to the way in which organisational and political power is organised, maintained and exercised, as well as to how the state relates to citizens. The nature of the political settlement, in other words, can define what the 'rules of the game' look like within any given society, and is reflected in both formal and informal institutions. Political settlements tend to evolve over time, and reflect historical legacies and structures, but they can also be reshaped rapidly, for instance following periods of violence or unrest, or due to changing national and regional contexts.

The notion of political settlements is employed because it allows exploration of the political dimensions of the five key areas identified above – i.e. what are the political arrangements that favour the implementation of these five areas. It also allows us to maintain a focus throughout the discussion on political inclusion and its evolution alongside the other five areas. A political settlement which has

addressed all the five key areas discussed – and has been successful in tackling intersecting inequalities – is called an 'inclusive political settlement'.

A key dimension of a political settlement is the nature and attitude of the political elite. For instance, the elite's ability to manage institutional change (e.g. land reforms) strongly influences the latter's impact on economic development (Amsden, 2010). Investigations of the nature of the political processes leading to pro-poor outcomes (e.g. see Mosley, 2012) are increasingly recognising the crucial role played by elites (Kalebe-Nyamongo, 2010). There is an increasing interest in the experience of cases where elites have recognised that poverty reduction can serve their political interests and established political projects which included significant pro-poor elements in both rhetoric and action (notable are the cases of President Fernando Henrique Cardoso of Brazil, President Yoweri Museveni of Uganda, and Chief Minister Digvijay Singh in the Indian state of Madhya Pradesh as recounted and analysed in Melo, Ng'ethe and Manor (2012)). This is not to say that these cases are without other elements – rent-seeking and hostile stances to some excluded groups may co-exist with a political project which takes poverty reduction as a core element – but it is to assert that they were characterised by enough stable policy space, for a sufficiently long time, for some significant progress to be made.

Political elites play a role in all the five areas of the framework outlined above. The willingness of political elites to engage in a dialogue with other actors, to accept constitutional change and implement pro-poor or redistributive policies is a necessary (although not sufficient) condition for the achievement of an inclusive political settlement. This condition emerges explicitly and implicitly in the different case studies analysed in the report, although the role of political elites should not be interpreted in a deterministic way: the nature of the political settlement depends on the interplay between *all* the actors, according to a dialectic view of power. Rather, acknowledging the importance of elites recognises that political willingness can go a long way in the achievement of progressive outcomes even in the context of poor endowments of resources. For this report, a number of country case studies were selected to reflect situations where some progress has been made in addressing durable group-based inequalities in order to analyse the following: the major dimensions of policies, programmes and politics; the combinations and sequences; the critical ingredients or facilitating factors; and the centrality or not of political reform and how it is achieved. Chapters 2 to 6 illustrate the experience of this sample of countries with respect to the five key areas above.

An analysis carried out for this report of DHS data showed that some countries - for which there is data from at least two points in time on comparable social indicators like ethnicity - had achieved measureable progress in addressing various intersecting inequalities. Using a general entropy measure that allows inequality to be disaggregated by different sub-groups, 16 countries were analysed between the 1990s and 2000s to explore whether the impact of intersections between ethnicity, spatial location and wealth group has declined over the past 20 years. In order to measure inequality in human development outcomes, the educational attainment of women and the household-level, rates of child mortality within groups, and the intersections between groups were measured. Wealth disparities were also accounted for in the group disaggregations (see Box 2 and the Appendix for further details). This analysis helped to identify the country of focus for this study, and background papers were commissioned on Bolivia, Ethiopia, Malawi and Nepal. The case of Nepal was included because despite prolonged internal war, it had managed to *contain* (rather than reduce) some identity based inequalities.

Box 2: Country selection using group-based inequality measures to analyse DHS survey data

The selection of country case-studies for this research involved a preliminary quantitative assessment of the progress made in reducing inequalities between the 1990s and 2000s. The second stage of the analysis then focused on measuring progress in reducing intersecting inequalities in women's education and child mortality in the same period.

The sources of data were the Demographic and Health Surveys (DHS) of 16 countries for which social indicators measured at two points in time between the 1990s and 2000s were available. These are: Benin (1996, 2006); Bolivia (1998, 2008); Burkina Faso (1993, 2010); Ethiopia (2000, 2011); Ghana (1998-2008); Guinea (1999, 2012); Kenya (1998, 2008/09); Malawi (2000, 2010); Mali (1995/96, 2006); Nepal (1996, 2006); Niger (1998, 2006); Peru (1996, 2009); Philippines (1998, 2008); Uganda (1995, 2011); Zambia (1996, 2007); Zimbabwe (1999, 2010/11).

The DHSs are among the few internationally comparable household-level data available that allow measurement of human development outcomes at the individual and group-level, and to identify the impact of intersecting inequalities. In our analysis, the group-based characteristics used to identify intersecting inequalities were drawn from Kabeer (2010), though certain data limitations restricted the number of group-based identifiers that could be considered (for example, religion was not present in all surveys and no country with caste relations was available).

Wealth quintile – a composite asset index constructed by DHS – was used to identity poorer groups; place of residence – living in either an urban or rural area – was used to identify spatially differentiated groups; and ethnicity was used to identify socially excluded groups. Households were grouped by intersections of these identifying characteristics (rural/urban and wealth quintile; wealth quintile and ethnicity, ethnicity and rural/urban) to determine the degree to which these group intersections explain differences between groups and whether the extent of that inequality has changed over time.

A general entropy measure of inequality was used, similar to the more commonly known Theil Index, which allows outcomes to be decomposed across sub-groups of a population. The essence of this measure is that it identifies diversity in a data set, as compared to uniformity. In the case where data is uniform we would conclude that the distribution is equal, whereas a diverse data set suggests the existence of inequality. The family of general entropy measures decomposes total inequality into between-group inequalities and within-group inequalities. This makes it possible to observe the extent to which inequality in some outcomes can be explained by differences between groupings of individuals that share some common characteristics, and how much can instead be explained by differences among individuals within a given group.

To determine the significance of group-based inequalities, this analysis looked at the proportion of total inequality at a point in time that is explained by differences between groups. If the proportion of between group inequalities in women's education and child mortality reduced over time for one particular intersection, and that change was significant, the country was considered to have progressed on that particular indicator for that intersection of group identity. From this analysis two countries emerged as having seen measureable reductions in intersecting inequalities in women's education and child mortality (Bolivia and Ethiopia); one country saw the maintenance of low levels of intersecting inequalities despite a decade of civil war covering the same time period as the data (Nepal); and another saw impressive gains in women's education while maintaining some of the lowest levels of intersecting inequalities in the sample of countries (Malawi).

Country-level analysis for Bolivia, Ethiopia and Nepal can be found in Chapters 3-4 of this report. More details on the methodology and full results can be found in the Annex and an accompanying paper: Lenhardt (forthcoming).

However, the number of countries with adequate DHS data (e.g. with sufficiently recent rounds) is small, and it excludes countries which have made considerable progress in tackling inequalities. To

address this bias, it was decided to include Brazil and Ecuador in Latin America, and India and Pakistan in Asia in the group of case studies examined.[8]

The nature of the political settlement of the countries chosen is analysed in detail in Chapter 3. Two main types of political trajectories emerge: governments with a strong inclusive and redistributive agenda combined with class-based social mobilisation; and multi-ethnic countries in which movement-based governments result from identity-group mobilisation. The implication here however is not that only countries with these political trajectories can achieve an 'inclusive political settlement'. Rather, the implication is that certain political arrangements enable the implementation of certain policies, and suggestions are made on how these arrangements can be put into place (e.g. opening space for civil society participation in policy discussion, see Chapter 2). A second important implication of the analysis is that national policies matter for tackling inequalities and the achievement of MDGs at least as much as aid. This, in turn, has important implications for the post-2015 agenda, which are discussed in Chapter 6 of this report.

A final consideration is needed concerning the nature of the framework: it is meant to be explanatory and to inform policy-making, identifying processes that trigger change and on which politics and policies can make an impact. This does not imply that the framework should be understood in a deterministic way, and that the role of factors external to the framework is denied. In fact, political transformation and social mobilization are largely unpredictable and 'messy' processes that often lead to undesired outcomes: change is rarely all positive or all negative.

Change is also rarely linear: for instance, Bolivia's latest attempt at land reform, the law of *Reconducción Comunitaria* of 2006 (based on land retitling) did not result in significantly more land redistribution and asset equality. This was largely due to the fact that the law got watered down by the very negotiations that led to the approval of the new Constitution in 2009. At the same time, positive outcomes such as decline in inequality can occur as the result of mechanisms that are not always or not entirely virtuous nor controllable by political will. For instance, the decrease in the wage gap between skilled and low-skilled labour that has driven inequality reduction in Latin America has, to an extent, resulted from circumstantial macroeconomic conditions: the revenues generated by commodity boom on the international market have been channelled internally through expansionary monetary policies, making credit cheaply available. This has incentivized speculation in the housing sector, with large investment in construction by real estate conglomerates, and has created multiplier effects over informal and sometimes illegal markets for construction inputs and demand for informal sector construction workers, whose salary has increased.

However, such a framework is critical to identify the areas of intervention that, beyond - and in addition to- economic growth and social protection programmes, should be part of national and international policy making for social justice.

---

[8] These commissioned papers are all available at: www.chronicpovertynetwork.org

2 Social Movements and the State

The first ingredient common to most inclusive political settlements is the role played by social movements and social mobilisation in shaping both political trajectories and policy making. In fact, all of the countries analysed in this report have been characterised, at some point in history, by movement-based governments. The discourse carried out by social movements may differ from country to country (e.g. class-based in Ecuador and Brazil, ethnically-based in Ethiopia, Bolivia, and Nepal), but they all share a strong national political project. The specific issue addressed in this chapter is the potential for alliances between social movements and political projects based on values of social justice to produce structural change that favours marginalised social groups. It is based primarily on the background paper prepared by Hevia-Pacheco and Vergara-Camus (2013), while also drawing lessons from the Nepal (Thapa, 2013) and Bolivia (Paz Arauco, 2013) case studies.

Brazil and Ecuador were selected for analysis as they have both developed significant policies and policy making frameworks to address intersecting inequalities. Both countries are characterised by political settlements which have developed a new role for the state in the economy, and a political agenda which emphasises social spending and programmes targeted at excluded groups. The main programmes tackling intersecting inequalities have been universal rather than targeted. Both countries have governments with a strong basis in societal mobilisation, although support to these governments is ever changing following the evolving nature of the specific conjuncture. The inclusive and redistributive policies that these governments have adopted have been 'either a result of long-standing demands of social movements or the interpretation by left-wing governments of what movements have asked for. The willingness or need of these governments to cooperate with social movements in policy design, implementation and monitoring, and the tensions that these processes have generated, are crucial to understand the content of their policies. These two examples suggest that social movement mobilization can push governments into implementing progressive social policies and force upon them mechanisms of civil society participation, which in principle, if movements remain autonomous, can go beyond the mere legitimization of policies' (Hevia-Pacheco and Vergara-Camus, 2013).

It is the nature of social movements as well as the links they build with electorally successful political parties that is key in a context where increasing recognition is given to the 'pluri-national' character of society (the expression used in Ecuador as well as Bolivia). Governments committed to inclusion and redistribution in Brazil and Ecuador have been addressing the issue of intersecting inequalities because they are, at least in part, responding to demands coming from social movements that represent Indigenous peoples, Afro-descendants and women. Some of the policies and programmes that these governments have adopted are also responding to long-term demands for increased participation from social movements. In the case of Brazil, governments have done so because social movements have represented historical political allies of the Workers' Party. In the case of Ecuador, the government has implemented measures because these movements have been extremely well-organised and mobilised, have been at the forefront of protest movements that have brought down three governments, and have demonstrated their capacity to mobilise nationwide electoral and political support for the government

and specifically for its President. Social movement mobilization can thus work as a threat factor or as an incentive (via electoral consequences) on democratically-elected governments.

Alliances between social movements and governments around specific political projects can take different forms. They can be a consequence of the nature of the governing party, as in the case of Brazil, where the _Partido dos Tabalhadores_ (PT - Workers' Party) has retained strong and systematic links to social movements as it was created by these. They can also be the result of a convergence of interests due to specific circumstances, as in the case of Ecuador. This type of alliance can last over time but it is likely to be constantly challenged. For example, Ecuador's _Alianza Patria Altiva y Soberana_ (PAIS - Proud and Sovereign Homeland Alliance) has recently faced growing opposition from the social movements which supported President-elect Rafael Correa back in 2006.

2.1 Space for civil society in policy making

The enrolment of civil society into policy making councils is a second common process. In Brazil the PT has promoted participatory democracy as part of its strategy of capturing power at local levels, with the internationally famous Porto Alegre participatory budgeting flagship. Less well known are the national state or local councils, which convene conferences as well as more regular council meetings to review policies in a sector or on a specific issue. These policy discussions and consultative bodies were mentioned in the 1988 Constitution, but have only been implemented by the PT government since 2003. The 27 state delegations to the conferences are 50% state officials and 50% civil society representatives (beneficiaries, NGOs, unions).

The sectoral councils take place several times a year, members are elected every two years, and their decision may be binding (see also section 4.2.1). The incorporation of civil society in policy making has raised concerns and challenges, which are probably intrinsic to this process: civil society representatives may have a voice, but little decision-making power; local elites can dominate representation, especially in remote rural areas; as civil society organisations become professionalised, their involvement in social mobilisation and politicisation of local communities decreases; and finally they face the danger of becoming subordinated to a political party, reproducing the long corporatist tradition in Latin America. Box 3 presents Ecuador's approach, illustrating its seriousness, but also that it is less well institutionalised.

Box 3: Ecuador's 'Citizen's Revolution'

As in the case of Brazil, the degree of civil society's participation in Ecuador has been important. Correa's second presidential term (2009-2013), was marked by the promise of a Citizens' Revolution that would transform the country. This revolution would not only be citizen-centred, as far as policy design was concerned, but the state would also provide the institutional space and mechanisms to allow for citizens' participation in political and cultural spheres. As such, the _Plan Nacional Para el Buen Vivir 2009-2013_ stipulates that: 'The participation of citizens is a right. Participative planning […] is a democratic exercise through which different interests come together, as a need to rely on the knowledge and the abilities of the people targeted by the Plan, who are co-responsible for the design and management of public actions directed at the whole society' (SENPLADES, 2009: 13).

As a result, the policy recommendations that came out of the Plan were the by-product of a consultative process in which 4,000 citizens were invited to take part at regional and national levels. This participatory process lasted from June 2008 to March 2009. It brought together representatives of different socio-economic, racial and generational backgrounds to revise a first draft of policy recommendations that would appear in the Plan. It is worth mentioning that one of these workshops was organised exclusively with representatives of Indigenous nationalities and peoples to tackle their territorial, environmental and cultural specificities (SENPLADES, 2009: 13). At the methodological level, facilitators adopted transversal axes to include gender, generational, territorial and intercultural dimensions in the discussions. The significance of these consultations is that they recognised and valued the experiences of

local actors and included these in the design of the national development plan and strategies, and fostered a multi-directional exchange of ideas among a diverse range of participants.

However, these consultations did not guarantee civil society's participation in respect to all policies that the government has undertaken. The participatory nature of policy discussion that marked the beginning of the presidential term in 2009 appears to have faded with time. Critics from within and without the government have cited the limitations of the so called 'leading and central role of civil society' (Borja, 2011). Diego Borja Cornejo, President of the technical presidential commission for the new regional financial architecture and economic coordinator of ALBA, argued that beyond electoral support there is no direct participation of the population in the government's policies (Borja Cornejo, 2012: 79). Paco Moncayo Gallegos, who is ideologically close to Correa's Alianza País and has occupied positions in several government agencies, also criticised the government, because its proposed bills tend to 'concentrate power, are authoritarian, are elaborated without citizen participation, and are the fruit of obscure negotiations hidden from the citizenry' (Moncayo Gallegos, 2011: 51). The government has thus failed to create mechanisms and institutions that empower grassroots social movements (Becker, 2013: 51), leading some to argue that this is a, 'Citizen Revolution within citizenry' (Borja, 2011:16). Moreover, several analysts have argued that the practice of government often contradicts its avowed discourses and plans, specifically the *Plan Nacional Para el Buen Vivir.*

The guiding principles of the *Plan Nacional Para el Buen Vivir 2009-2013* are as follows. Economically, the government aims to move away from the neoliberal model of development in order to foster sustainable and endogenous economic growth through a process of selective substitution of imports, diversification of production, substitution of exports and redistribution in key productive sectors. Politically, the government aims to put in place a system of decentralised management for territorial planning and capacity building. It also wants to prioritise public investment in sectors that will generate added value. Environmentally, it aims to guarantee the sustainable exploitation and protection of natural resources. Culturally, it aims to promote and celebrate the ethnic and cultural diversity of Ecuador.

Addressing the participatory role of civil society and cultural diversity, the government explicitly stated that it aimed to build and strengthen public, intercultural and common meeting spaces (objective 7) to guarantee the political participation of citizens (objective 10). At the political level, the state must promote the collective and autonomous participation of civil society to consolidate the mechanisms of social control and transparency of policy making. The government also aims to encourage the political and electoral participation of citizens in order to increase the number of women, youth and citizens living outside Ecuador in the elections of 2013 (SENPLADES, 2009: 85). With the objective of encouraging the development of a pluri-national and multicultural state, at the cultural level, state policies should guarantee and increase the exchanges between different groups that promote intercultural recognition and value all forms of collective expressions under the principles of sustainability, social justice, gender equality and cultural respect (SENPLADES, 2009: 81-82).

Brazil and Ecuador's experiences suggest that the presence of social movements can trigger the adoption of policies that tackle intersecting inequalities, consistent with an inclusive and redistributive political project. Governments can promote environments which enable social movements and social mobilisation, for instance by opening space for civil society in policy making.

Bolivia's successes in tackling intersecting inequalities (despite the still high rates of poverty) are largely the result of a long process of mobilisation by the indigenous population, culminating with the election of coca-advocate and native peasant-leader Evo Morales as President in 2005, followed by the adoption of a new Constitution (see Chapter 4).

In the 1990s, Bolivia's indigenous population mobilized to claim new political roles, and in the process, directly challenged the privileged position of economic elites within national political institutions. Most of the protest was explicitly directed to the economic reforms introduced in that decade and their consequences on the lower levels of society. For instance, frequent and sometimes violent protests erupted between 1994 and 1996 in the capital La Paz and in the Chapare coca-growing region. Opposition to economic reforms crossed different groups of the society, contributing to give a broader

breadth and visibility to the claims of the indigenous people. Between January 1999 and April 2000, large-scale protests erupted in Cochabamba, Bolivia's third largest city, in response to the privatisation of water resources by foreign companies and a subsequent doubling of water prices. In 2003, a new conflict, the 'Bolivian gas war', burst over the government's economic policies concerning natural gas. Protesters, including Evo Morales, demanded full nationalisation of hydrocarbon resources, and the increased participation of Bolivia's indigenous majority in the political life of the country. Strikes and road blocks mounted by indigenous groups and labour unions brought the country to a standstill, while the army attempted to suppress the protest with violence. In June, President Carlos Mesa was forced to offer his resignation. The following presidential election was won by Evo Morales, who announced the intention to re-nationalise Bolivian hydrocarbon assets and formed the Bolivian Constituent Assembly to begin writing a new constitution aimed at giving more power to the indigenous majority. The following chapters discuss the legislative and policy measures implemented as a result of this political point. The significance of these measures is shown by the pattern of extreme poverty in Figure 2. While underlying the regional (rural-urban) and ethnic (indigenous- non indigenous) differences in poverty incidence, the figure also shows that poverty steadily declined after 2006.

Figure 2: Extreme Poverty incidence in Bolivia (%)
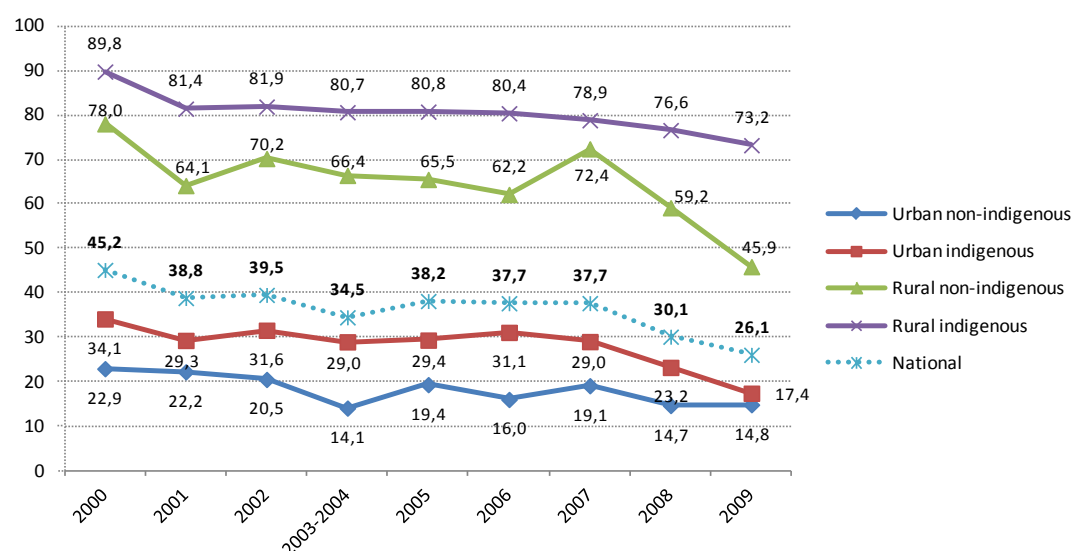
Source: http://www.udape.gob.bo, accessed June, 2013.

3 Inclusive Political Settlements

The previous chapter has identified social mobilisation as a key ingredient of the political settlements which so far have made progress in tackling intersecting inequalities. In these settlements, social mobilisation led to movement-based governments with strong national political projects. These political settlements have also been characterised by two main types of political trajectories: governments with a strong inclusive and redistributive agenda combined with class-based social mobilisation; and multi-ethnic countries in which movement-based governments result from identity-group mobilisation.

Brazil and Ecuador belong to the first type of political settlements, with governments that focused on addressing intersecting inequalities through different combinations of universal and targeted or affirmative action policies and programmes. In each case the linkages with social movements with strong constituencies in marginal ethnic groups was a significant element of the strategy for building electoral support – within a broader constituency. The two countries are very different in terms of the sequencing of policies however, with Brazil coming late to race based measures compared to Ecuador, where these were included from the beginning.

Bolivia, Ethiopia, and Nepal belong to the second category of political settlements, with movement-based governments, which are expressions of the multi-ethnic character of society. In Bolivia, the excluded ethnic majority of indigenous people eventually managed to elect one of their leaders as President. In Ethiopia, the ruling political coalition (EPRD – Ethiopian People's Revolutionary Democratic Front) is an alliance between the main ethnic groups (Tigray, Oromo and Ahmara), which has also progressively co-opted and included in decision-making some of the excluded ethnic minorities (i.e. groups from the Harai, Afar, Somale, Gambella, and Benhsangul-Gumuz regions). Nepal came out of a civil war which had been underpinned by the political, economic and social exclusion of disadvantaged ethnic groups with a government committed to tackle these exclusions through affirmative action.

These are all remarkable development stories from which considerable learning is possible about what works in addressing intersecting inequalities. A constraint is that they are all founded on periods of intensive social mobilisation, or even extended social conflict: they are not in any sense 'policy options' which can be adopted in isolation from social movements and from the political elites. So, as suggested in Chapter 2, the political and policy agenda of addressing intersecting inequalities speaks as much to civil society and social movements as to governments and politicians.

3.1 Inclusive political settlements (i): democratic inclusive-redistributive political programmes

Many countries in Latin America have produced a common political trajectory: moving from military rule to elected democratic governments with a highly inclusive and often redistributive agenda.

Examples include Brazil, Chile and Ecuador. During the 2000s, Brazil has undertaken a comprehensive policy programme to include the excluded. This has seen unprecedented, and much vaunted, inequality reductions. While much attention has focused on Bolsa Família, in fact there have been inclusive programmes focusing on hunger and nutrition (Fome Zero), land, education and health. Brazil's experience with 'deep decentralisation' and civil society participation in social policy-making provides further justification for a strong focus on this country's efforts. It has also become a model for others (e.g. Ecuador and countries in Africa) seeking to balance the demands of producing for the global economy with social justice.

In terms of political agenda and policy measures, different trends can be identified among the inclusive-redistributive governments that were elected in Latin America from the late 1990s to the late 2000s. One trend consists of governments that, despite having a clear left-wing identity, were marked by continuity with previous right-wing governments which had implemented austerity measures and privatised public enterprises and services, but significantly increased social spending. The coalition Concertación government in Chile (1990-2010) and the government of the Partido dos Trabalhadores (PT - Workers Party) under the first Luiz Inácio 'Lula' da Silva presidency in Brazil (2003-2006) are two salient examples of such trends. The other trend consists of nationalist governments who reclaimed the state and have undertaken profound transformations of their political system with the intention of changing the economic foundations of the model of development (Grugel and Riggirozzi, 2012). The presidencies of Hugo Chávez in Venezuela (1998-2013), Evo Morales in Bolivia (ongoing since 2006), and Rafael Correa in Ecuador (ongoing since 2006) are examples of this other trend. The second administration of President Lula (2007-2010) and that of his successor Dilma Rousseff represent an intermediate trend in which the state has taken a more active role in the economy and has expanded the measures aimed at stimulating the domestic market, effectively promoting employment, increasing the income of working class families and combating extreme poverty.

A notable feature of the political project in Brazil was the way in which an inclusive agenda was used to attract middle class voters as well as excluded groups through an emphasis on broad benefits such as reducing patronage and corruption (Schneider and Goldfrank, 2002). Hevia-Pacheco and Vergara-Camus note that the inclusive-redistributive governments in Ecuador and Brazil tended to tackle deep inequalities more through universal programmes and measures than through targeted ones (2013). The form that these programmes have taken has responded to long-term agendas of social movements representing marginalised social groups. In short, well organised social movements have been able to gain traction through alliances with left-wing national political projects, which have in turn benefited from mobilised electoral support. But this was placed within broader political alliances, where a discourse of universalism has clear advantages.

3.2 Inclusive political settlements (ii) governments rooted in majority marginalised identities

Bolivia, Ethiopia and Nepal were identified as regimes with a strong ethnic basis – Bolivia's system is known as the Pluri-national State; Ethiopia describes its current political system as one of 'Ethnic Federalism', with fiscal decentralisation at its core; Nepal's Comprehensive Peace Agreement (2006), Interim Constitution (2007) and 3 Year Interim National Development Plan (2007) are marked by inclusionary rhetoric and measures. Are regimes based on 'majority' coalitions of the excluded any better at addressing intersecting inequalities? This section will outline the strategies adopted and discuss their outcomes. While the Bolivian and Ethiopian experiences are sufficiently mature that outcomes can be examined, and Ethiopia in particular has achieved significant economic and social progress; in the case of Nepal only the direct outcomes of affirmative action policies are currently known.

Box 4: The Malaysian benchmark

For decades until very recently in Malaysia there has been political stability, with most potential conflicts averted and sustained economic growth. Inter-group inequalities have been contained by the New Economic Policy of affirmative action from the 1970s through to the 1990s, implemented in the public sector – the private sector was exempted after pressure from corporate interests. Educational institutions also provided a means of economic mobility for the majority Malays, with quota systems operating in tertiary education, and scholarships abroad. Only recently has this social and economic stability been disturbed by greater political contestation and social unrest, which can be interpreted as a sign that growing intra-group inequalities are leading relatively disadvantaged people to challenge the status quo. Research has shown that poor Malays are still less likely to have children in college compared to Chinese and Indians, and most Malay graduates gain employment in the public sector. So even the Malaysian benchmark has challenges remaining.

Source: Mohamed (2012)

With the well-known case of Malaysia as a benchmark (Box 4), Bolivia and Ethiopia provide contemporary examples. Bolivia provides a different though potentially comparable political trajectory to that of Brazil, but in Bolivia a movement of majority indigenous people has come to power. As mentioned in the previous chapter, Bolivia's success in tackling intersecting inequalities results from a long process of mobilisation of the indigenous population. This mobilisation has become increasingly politicised with the affirmation of democracy, and in the 2000s has led to the re-writing of the Constitution, accompanied by legislative reforms introducing different forms of affirmative actions and electoral reforms establishing special indigenous constituencies in the Pluri-national Assembly and indigenous local governments (see section 3.2.3). A number of social programmes, targeted in particular to indigenous people but with a broad coverage, have also been introduced, as well as economic policies and programmes like the Hydrocarbons Nationalisation Law (see section 5.2).

Bolivia has seen reduced inequalities on all indicators during 1998-2008, with gains particularly visible for rural residents. However, the divide between ethnic groups, demonstrated by the persistently low education outcomes for the minority Quechua, remains significant (see Figure 3).

In 1998, Bolivia displayed some of the highest intersecting inequalities as compared to the other countries in the sample,[9] measured by the amount of inequality that is explained by differences between groups. Figure 4 charts changes in the significance of group-based inequalities in women's education in Bolivia between 1998 and 2008, by applying a general entropy measure of inequality using disaggregated DHS data. This measure is used to compare the proportion of inequality that can be explained by differences between groups distinguished by background characteristics and the proportion of inequality that is explained by differences within these groups. The greater the proportion of inequality explained by differences between group intersections, the greater impact of intersecting inequalities in determining unequal outcomes.[10] Three categories of group intersection are presented: ethnicity with wealth quintile, wealth quintile with place of residence (rural/urban) and ethnicity with place of residence.

---

[9] The 16 countries analysed were Benin, Bolivia, Burkina Faso, Ethiopia, Ghana, Guinea, Kenya, Malawi, Mali, Nepal, Niger, Peru, Philippines, Uganda, Zambia and Zimbabwe. For the complete analysis of this data set see Lenhardt (forthcoming).

[10] See Annex 1 for an overview of the general entropy measure and a presentation of the full data. For the analysis of Bolivia, language spoken was used as a proxy for ethnicity, whereas in other surveys respondents are directly asked for their ethnicity.

Figure 3: Average number of schooling years for people aged 15 years or more
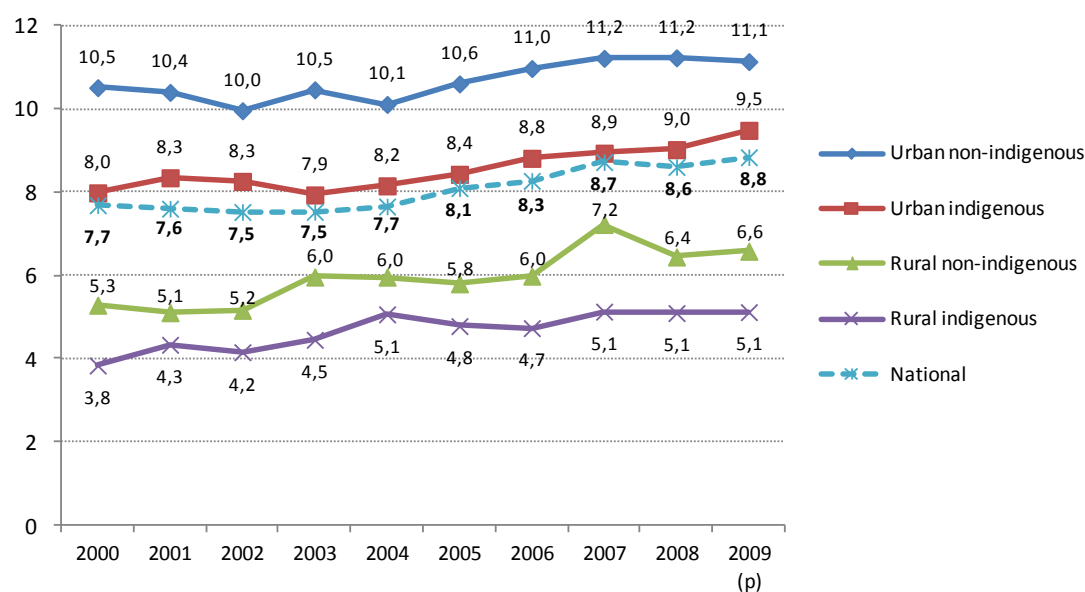
Source: http://www.udape.gob.bo, accessed June, 2013.

Figure 4: Reduced intersecting inequalities in women's education in Bolivia - change in the proportion of total inequality explained by between-groups inequality between 1998 and 2008
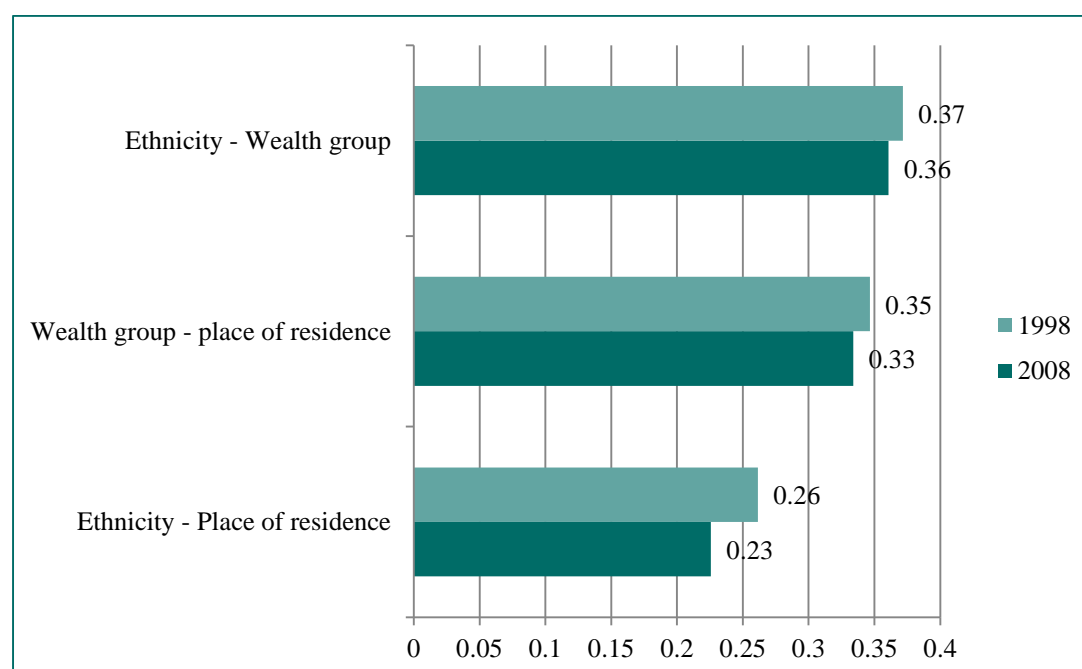
When considering the intersection between wealth group and place of residence for example, we see that in 1998 35% of the inequality in women's educational outcomes was explained by difference between groups. The significance of wealth group and place of residence as an intersecting inequality dropped by 2 percentage points over the next 10 years though. Moreover, as shown in Figure 5, the overall average years of education among women in Bolivia rose from 7.4 to 8.7 years of schooling between 1998 and 2008. Overall, these data suggest that educational outcomes for the poorest rural women have improved in absolute terms, but also with respect to the national average, despite the fact that this was increasing too.

Under a constitution based on ethnic federalism, Ethiopia experienced reductions in group-based inequalities in women's education between 2000 and 2011. It is worth noting that group-based inequalities in Ethiopia were very high in 2000 and deeply rooted in history, so these remarkable achievements in a poor low-income country are significant. However, ethnic federalism has been much criticised (e.g. International Crisis Group, 2009 raises the limitations of the model for democratic accountability).

Figure 5: Women's years of education by place of residence and wealth quintile – Bolivia (1998 and 2008)
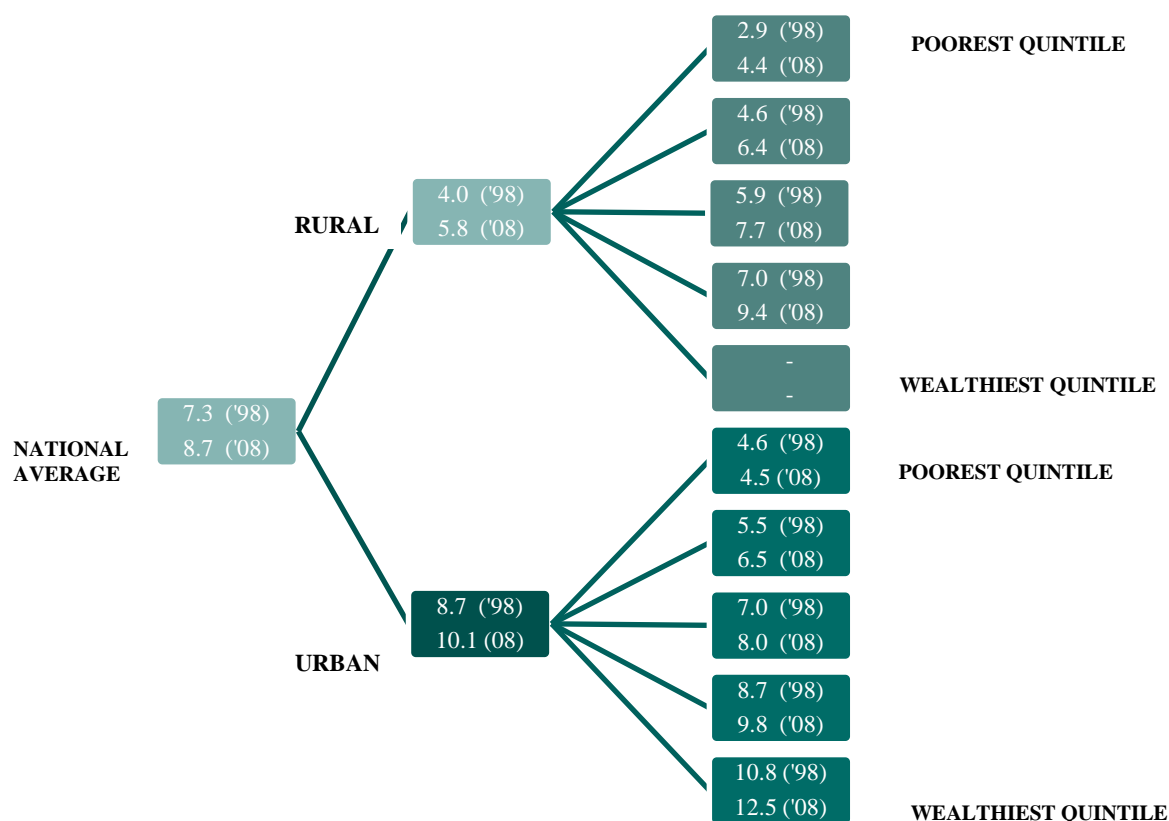
This has been achieved while also closing gaps across a number of groups' average years of schooling, particularly for those intersecting inequalities based around the urban-rural divide. Results from DHS analysis (Figure 6) show that the average number of years of schooling in Ethiopia has increased from 1.1 year to 2.9 years, which although still relatively low by international standards, is impressive considering a number of groups from the analysis reported near-zero years of schooling in 2000, while in 2011 no group average was zero (though some still remain quite low). Figure 7 shows that the gap is also closing between ethnic groups in urban and rural areas and among wealth groups across urban and rural areas: the incidence of between-groups inequality over total inequality decreased from 33% in 2000 to 30% in 2011. The gap in years of education is also closing to a lesser extent across ethnic groups in different wealth categories: the proportion of between-groups inequality was 32% in 2000 and 26% in 2011. However, despite these encouraging improvements, significant disparities remain in terms of educational achievements between the affluent regions, e.g. the Addis region, and the backward pastoral regions of Somali and Afar.

Figure 6: Women's years of education by place of residence and ethnic group–Ethiopia (2000 and 2011)
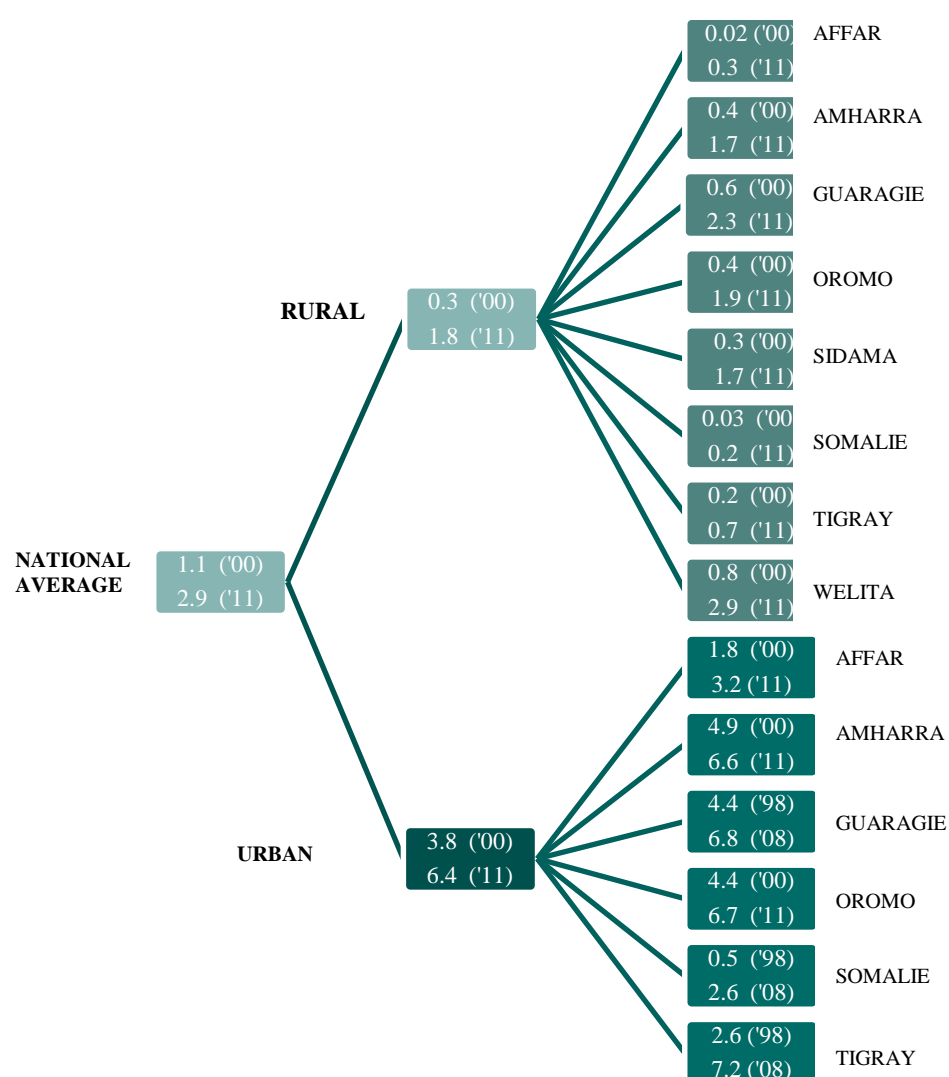
Figure 7: Reduced intersecting inequalities in women's education in Ethiopia - change in the proportion of total inequality explained by between-groups inequality between 2000 and 2011
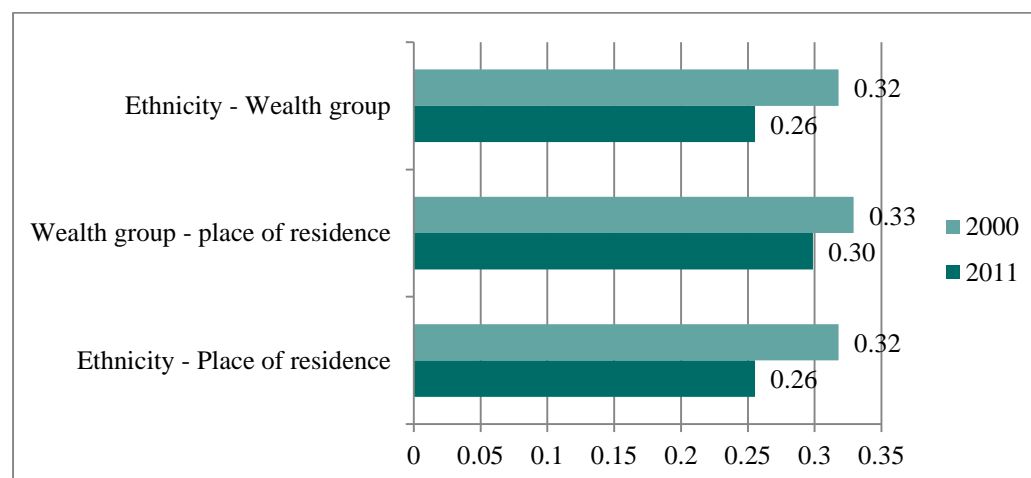

3.3 Conclusion

The analysis so far has identified the following common features of inclusive political settlements that have made progress in tackling intersecting inequality:

- A strong basis in social movements, and dependence on continued strength of social movements in politics or in civil society but demanding accountability.
- A combination of economic, political and social measures, underpinned by a total review of state policies and practices from an inequalities perspective.
- Establishing state structures which are capable of addressing inequalities.
- Even progressive governments struggle to go the last mile and identify and act on the intersections among inequalities.

Two further common features, which are discussed in the next two chapters are: reliance on a combination of constitutional reform and subsequent legislation on one side, and universal and targeted social measures for affirmative action on the other side. It is thanks to these features that the countries analysed were successful in building a social contract with their citizens. A difference between the two types of political settlements analysed in this chapter is that the inclusive-redistributive governments tend to rely on universal measures, while the ethnically based regimes are more prone to adopt targeted measures. While belonging more in the first category, Brazil has also increasingly turned to targeted measures as it has realised that the poorest, most marginalised people have remained out of reach. This issue is considered in Chapter 6.

4 Moments and Opportunities: the centrality of constitutional change

The objective of this chapter is to examine the significance of particular political 'moments' for unleashing social transformations that favour highly marginalised groups – or groups suffering multiple disadvantages. In particular, the focus of the analysis is on the formulation of national constitutions.

The constitution forming 'moment', by its nature, often provides an opportunity to address deep historical inequities – as in the iconic example of South Africa. Here, an activist community was able to carry out the project of liberating the country from its deeply racist structures, starting with the drafting of the Constitution (with its strong provisions of economic and social as well as civil and political rights) through to overseeing its implementation from the vantage point of the Supreme Court. The Constitution's key feature was the justiciability of the socioeconomic provisions, which directed the courts to play a significant role in realising those rights, helping to achieve social transformation (Khoza, 2009). From the perspective of development actors interested in addressing intersecting inequalities, the formation of constitutions may bring rare opportunities for social transformation. However, the coalition of forces that brings such an opportunity generally involves deep historical currents which can sometimes be productively supported – but never created – by external actors.

Within the South Asian context, India was the earliest country to explicitly acknowledge the challenges posed by the intersecting nature of inequalities and to provide legal – in fact constitutional – grounding to measures meant to address them. The 1950 Indian Constitution and its amendments abolished the practice of 'untouchability' and established legal safeguards against discrimination for Scheduled Castes (or Dalits) and Scheduled Tribes (or adivasis). It introduced affirmative action policies for both groups through quotas in government services, public sector undertakings, insurance and government banking institutions, and state-run and supported educational institutions. Provision was also made for the reservation of seats for both groups in legislative bodies at different levels. In addition, the Constitution also provided for the establishment of a permanent body to monitor the annual progress of Dalit and adivasi groups at central and state levels (see Thorat and Sabharwal, 2013). The next chapter discusses the legislative measures other than the Constitution that constitute India's framework of rights and guarantees. The case of India provides an example of another significant political moment which occasionally provides an 'inflection point' that allows for significant change: elections. For example, the employment guarantee movement succeeded in getting a high level of traction subsequent to the 2004 general election in India (Norton, 2011; MacAuslan, 2008). A powerful coalition of activists and social movements (using strong personal connections between key figures and Sonia Gandhi) persuaded the Congress Party to adopt a commitment to employment guarantees as a way of tackling rural distress. It was not an election the Congress Party was confident of winning, and that context probably provided part of the reason why a radical proposal (with a significant fiscal implication across the whole country) managed to make it into the party's manifesto. But social movements and activists were not the only

pushing factors: an active left wing media11 and a Parliamentary Standing Committee on Rural Development sympathetic to the agenda also played a role.

Constitutions and legislation provide the institutional foundations for citizenship as a formal status, defining the rights and obligations that govern the relations between state and society. For socially excluded groups, these formal definitions are of critical importance. Insofar as their marginalised position in society is reproduced and justified by deeply entrenched ideologies of religion, caste, gender and ethnicity; the legal framework may represent the only discourse available to them that holds out the promise of equality. For that reason alone, it is essential that the constitution and laws of the country do indeed recognise the equality of all citizens before the law. One aspect of the practice of citizenship relates to efforts made by marginalised groups and their allies to redress forms of inequalities embedded in the legal framework of their country. The other is to transform the legal promise of equality into concrete outcomes through ensuring that states act on their obligations.

Constitutional changes require a significant level of political consensus to be introduced, which is particularly difficult to achieve in fragmented and polarised societies, such as those characterised by intersecting inequalities. The cases illustrated in this chapter have achieved this consensus through different routes. In the cases of Nepal and Ethiopia, constitutional change was the outcome of a social conflict turning into mobilisation, with at least one group taking up arms against the existing regime. In these cases the new Constitution follows the overthrow of the previous government and the establishment of a radically different type of rule. In Bolivia and Ecuador, the rewriting of the Constitution was the culmination of years of mobilisation of indigenous groups for the recognition of their rights - mobilisation that became increasingly politicised with the affirmation of formal democracy in those countries. In Brazil, constitutional change was the result of the coming to power of a party with a strong progressive and redistributionist vocation and with strong links with social movements that had long protested against social and economic inequalities.

4.1 Social conflict roots and regime change

In Ethiopia and Nepal, extended social conflict following mobilisation against previous regimes lay at the root of the new regime. In Bolivia, decades of mobilisation of the indigenous majority was the instigating factor.

4.1.1 Nepal

Nepal is of particular interest for the scope of this report because it is the country which has most consistently integrated horizontal inequalities into its policies (Langer, Stewart and Venugopal, 2011). While most of these policies have been introduced following the 2007 Interim Constitution, it must be noted that, despite group-based inequalities not decreasing, they also did not increase during and after the country's civil war (lasting from 1996 to 2006, during which inter-ethnic and regional inequalities played a large role). In health for example, Nepal has achieved significant reductions in child and maternal mortality, and these have been achieved while maintaining a low level of inequality across group-based outcomes. Results from the DHS analysis show that while some gaps have persisted over time – particularly for poor ethnic minorities - and the proportion of inequality which is made up by group-based differences has not changed, these differences have played a relatively small role in determining child mortality outcomes. Figure 8 suggests that between 1996 and 2006, child mortality decreased by similar proportions across all the location and wealth groups examined, and that in 2006 all groups had child mortality rates in line with the national average.

Nepal's 2007 interim Constitution (Box 5) constitutes a strong attempt to right the grievances of minorities underlying the Maoist rebellion which lasted from 1996 to 2006. The Interim Constitution came into force in January 2007, following the signing of the Comprehensive Peace Agreement on 21st

---

11 Although several high profile columnists in the mainstream media were quite against the legislation. See for instance Drèze, J. (2005, August 12). 'Totally off Target' published in The Times of India.

of November 2006. Its purpose was to manage the Nepali constitutional transformation process from a monarchy to a federal republic. It also made provisions for the creation of a Constituent Assembly, with the task of writing Nepal's permanent constitution. The Constituent Assembly failed to provide the permanent Constitution by the established deadline (despite extending this a number of times), and a second Constituent Assembly was elected in November 2013 with the mandate of completing the process. Despite these delays, the Interim Constitution itself contains important provisions which aim to directly tackle intersecting inequalities, and which have triggered important transformations at the political and policy level.

Figure 8: Reduction in child mortality maintain low intersecting inequalities in Nepal (1996-2006)
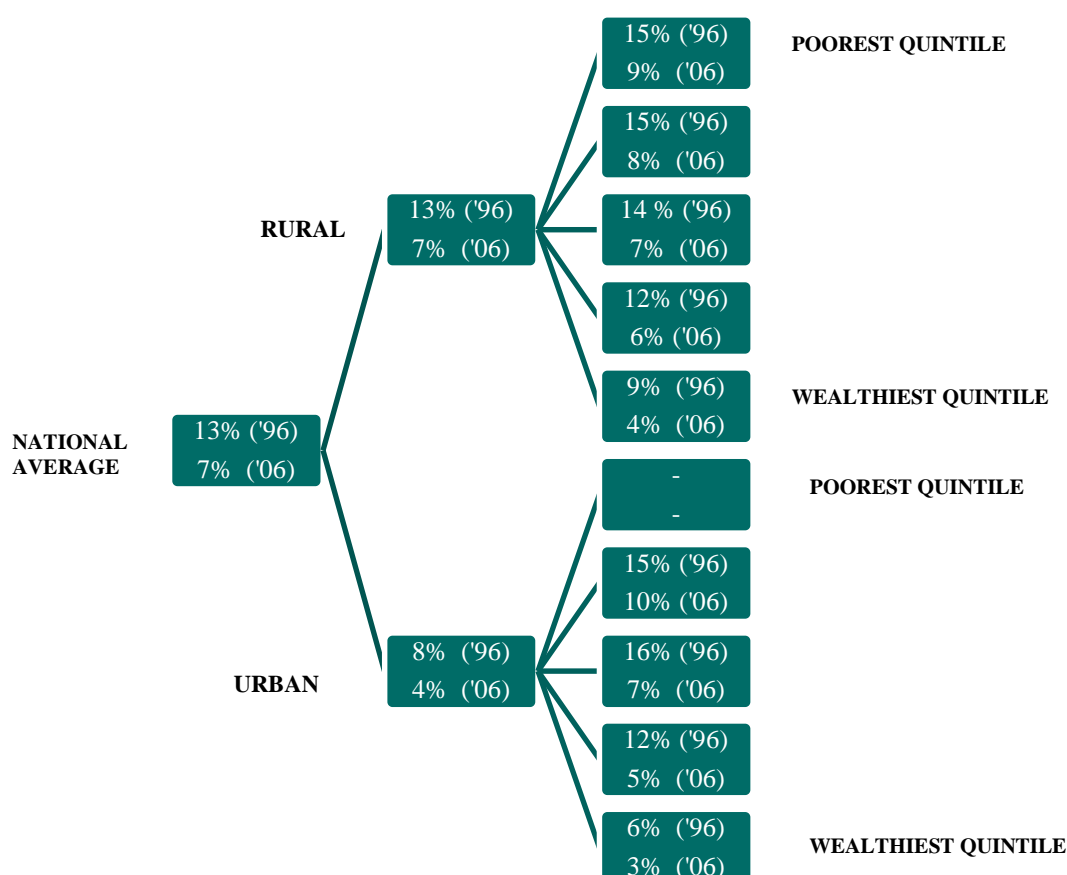
Box 5: Nepal's Inclusive 2007 Interim Constitution

The 2007 Interim Constitution provides the blueprint to make Nepal a more inclusive society. It retains many provisions of the Constitution of the Kingdom of Nepal of 1990, but it also introduces changes that reflect 'the concerns of those calling for inclusion, most notably in some new directive principles, and in the provisions for the Constituent Assembly'. The 1990 Constitution made reference to many important economic and social rights, but only as 'directive principles', so preventing them from being used as the basis for legal claims. Unlike its predecessor, the Interim Constitution provides a legal basis to many important rights of minorities. In order to address issues of exclusion, the Interim Constitution also recognises that marginalised groups should be granted positive discrimination. Apart from economic, social and educational backwardness, it also recognises cultural backwardness as a basis for receiving special provisions against discrimination. Further, Dalits, Janajatis and Madhesis as well as peasants, labourers and women have been specified as groups requiring special attention. The Interim Constitution

also provides equal status to women and men while acquiring citizenship, granting Nepali citizenship by descent from women; it identifies the fundamental right against racial discrimination and untouchability; it introduces measures to improve social justice, and it institutionalises proportional inclusion of Madhesis, Dalits, Janajatis, and women in all organs of the State.

Nepal's Constituent Assembly

The Interim Constitution enshrined the spirit of inclusiveness on which the new federal republic was to be based in the Constituent Assembly to be elected. According to the Constitution:

'The principle of inclusiveness shall be taken into consideration by political parties while selecting candidates pursuant to sub-clause (a) of clause (3) [i.e., the first-past-the-post system], and, while making the lists of the candidates pursuant to sub-clause (b) [i.e., the proportional system], the political parties shall ensure the proportional representation of women, Dalits, oppressed communities/indigenous groups, backward regions, Madhesis and other groups, in accordance with the law'[12].

This was achieved by designing an electoral system that also allowed for a fair degree of proportional representation of the different categories of social groups. The Constituent Assembly was to be comprised of 601 members, of whom 575 representatives are elected by a mixed electoral system: 240 seats allocated by single member election constituencies on the basis of a first-past-the-post system and 335 members elected through a proportional representation system with one, single nationwide constituency. The remaining 26 members are appointed by the Council of Ministers on the basis of consensus, drawn from distinguished persons and indigenous groups.

For the proportional representation system, political parties were required to comply with quotas for traditionally marginalised groups: the candidates' lists should include Madhesi[13] (31.2%), Dalit (13%), Oppressed and Indigenous tribes (37.8%), Backward regions (4%) and Others (30.2%).[14] A margin of 10% either side of the target figure was accepted. Women should constitute 50% of each of these groups and at least one third of the overall number of candidates nominated in both the proportional representation and single member constituency races were required to be female.

As a result, the Constituent Assembly elected in May 2008 fundamentally changed the character of the country's legislature, guaranteeing the representation of minorities, particularly of Dalits, who had had nil representation in earlier parliaments (Table 1). The most visibly dramatic increase in representation has been that of Dalits and women. For the first time, women's presence was not limited to Bahun-Chhetri women, and it included Tarai Dalit women representatives, perhaps the most oppressed of all groups.

However, political representation of the country's various population groups is still far from being fair and equal. For example, given their geographical concentration, Madhesis have been able to have a level of representation higher than their share of total population. For the opposite reason (i.e. spatial dispersion), Janajatis and Dalits still remain under-represented even though the progress overall has been quite dramatic. It should be noted here that not all of the country's 125 groups recorded in the census were represented in the Constituent Assembly, as within these broad categories there are groups that dominate while certain others such as Musulman often find themselves misfits in their assigned slots[15].

---

[12] Article 63, 'Formation of the Constituent Assembly'.
[13] Caste groups in the *terai* plains.
[14] The total is 116.2% rather than 100. The report's authors checked a number various sources, but were not able to find an explanation for this.
[15] Their placement in the Madhesi category has been opposed by sections of the Musulman population who regard themselves as a religious group, and not part of a regional grouping.

Table 1: Representation in Parliaments and Constituent Assembly[16]

Social Group	% in population	Parliament						Constituent Assembly	
		1991		1994		1999		2008	
		No	%	No	%	No	%	No	%
Bahun/Chhetri	31.2	110	53.7	128	62.4	119	58	202	33.6
Madhesi Brahman/Rajput	0.8	8	3.9	7	3.4	4	2	25	4.1
Hill Dalit	7.9	1	0.5	0	0	0	0	35	5.8
Madhesi Dalit	3.9	0	0	0	0	0	0	16	2.7
Hill Janajati	23.3	36	17.6	25	12.1	30	14.7	128	21.3
Tarai Janajati	8.8	18	8.8	14	6.8	9	4.4	50	8.3
Newar	5.5	16	7.8	12	5.9	14	6.8	31	5.2
Madhesi Other Castes	14.2	11	5.4	14	6.8	25	12.1	97	16.2
Musulman	4.3	5	2.4	5	2.4	4	2	17	2.9
Women	*51.5*	*7*	*3.4*	*7*	*3.4*	*12*	*5.8*	*197*	*32.8*
Grand Total	**100**	**205**	**100**	**202**	**100**	**202**	**100**	**601**	**100**

Political parties

The representation of minorities and marginalised groups is also wanting at the level of the leadership of political parties. An analysis in 2008 showed that in all three major parties, the UCPN (Maoist), the CPN (UML) and the Nepali Congress, Bahuns and Chhetris had an overwhelming domination of the central committees with nearly 70%, and women comprised only 8%.[17] The CPN (UML) has begun tentatively to introduce greater diversity in the leadership. At its last general convention in February 2009, it set aside 45% of the seats in its 115 member central committee for excluded groups[18]. But the party still faces criticism for its highest decision-making body, the Standing Committee: eight of the ten members are Bahun males.[19] Similarly, of its 15 departments, 13 are headed by Bahun males.[20] In 2009, the Nepali Congress amended its constitution to include provisions to reserve positions at all levels for the marginalised groups. The Maoists, on the other hand, have not introduced any such provision.

4.1.2 Ethiopia

Ethiopia was ruled by a communist-inspired military regime, the Derg, between 1975 and 1987, followed by the dictatorship of Mengitsu Hailemarain between 1987 and 1991. Both these regimes were characterised by the dominance of the Ahmara ethnic group. Hailamerain was defeated militarily in 1991 by the Ethiopian People's Revolutionary Democratic Front (EPRDF), a coalition of Tigray, Amhara elements and Oromiya, ending the Amhara's supremacy. Although the EPRDF regime was seen to be led by the Tigray, over time it has included other ethnic groups in its political organisation, and there are five ethnic minority associations (Harai, Afar, Somale, Gambela and Benhsangul-Gumuz) now linked to the EPRDF (Woldehanna, 2013).

Under the rule of the EPRDF, the country has undertaken important reforms and transformation that have led to a significant (although still far from sufficient) decrease in poverty and intersecting inequalities. The Constitution adopted in 1995 gave the country a federal structure and solid legal framework for administrative and fiscal decentralisation (see Box 6). It also provides the legal basis for ensuring citizens' voice and participation in socio-economic and political processes. Article 43 (sub-article 2) states that citizens have the right to 'participate in national development and, in particular, to

---

[16] Vollan (2011)

[17] Lal Babu Yadav, 'How Inclusive Nepal's Political Parties Are?', Telegraph Nepal, *23 January, 2008.*

[18] '45 Percent Reservation', www.cpnuml.org/en/

[19] Bhadra Sharma, 'CPN-UML form 10-member standing committee', *The Rising Nepal*, www.gorkhapatra.org.np/detail.php?article_id=16444&cat_id=4

[20] 'UML forms 15 depts, names their chiefs', *The Rising Nepal*, 25 March, 2010.

be consulted with respect to policies and projects affecting their community'. These constitutional measures have allowed the introduction of ethnic federalism, which in turn has been instrumental for addressing inequalities.

The process of decentralisation has occurred in two waves. During the first wave (1995-2002), decentralisation focused on regional governments, which received transfers from the federal government and were given expenditure autonomy, so that they could decide how to allocate their budget to different sectors. However, lower levels of government (the woreda governments) were excluded from the process and therefore denied any form of autonomous power. The second phase of decentralisation, which is still ongoing, started in 2002 under the influence of the Poverty Reduction Strategy Paper (PRSP) process, and the recognition of the limitations of the previous phase. The PRSP process took the form of two national plans: the SDPRP (Sustainable Development and Poverty Reduction Programme) from 2002/3 to 2004/5, and the PASDEP (Plan for Accelerated and Sustained Development to end Poverty), from 2005/6 to 2001/10. Both recognised decentralisation as central to the country's strategy for ending poverty and effective service delivery. In 2002, a number of amendments were introduced to the Constitution which, together with the implementation of the SDPRP, gave way to the second phase of decentralisation. This was characterised by the devolution of political, fiscal and administrative powers at the sub-regional (woreda) level, especially in the Amhara and in the Tigray National Regional States. Key actions included the separation of power between levels and branches of government; the organisational strengthening of woreda-level public institutions (including transfer of staff); and the introduction of the Block Grant system that gave the woredas power to allocate the distribution of public funds among the various operational activities and the development projects/programs.

The process of decentralisation is far from complete, and the Federal Government still retains large authority over the regions both on political and economic aspects, while the Treasury has the final authority on regional transfers. However, it is this structure of federalism and fiscal decentralisation which has been the governance foundation for the impressive progress Ethiopia has made in human development, food security, education and health service coverage – with regional disparities reducing over time.

Box 6: Ethnic Federalism in Ethiopia

The 1995 Constitution established the Federal Democratic Republic of Ethiopia, comprised of nine ethnically-defined regions and two city (self-governing) administrations: the country's capital Addis Ababa and Dire Dawa. Most regions are inhabited by one or a few ethnic groups, except for the Southern Nations Nationalities and People's Region (SNNP), which are multi-ethnic. The Constitution introduced a legal framework for administrative and fiscal decentralisation, although the sharing of powers and revenues between central and regional governments had already partially been addressed in a number of 'proclamations' during the early 1990s. According to the Constitution, the federal government is responsible for national defence, foreign relations and general policy of common interest and benefits such as highways, railways, higher education, foreign affairs, printing and currency.

Regional (state) governments are responsible for the provision of basic services such as primary and secondary education (including Technical and Vocational Education and Training (TVET), health services, rural roads, and agricultural extension services. On paper, this attributes substantial expenditure responsibilities to regional governments, and allows regions to decide how to use their own revenues and the regional subsidies provided by the federal government. However, regions' revenue raising power does not fully match their expenditure responsibilities. Indeed, most of the revenue raising power (import and export duties and 70% of the VAT, all income of tax of enterprises governed by the federal government and payroll tax of federal employees, income from air, railway and sea transports) is allocated to the federal state for efficiency reasons. Regional governments have revenue raising powers over incomes of enterprises working in their territories and employees of regional government. This has not been sufficient to cover their expenditure responsibilities. Therefore, regional states have been dependent on federal subsidy provided to regions. Except a few regions such as Tigray, Oromia and Dire Dawa, more than 80% of the regional states' expenditure has been covered by regional subsidy provided by the federal government.

Source: Woldehanna (2013)

Both health and education budgets have increased significantly since 1995, especially in the poorer regions where coverage has increased to high levels and they have greatly increased their budget absorption capacity. Health service coverage has increased dramatically in regions with ethnic minorities (e.g. SNNP and Gambella) and pastoral regions (Afar and Somale), and the gap between women and men is closing significantly. The literacy gap is still very significant however, with literacy levels for rural women being equivalent to rural men's fifteen years ago, and less than half the rate in urban areas. The gender gap in net primary enrolment in regions dominated by ethnic minorities has also closed since 2000 (it had closed in other regions prior to 2000). Enrolment in secondary schools is still especially low in the pastoral regions, where there are the lowest primary completion rates.

The difference in poverty incidence across the states has narrowed appreciably, and most states have also narrowed the poverty gap and the severity of poverty, suggesting a balanced development process. There are also indications that the deepest poverty and food insecurity in rural Afar, Oromia, rural Somale, and SNNP regions have not budged (Woldehanna, 2013).

For Ethiopia, ethnic federalism - introduced through the new Constitution - has laid strong and promising foundations for addressing intersecting inequalities, although progress is still limited for the worst inequalities. This is partly because the intersecting nature of the inequalities resulting from exclusion and discrimination has not yet been explicitly addressed through policies and programmes, unlike the more recent Constitutions of Bolivia and Nepal. As discussed above, the Constitutions of these countries have the potential to overcome this limit, as they include more provisions that directly address the discriminations created on the grounds of identity, gender, location and class than was the case in Ethiopia.

4.2 The constitutional framing of inclusive citizenship in Latin America

Over the past decade or so, a number of Latin American countries have adopted new constitutions as part of explicit efforts to break with historically-established patterns of inequality, based on intersections between poverty, race, ethnicity, gender and location, which characterise much of the region. In several cases, new constitutions were adopted as the culmination of extended periods of popular struggles for democracy, for broad-based development in place of market-led growth and for greater representation of the socially marginalised within the structures of governance in place of their past exclusion. This struggle was however less violent and more 'dialectical' than in the two previous cases, as it was characterised by more or less continuous dialogue and negotiations between social movements, political parties and the government, in the context of a formal democracy.

4.2.1 Brazil

In Brazil, this process happened earlier than in other countries. The current Constitution was adopted in 1988 and stands out from the previous Constitutions because it resulted from 'an intense process of social mobilisation from organisations from the whole political spectrum, including from civil society organisations and social movements, which had historically been excluded from these proceedings' (Hevia-Pacheco and Vergara-Camus, 2013). Civil society activism ensured the recognition of important socio-economic rights within the Constitution, state responsibility for upholding these rights and mechanisms for the expansion of civil society participation in processes of policy formulation, implementation and monitoring.

However, these achievements remained at the level of symbolic commitment for over a decade as neo-liberal reforms eroded the role of the state and its capacity to fulfil its obligations. These trends notwithstanding, the regime of Fernando Henrique Cardoso (1995 – 2003) did make serious efforts to redress identity-based inequalities through piloting affirmative action measures – though without achieving major impacts on disparities in well-being between different social groups. Mass mobilisations against the programme of economic reforms throughout the 1990s and early 2000s finally brought 'Lula' da Silva and the Partido dos trabalhadores (PT) into power in the 2003 and 2006 elections – and with it a deeper and more systematic approach to promoting social justice.

The PT had participated in popular struggles for democracy and against structural adjustment programmes for much of the 1980s and early 1990s and retained strong links with the major social movements in the country. It owed its victory in the presidential elections to these movements' support and once in office slowly developed policies by justifying its actions in some of the social clauses of the 1988 Constitution. In addition, the PT government instituted a number of measures to explicitly address socially excluded groups, such as the establishment of quotas for Afro-descendants in public universities, the Brasil Quilombola program, the National Integral health Policy for the Black Population, the national Policy for the Promotion of Racial Equality and National Plans for Policies for women. However, the major thrust of its strategy for addressing intersecting inequalities has been through more general programmes for poverty reduction in keeping with the principle of universalism in access to social security enshrined in the constitution

4.2.2 Ecuador

By contrast, and as a result of a long history of indigenous mobilisations, the inequalities due to different forms of discrimination are far more explicitly addressed by the Constitution of Ecuador. The indigenous population went through a rapid process of politicisation and mass mobilisation in the 1990s, creating several formal political organisations to advance their claims. In 2006, after the overthrow of three democratically elected presidents by mass mobilisations in less than a decade, Rafael Vicente Correa Delgado became president and created the Alianza Patria Altiva y Soberana (Proud and Sovereign Homeland Alliance) or PAIS, which brought together different sections of the left. As such, he opposed the traditional political establishment by promising to extend democratic participation beyond institutional politics.

A referendum was held in early 2007 which approved the holding of a Constitutional Assembly and led to the writing of the 2008 Constitution. The influence of indigenous participation in the Assembly is evident in the significance attached to the protection of the environment in the new Constitution. It incorporated the notion of Buen Vivir (Living Well) as the foundational principle for nation-building and the state's development efforts. In diametric opposition to neo-liberal privileging of the individual enterprise and market-led growth, Buen Vivir represents the indigenous worldview which values social responsibility, social, economic and environmental rights and harmony with nature. Indeed, to guarantee Buen Vivir, nature itself is granted rights and the State is made responsible for its protection and rejuvenation.

The 2008 Constitution also acknowledged the 'pluri-national' character of Ecuador, by officially recognising indigenous languages and expanding the collective rights of indigenous and Afro-Ecuadorean populations. Affirmative Action is recognised by Article 11 of the Constitution as a means of overcoming past inequality based on racial discrimination, while Chapter 4 of the Constitution was entirely dedicated to the rights of these communities, most importantly to the recognition of their traditions, their forms of social and economic organisation and their ancestral properties. However, this recognition does not include the right of indigenous people to control, access and exploit natural resources (see Hevia-Pacheco and Vergara-Camus, 2013).

4.2.3 Bolivia

In 2006, Evo Morales, representative of the indigenous movement, became president of Bolivia. Under his first mandate, a new Constitution was adopted in 2009, accompanied by a programme of legislative reforms meant to address the historical discriminations suffered by the indigenous population. These included an electoral reform which introduced (currently seven) special indigenous constituencies in the Pluri-national Assembly as well as local government, giving representation to more than thirty indigenous nations. The electoral law also introduced the requirement of 50:50 representation by women and men. Further, the legal system was separated into an ordinary and an indigenous jurisdiction, recognising the values, principles and procedures of indigenous law. Indigenous local governments (municipalities and districts) were given the option to become 'indigenous autonomies', and gender equity was introduced as a requirement in representation, budgeting and policy planning. Finally, a law against racism and discrimination in education, public administration, communication and the private sector, which criminalises racism and discrimination was adopted. Some of the measures under these laws are still being worked out, however, as discussed in Chapter 2, improvements in indicators of inclusion and human development are already visible for segments of the indigenous population.

4.3 Strengthening participation in politics and policy

Constitutions provide the overarching framework for state-society relations but it is through the laws, policies and provisions generated by constitutional principles that the framework becomes relevant to the lives of citizens. Here we examine some of the different ways in which the constitutions discussed in the earlier sections have translated into provisions for greater participation by citizens in general and by marginalised groups in particular.

Brazil provides an excellent example of this. The long history of mobilisation by civil society leading up to the 1988 Constitution gave rise to demands for greater inclusiveness, not only in policies adopted, but within the policy process itself. The PT had already been experimenting with participatory budgeting in many of the cities it governed (and these continued after it won the national elections), but other mechanisms for collaboration between state and civil society have subsequently been put in place.

National conferences have been providing one such forum for policy deliberations. These are called every two to four years by national councils responsible for specific sectors. Delegates to the national conferences are elected in state conferences and are expected to represent the agreements reached at

state level. In a process that lasts approximately a year prior to the national conferences, municipal and large city conferences are held to review local problems and needs pertaining to specific issues and to forward them to the delegates at the national level. A delegate to a national conference can thus be someone who has participated in three thematic conferences within a year and who has developed a substantial knowledge of an issue.

Thematic or sectoral councils are more permanent mechanisms of policy making and meet regularly during the year. There is a council at national level linked to the corresponding ministry or secretariat along with councils at state and municipal level. Their members are elected every two years with equal representation from state officials and civil society. Depending on the sector, its decisions may be consultative or binding.

In Ecuador (Box 7), the current government has invested a great deal of effort into developing policies and programmes to explicitly address socially excluded groups. Its Pluri-national Plan (PP) for the Elimination of Racial Discrimination and Ethnic and Cultural Exclusion analyses the nature of exclusion experienced by indigenous, Afro-Ecuadorian and Montubio communities and offers a series of recommendations to address this problem. Its objective is to eliminate, 'the various forms and systematic practices of racial discrimination and cultural ethnic exclusion to promote a plural, multicultural and inclusive citizenship through state public policies' (See Box 6).

It recommends over 50 measures and projects to be carried out by different public institutions along five strategic axes: Justice and Legislation; Rights; Education, Communication and Information; Citizen's Participation and Institutional Strengthening; and International Relations. Affirmative Action and quotas are recognised as key measures to ensure equality of access and opportunity of the hiring practices in the public and private sector; equitable implementation of social programmes; participation of minorities in secondary and higher education and representation among university staff.

Other measures include the creation of a National Equality Council on ethnic issues; reform of the legal system to ensure greater co-ordination between ordinary and indigenous justice systems; distribution of safe housing to ethnic minorities; and consolidation of multi-ethnic health services. However, the three year implementation period envisaged for the plan indicates lack of awareness of how slow progress on progressive social policies can be. Despite concrete efforts on the part of the government, indigenous and Afro-Ecuadorian populations continue to be over-represented among the poorest and continue to face discrimination when accessing social services.

The government's Plan Nacional de Buen Vivir (2009-2013) incorporates the principle of participatory planning, and the policy recommendations that came out of the Plan were the product of consultations at both regional and national levels involving 4,000 citizens, with some explicitly organised for representatives of indigenous groups. However, the degree of commitment towards the participation of citizens appears to have faded over time. Institutional mechanisms were not put in place to ensure the continued participation of citizenship groups and critics suggest that government practice is often at odds with government rhetoric, including the principle of Buen Vivir (see also Box 3).

In Bolivia, the new constitution has led to the passage of affirmative action legislation to realise its promise of a pluri-national and inclusive state. The Bolivian Electoral System introduced Special Indigenous Originary Peasants Constituencies to ensure indigenous representation in the Representatives Pluri-national Assembly. At the district level as well, quotas were introduced for indigenous minorities within the district representative councils. The Electoral Body Law enforces gender equity in electoral courts with sanctions in case of infringements. The electoral law also requires 50:50 representation in candidates put forward for elections.

Other changes to give greater recognition to the rights of indigenous groups include acknowledgement of indigenous jurisdiction to matters occurring within indigenous and peasant communities to those belonging to these communities; a new decentralised structure of government consisting of regional, district, municipal and indigenous structures of governance with gender equity at different levels; a law to prevent and penalise all forms of racism and discrimination and to modify criminal law to increase

punishment for crimes based on racism and discrimination; and finally, a pluri-national educational curriculum to be implemented according to the different native languages in each region and support for indigenous universities in rural areas.

In Nepal, the Three Year Interim Plan which followed the adoption of the Interim Constitution took a number of steps to increase access to resources by excluded communities; sought their proportional representation in all decision making processes and structures of the state; adopted positive discrimination in economic, education and health sectors; and launched specially targeted programmes to address poverty, exclusion and gender inequality. 45% of seats have been reserved for marginalised groups in the civil service, the police and the army so that by 2011-12, a discernible change is evident in the social composition of the civil service, even if the 45% target has not yet been reached. The introduction of proportional representation has meant that the Constituent Assembly elected in 2008 had a very different composition from the parliaments of the 1990s. The leadership of the major political parties, however, remains firmly upper-caste, although the Communist Party has taken preliminary steps to introduce greater diversity.

> ## Box 7: Ecuador's constitutional reform, 2008
>
> The rewriting of the Ecuadorian Constitution was a key component of Rafael Correa's electoral campaign. Soon after his election, a referendum was held and a Constituent Assembly was called, for which numerous social movement representatives were elected to take part in the process. In line with the Indigenous *cosmovisión* or worldview, the 2008 Constitution incorporated the notion of *Sumak Kawsay* or *Buen Vivir* ('Living Well') as a guiding principal for the re-foundation of the state and its development model. This notion refers to a society and a model of development in which human beings are put at the centre of the priorities of the State in clear opposition to the prevailing neoliberal model; a society in which social responsibility, relation of reciprocity and harmony with nature prevails; a society characterised by social equality, solidarity and justice; a society that promotes and guarantees social, economic and environmental rights (Houtart, 2011; Larrea, 2010). Moreover, it stresses the need to 'improve the quality of life of the Ecuadorean population, to develop its full capacities and potentials; rely on an economic system that promotes equality through social and territorial redistribution of the benefits of development; guarantee the national sovereignty, promote the Latin American integration and protect cultural diversity' (Article 276 of the Constitution quoted in SENPLADES, 2009: 24).
>
> Article 3 of the Constitution stipulates that the state has the responsibility of planning national development, eradicating poverty, promoting sustainable development and redistributing resources and wealth by reinforcing processes of autonomy and decentralisation. Water, food, environment, habitat and housing, education, health, work and social security are understood as rights and the state has therefore the obligation of establishing universal social services to guarantee citizens' rights to education, health and social security (Article 3).The Constitution recognises nine groups who should receive priority attention: the elderly, youth, migrants, pregnant women, children and teenagers, persons with disabilities, persons with complex illnesses, people deprived of their freedom, and beneficiaries and consumers. Moreover, in order to guarantee the *Buen Vivir*, nature is for the first time granted rights. In Article 71, the State is said to have the responsibility to ensure its protection and recovery, but any individual, community, peoples or nationality can demand for the rights of nature to be respected. Hence, incorporating a demand of peasant movements, food sovereignty becomes a strategic objective and obligation of the state, who should promote small and medium-scale agricultural producers and access to land. The constitution also includes the notion of social function of property that allows the state to carry out expropriation of land and other resources for the collective good (Articles 321 and 322).
>
> Moreover, the official recognition of the pluri-national character of Ecuador and of indigenous languages and collective rights has been a central demand of indigenous organisations before and after the earlier constitutional process of 1998. At the time, the political establishment claimed that such recognition would threaten the prevailing conception of nationhood and the very cohesiveness of the Ecuadorean state. As a result, only the less politically contentious notion of 'pluri-cultural' was entrenched in the constitution of 1998, leaving the political claims of Indigenous and Afro-Ecuadoreans unaddressed (Jijón, 2010: 104).

Hence, the inclusion of the term 'pluri-national' in the first article of the 2008 constitution, the recognition of Kichwa, and Shuar as official languages (only for 'intercultural relationships') and the expansion of collective rights of Indigenous and Afro-Ecuadorean populations represented a significant victory for minorities in Ecuador (Becker, 2011). The political and social implications of this formal recognition set the basis for the construction of a pluri-national and intercultural State for the first time in the history of Ecuador. More specifically this meant the 'inclusion of nationalities and peoples within a united and decentralised State, in which it will be possible for a diverse society to coexists peacefully while guaranteeing the rights of all its population: Indigenous, Afro-Ecuadorean and White-Mestizo' (SENPLADES, 2009: 25). In this respect, chapter four of the constitution is dedicated, in its entirety, to the rights of Indigenous and Afro-Ecuadorian communities, peoples and nationalities. The most important clauses include the recognition of their traditions, forms of social organisation and property, as well as their ancestral territories. However, the constitution does not recognise their right to control the access and exploitation of natural resources, but simply to participate in their use and conservation, as well as their right to prior informed consent.

In addition, the role of civil society is presented as a transversal priority throughout the constitution to ensure the building of a democratic system that is representative, participatory and deliberative. In theory this makes the State liable for the existence of an active citizenship, strong social movements, community based associations, civil collectives and organisations that will work in close collaboration with state representatives in the design of institutional spaces to discuss and orient policy making (SENPLADES, 2009: 23). Hence, to tackle the issue of inequalities in a representative, participatory and deliberative fashion, the constitution foresees, among other things, the creation of National Councils of Equality that will be integrated by representatives of political parties, civil society and the State. These councils will focus on issues related to gender, ethnicity, trans-generational relations, inter-culturalism, disabilities and migration. As such, they will have the authority to design, monitor and evaluate the public policies affecting gender, minorities and intercultural issues, among others (Articles 156 and 157). The initiative of creating councils has been generally well received in Ecuador, except that by the end of 2012, representatives of the state and civil organizations could not agree on their institutional structure. Therefore, their formal creation has yet to be approved by Congress (Observatorio, 2012: 5).

4.4 Summary and Conclusion

This chapter has demonstrated that one of the distinctive features of inclusive political settlements is the combination of constitutional reforms and subsequent legislation that puts them into practice. These reforms constitute an opportunity to address deep historical inequalities and trigger social transformation. However, the depth of the transformation depends on the nature of the coalition of forces that brings them about, while their effectiveness is dependent upon the willingness of this – and of future – political coalitions to turn the constitutional reforms into laws, policies and provisions.

The policy lessons for countries that are about to implement constitutional reforms is to make the process as participatory as possible, opening spaces for consultation with all groups within civil society. The more this consultation is allowed to challenge the existing social, economic and political order, the more ensuing reforms are likely to bring about transformative and equalizing change. The challenge for countries that have already implemented these reforms is to maintain the momentum, so as to ensure that they are effectively turned into policies and provisions. Involvement of the civil society and freedom of information are essential at this stage.

The general implication, for single countries as well as for the post-2015 agenda, is that the extension of social guarantees and entitlements and minority safeguards should as much as possible be grounded in an approach that is designed to help groups suffering multiple disadvantages to effectively make claims themselves. That is, it should be accompanied and supported by an adequate legislative framework that ensures legal and institutional recognition to the promise of equality and social justice. The next chapter illustrates the historical experience of India in building a legal and policy framework for the recognition of minority rights, social guarantees and affirmative action. The experience of India

is of particular relevance because its political settlement differs substantially from those of the countries discussed so far, especially in terms of political trajectories. Therefore, it suggests that tackling intersecting inequalities is not a prerogative of a specific type of political settlements.

5 Framework of rights and guarantees: the case of India

The objective of this chapter is to evaluate the legal framework existing in India in support of affirmative action and anti-discriminatory interventions. The Indian case deserves particular attention because it provides one of the most comprehensive affirmative action and rights and guarantees-based approaches to social protection[21] and to social policies in general in the world, when set against the experience of Latin American and Southern Africa.

This framework comprehends India's recent legislative record (including the Right to Information, Right to Forest Land, Employment Guarantee Act, Right to Education, Right to Food and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement) as well as the earlier generation of affirmative action policies for Scheduled Castes and Tribes (Mehta et al., 2011) and the 1993 Constitutional Amendments which instituted political quotas for discriminated groups at the level of local government. The chapter also discusses the role played by the Supreme Court's judicial activism in the advancement of this framework, and of a tradition of 'social action litigation' for its policy implementation. This process is illustrated in particular reference to the adoption of the National Rural Employment Guarantee Act (NREGA) in 2005, drawing from Nayak (2013).

5.1 Intersecting inequalities in India

India offers a compelling case for the analysis of intersecting inequalities. The incidence of poverty in the country remains much higher among marginalised minorities than the rest of the population: 2009/10 figures suggest it was 33% for Scheduled Tribe (ST) groups, 30% for Scheduled Caste (SC) groups and 25% for Muslims compared to an overall average of 21.6%. While structural factors are at the roots of the high incidence of poverty in the country, the channels of causation experienced by excluded groups are different and make them more vulnerable to poverty and deprivation than their counterparts from the general population.

Substantial empirical evidence exists suggesting the existence of these mechanisms for SCs and STs. To start with, the decline in child malnutrition for SC and ST groups has been slower between 1992 and 2006 compared to other groups as has been the decline in under-five mortality rates. Using logistic regression analysis, Sabharwal (EPW, 2011) captures the key factors impacting child malnutrition in rural areas. Income levels; educational attainment of the mother; access to ante-natal care (as an indicator for access to health services), and social belonging have all emerged as important determinants of nutrition levels in the analysis. In the case of SCs and STs, even after controlling for factors such as income, educational level of the mother, and access to health services, the malnutrition rates turn out to be high, indicating that there are constraints associated with their social belongings. The logistic

---

[21] See Piron (2004) for a discussion of the rights-based approach to social protection.

regression exercise indicates that the likelihood of children in SCs and STs being malnourished is around 1.4 times higher than among children from the 'other' category. Hence, the logistic regression indirectly captures the influence of caste and ethnic background on the incidence of malnutrition and estimates the likelihood of children from these groups being malnourished compared to the rest, when the wealth index, education, access to health services and other factors are held constant.

Similarly, an analysis by Borooah, Sabharwal and Thorat (IIDS, 2012) on mortality in women among different social groups in India brings out two important features. It shows that the average age at death for Dalit women (39.5 years) is 14.6 years less than the average age at death for higher caste women (54.1 years). The analysis establishes that Dalit women's life expectancy is lower as a result of higher exposure to mortality-inducing factors. In the case of age at death, mortality-related factors such as poor sanitation and water supply had more impact on Dalit women than on higher caste women. However, even in cases where the higher caste and Dalit women experience similar mortality-related factors, Dalit women have lower life expectancies. Even after accounting for social status differences, a gap of 5.48 years remains between the average age of death of higher caste women and Dalit women. Further, the authors applied the levels of mortality-related factors catalogued for higher caste women and found that there is still a gap between the life expectancy for higher caste women and Dalit women. A difference of 11.07 years remains even after attributing the Dalit social status coefficient to higher caste women. This means that life expectancy among Dalit women is 11 years lower than that of higher caste women despite experiencing identical social conditions like sanitation and drinking water.

Thus, the findings indicate that even after controlling for factors such as income, educational level and access to health services, mortality and malnutrition rates turn out to be comparatively high among women and children from SCs and STs. The findings demonstrate that there are constraints associated with their identity. A lack of data means that it is not possible to include such constraints in the regression equation. However, some field-based studies indicate group-specific factors for high malnutrition levels. These factors generally relate to the discrimination these communities face in accessing income earning assets, education and government schemes providing services like food and health.

For instance, there is evidence that Scheduled Castes face discrimination in accessing food from the Public Distribution System, which sells government subsidised food and cooking oil through 'fair price shops' to holders of ration cards. Studies found that discrimination is evident in the fact that government-approved owners of these shops were rarely from marginalised groups and that they tended to give preferential service to higher caste holders of ration cards, often operating caste-segregated timings for service delivery (Thorat and Sabharwal, 2013). Further, the Scheduled Caste children also face discrimination in accessing midday meals in schools and state kindergarten centres (anganwadi centres), which adversely affects their food intake and thereby their nutritional levels (Thorat and Lee, 2006), Examples of discriminatory practices are also found in the Mid-Day Meal Scheme, which provides cooked meals to all students in government and government-supported schools. These include: selective denial of meals, not being served sufficient quantity, being served last, being served from a distance, humiliating children from marginalised groups who ask for a second serving, separating seating arrangements for such children, failure to recruit cooks from the lowest castes, refusal by higher caste children to eat if food was cooked by someone from marginalised groups, requiring lower caste children to bring their own plates or refusal to wash their plates. The Indian Institute of Dalit Studies (2013) provides evidence on the discriminatory access faced by SC women and children to primary health services, leading to lower utilisation of the health services. Indeed, the NFHS data for 2005-06 reveals that SC mothers and children have relatively poorer access to public health services than others. For example, the immunisation rates for SC children are about 20% lower than the others. Access to health services at the time of delivery is also lower for SC mothers compared with others.

As Thorat and Sabharwal conclude, an analysis of MDG trends since the 1990s suggests that there has been an improvement for all groups including the socially excluded groups, but the rate of improvement has generally been lower for the socially excluded so that disparities persist and are often sizeable. Importantly, lower levels of human development are directly affected not only by factors such as income levels, education, public health and other services, but also indirectly by discriminatory access to

income opportunities and publicly supplied goods. While these various aspects of discrimination are not uniformly practised across the country, they are widespread enough to impact on how marginalised groups experience public services. Thus income level, education and access to public services in health and sanitation are important factors in reducing human poverty and increasing levels of human development for all, including in the SCs and the STs. But in the case of the excluded groups additionally, affirmative action measures and safeguards against discriminatory access to education, public services, food security schemes and livelihood opportunities are necessary. From this perspective, the growing movements in India that have sought rights-based initiatives in relation to development may serve to challenge the deep-rooted, often unquestioned, attitudes and practices which perpetuate the inequality trap experienced by these groups.

5.2 Extending and deepening citizenship: organising around rights

As mentioned in the previous chapter, a number of affirmative action measures have been adopted in India to reflect the anti-discrimination provisions of the Constitution. Over time, these measures have led to considerable progress for Scheduled Castes and Scheduled Tribes in terms of public sector employment and enrolment in higher education institutions, while the reservation of seats in central and state legislatures has allowed these groups to achieve a representation in governance, policy making and monitoring which would have otherwise been impossible. (Thorat and Sabharwal, 2013).

However, the Constitution is not the only instrument that provides a strong legal grounding to the advancement of affirmative action and more generally of right and guarantees in the country. In fact, India has seen the enactment of a number of laws relating to civil, political, social and economic rights in the 2000s. The enactment of each of these legislations was driven by social movements that emerged in the Indian context, and in one way or another made a case for the extension and expansion of Constitutional Rights. The Right to Information Act (2005) was aimed at creating transparency in government; the National Rural Employment Guarantee Act (NREGA 2005) created a legal, justiciable right to work for all households in rural India; the Right to Education Act (2009) guaranteed education for children aged 6-14 years old; the Forestry Rights Act (2006) created a right to land titles in forest areas for Scheduled Tribes and forest dwellers; A National Food Security Act aimed at ensuring food and nutritional security was enacted in September 2013, followed by the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, which aims at providing guarantees to people expropriated of or displaced by their land as a consequence of development projects.22 Overall, these laws constitute one of the most comprehensive examples of a rights-based approach to social protection, while also extending the obligations of the state to a wider set of economic and civil rights than those normally covered by social protection programmes. The historical roots of these recently enacted legislations can be traced to the period immediately following the Emergency (1975-77), which was characterised by a period of 'judicial activism' (Baxi, 1985). The fact that the higher courts allowed 'writs of mandamus' (orders by a superior court to a lower court or public officer to perform certain duties) and 'habeas corpus' (orders by superior court to lower court or detaining authority to produce a detainee before the court together with justification for detention) to be filed by organisations and individuals who had not necessarily been directly affected by the violation of constitutional or legal rights led to the development of a tradition of 'social action litigation' (Baxi, 1985). Such litigation focused on violations of rights experienced by the rural and urban poor at the hands of the state. The rights invoked were civil, political, economic and social rights, defined as fundamental rights by Part III of the Indian Constitution.

The Supreme Court of India expanded the meaning of the fundamental right to life and liberty in a series of landmark cases to include a wide range of civil and political rights which were not explicitly written into the constitution, including the civil right to trial without delay in event of arrest and the right against forced labour. Other decisions included ruling against the eviction of pavement-dwellers

---

[22] The Right to Food was passed after a heated discussion at the level of the public opinion, while the Right to Health is still contested, in the context of under-resourced sexual and reproductive health services, to which the poorest have limited and problematic access.

in Mumbai by the Municipal Corporation and the right to the statutory minimum wage on public worksites run by the government.

Much of the surge in social action litigation in the 1980s, while effectively encouraged by the Supreme Court, was supported by activist groups and organisations. These groups have built on and used legal pronouncements from the higher courts and the Supreme Court to argue for new legislation while making the case for new rights in law. Nayak (2013) focuses on the NREGA of 2005 to illustrate this strategy. The NREGA guarantees a maximum of 100 days of work 'on demand' per rural household per financial year on public worksites. The work can be shared by adults in rural households and men and women are entitled to the same wages.

The demand for the act came from a group of academics, students, lawyers, bureaucrats and civil society organisations called the People's Action for Employment Guarantee and their success was partly due to the fact that the 2004 general elections brought into power the Congress party in coalition with a number of mainstream left parties who had been active critics of the 'jobless growth' trajectory which had characterised the previous decade (see MacAuslan, 2008; Chopra, 2009 and Dreze, 2011).

There are a number of features to the NREGA which have allowed it to be of disproportionate benefit to socially marginalised groups. It was, in principle, a universal programme in that it is open to anyone willing to take up the work on offer, thereby avoiding the major flaws in some past programmes targeted to the poorest. The nature of the work on offer promoted self-selection by poorer groups and the programme began out in the poorest districts of India. As a result, 60% of its workers were from the SC/ST groups while women made up 40% of the workers. Surveys of these workers suggest that the programme had cut down on distress migration, helped people avoid demeaning or hazardous work and to cope with family illness. For many women, it provided their only independent source of income, and one that offered higher wages than any other opportunity available to them. With the expansion of the programme to less poor districts, the percentage of SC/ST workers declined, particularly the ST, who tend to be geographically concentrated in the poorest districts, but the proportion of women rose.

The language of rights laid out in the new legislation has been used by a wide range of civil society actors, including many Dalit and adivasi organisations, not only to demand the resources embodied in the legislation, whether it is work, food or forest resources, but also to demand better policy implementation by field level bureaucrats. The content of this language is therefore critical in shaping what can be claimed. The importance of the text of rights legislation is highlighted by the fact that there has been very little civil society action around the Unorganised Workers' Social Security Act, 2008, which offers no institutional mechanisms relating to implementation or redressal of grievances (Nayak, 2013).

5.3 The importance of legislative detail

By contrast, there are several provisions written into NREGA that have lent themselves to active engagement by different groups of civil society. For instance, the NREGA includes penalty provisions which require the government to pay an 'unemployment allowance' if work applied for is not provided. The government must also pay a penalty if there is a delay in payment of wages for work completed. Each work site has an information board spelling out details of the programme, including the wage rates workers can expect. In addition, the Right to Information Act (2005) allows civil society groups to demand to know how much money their panchayats had been allocated and what was been done with it.

Such provisions have contributed to the mobilising potential of the programme by allowing for a range of different actors to be engaged in its implementation. For instance, Dalit, adivasi and women's grassroots organisations, have submitted applications for work to be provided through NREGA in their areas, and have demanded transparency in the implementation process. They have often received support from non-governmental organisations that have assisted them in the submission of work

applications and have carried out large scale 'social audits' of the implementation process. Registered trade unions have often contributed to these processes and have also been involved in public interest litigation in High Courts to push for better implementation. Finally, informal civil rights groups have engaged in a range of activities around NREGA, including surveys on its implementation, raising awareness and facilitating applications for work and claims for delays in payment of wages.

As a result of this engagement, there have been at least 15 instances where civil society groups have claimed unemployment allowance under the Act since it was passed in 2006, a number of which represent dalit and adivasi workers. This represents an important break with the past in that beneficiaries of the various government social protection measures in place since the 1950s have never previously been able to claim compensation for implementation failures. While there have been writ petitions for higher wages filed in the high courts by NREGA workers unions, Nayak notes the point made by Rajagopal (2003), that NREGA has taken claims-making around rights outside the courts of law: 'NREGA has allowed rights-based collective action to move beyond the social action litigation of the 1980s, that was concentrated in the higher courts and the Supreme Court and where rights based claim making had to be mediated by the legal fraternity, lawyers and judges alike' (Nayak, 2013).

The employment guarantees approach therefore - with its strong legal underpinning and concrete and specific accessible provisions for redress - has shown under some conditions the potential to provide a framework where disadvantaged groups can mobilise to make claims.

5.4 Conclusion

This chapter has demonstrated how India is endowed with a legal framework that provides a strong grounding in terms of rights and guarantees to social programmes and in particular to measures aimed at tackling individual, group-based and intersecting inequalities. Yet, deep intersecting inequalities persist in the country, while the implementation of affirmative action measures and social programmes is not as strong as their legal background. Overall, there are some important lessons that can be drawn from India's experience.

The first general lesson is that in context of deep structural inequalities, social justice can only be achieved with a combination of legal, policy and political instruments: laws or social protection programmes alone are not sufficient. Embedding affirmative action in the Constitution is critical to provide legal basis to the advancement of social justice. However, Constitutional provisions alone are not sufficient to put rights and guarantees into practice. Other legal and non-legal mechanisms also need to be at play, such as social action litigation. The case of India also shows that legal activism is important because it provides a route to civil society groups to engage with the policy making process and influence its outcome. Further, putting into law the obligation of the state to provide social protection to all is an essential step to achieve a more equal society, but the obligation needs to be progressively expanded to other areas, so that economic and civil rights also receive recognition and practical implementation.

Finally, the state and regional disparities that characterise the country call for a disaggregated analysis at the state level of the implementation of the legal framework and of its outcomes. This would provide a new and rich source of information for comparative policy analysis across states with different outcomes and varied political and policy trajectories.

6 Specific Policy Issues

This chapter reviews the final key feature of inclusive political settlements: the policies and programmes which are implemented in practice with the direct or indirect intent of tackling intersecting inequalities. The discussion focuses on some specific policy debates which relate strongly to durable group-based inequalities, with the double intent of: i) demonstrating that there are no universal solutions and the right mix will vary from country to country and ii) showing nonetheless where significant points of engagement may lie for development actors interested in promoting social justice.

The areas of policy action which emerge as being of particular significance are:

- some sectoral policies determining how economic growth affects livelihoods development: land reform which protects poor people's access to natural resources, and infrastructure;
- universal provision of social guarantees in the field of health and education and more broadly social protection;
- opportunity enhancements, both for labour and self-employment for minority and disadvantaged groups;
- affirmative action, combined with targeted capability enhancement (educational and financial capital) to enable marginalised groups to take advantage of the affirmative action.

6.1 Addressing intersecting inequalities through land policy

Ethnographic material and numerous case studies show that groups which are outside of the political and social mainstream and suffering from intersecting inequalities (such as indigenous groups, pastoralists, gatherers, share-croppers, charcoal burners) are particularly vulnerable to losing access or tenure rights in natural resources. It is worth reiterating the result noted earlier from longitudinal analysis of 33 country level DHS surveys by Lenhardt and Shepherd (2013), that there is evidence of substantial declines in landholding among the poorest households between the 1990s and the 2000s (5.3% fewer poor households owned land, a staggering decline over an average 12 year span).

Forest dwellers are often a highly disadvantaged and discriminated group, as recognised in various constitutional and legislative provisions in Latin America and India. These provisions are usually very progressive on paper but of difficult implementation, not least because ownership and occupation of forest land are often entrenched with historical disputes in access to natural resources and hierarchical power relations. Again, India offers a poignant example of this. The 'Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act' of 2006 belongs to the wave of progressive legislation recognising rights and guarantees to excluded groups discussed in the previous chapter. The Forest Rights Act explicitly acknowledges the right of tribal people and more generally of traditional forest dwellers to live in the forest, to collect minor forest produce, to cultivate and graze cattle, to fish and use other products of water bodies in the forest area. The Act also establishes the right (subject to checks and proofs) of individuals and communities to claim ownership (private title or *patta*) of land and common property resources currently in State forest land. While it remains subject to the

right of eminent domain of the State to expropriate land for the purpose of development projects, it also establishes that the forest rights have to be settled first.

The effective implementation of the Act has been slowed down by a number of obstacles: above all, the hostility of the Forest Department and the fact that many potentially interested communities simply ignore its existence. Yet, an increasing number of individuals (and to a lesser extent, of communities), are seeing their forest rights recognised, largely thanks to the support of grassroots and civil society organizations (see for instance the case of the NGO Chaupal Grameen Vikas Prashikshan Evum Shodh Sansthan (Chaupal) operating in Chhattisgarh by Oxfam India, in Green, 2014 and Oxfam, 2014).

Women's land rights are also particularly fragile in many societies, especially (but not only) on divorce, separation or widowhood, and are especially valuable in development and equity terms (Gomez and Tran, 2012).The reform of inheritance systems in favour of women (and their children) is a contested political issue in several countries, and can only be achieved with significant social and political mobilisation. Examples of efforts to implement gender-sensitive legislation include the Legal Assistance Centre in Namibia, which works to reform cohabitation and marital property regimes. In Andhra Pradesh, India, interventions have focused on promoting women's collective ownership of land and assets: thanks to government schemes for subsidised credit and grants, poor low-caste women in groups of 5 to 15 have purchased or leased land through and are now farming this land productively in 75 villages (Shepherd et al., 2014).

More recently, a key point of concern for the well-being of marginalised groups on a global scale has been the acceleration in transformations around land use and land ownership, which has particularly come to global attention since the spike in food prices of 2008/9. In short, a range of studies has both collated compelling evidence to show increasing rates of land acquisition, and analysed the drivers of this trend (Deininger et al., 2011; Cotula, 2013). Deininger et al. calculated, based on press reports, that foreign investors expressed interest in 56 million hectares in less than a year, of which over half (29 million hectares) were in sub-Saharan Africa (2011). The drivers for increasing demand for land based natural resources include the growth of the market for biofuels, urbanisation, economic growth and the growth of purchasing power for middle class groups on a global scale. There are also doubtless a number of countries, corporates and individuals anticipating that growing scarcity of land and water resources make it a strategic priority to strengthen their long-term holdings of natural resource assets as these will increase in value over the longer term.

These processes are of great concern from a poverty perspective in sub-Saharan Africa, where a particular political economy of land ownership prevails. This system has its roots in colonial indirect rule and the way in which the state relied on customary authorities for political control - with associated customary rules of natural resource access and tenure. This has translated – in the context of the post-colonial state, which generally adopted formal ownership of all land not under clear legal title – into extremely fragile tenure regimes from the perspective of local people. In effect, their rights only apply at the discretion of the national and local state. Furthermore, the fragility of tenure rules is more extreme for groups suffering from intersecting inequalities (women, and ethnic groups associated with secondary land use, e.g. pastoralists, gatherers, share-croppers, charcoal burners etc.). These groups are likely to have access rights that are more informal or dependent on others and less secure than (for example) male farmers from the dominant local ethnic identity. Women can also face multiple disadvantages in attempting to press claims.

Deininger et al. (2011) conducted a series of case studies of the social impact of large-scale land acquisitions based as far as possible on a systematic purposive sample – constrained as the exercise was by the challenges inherent in trying to research politically charged issues where powerful stakeholders take a keen interest. In short the concerns from a social and poverty perspective can be summarised as follows:

- Weak systems of land governance leading to a failure to recognise, protect or – if a voluntary transfer can be agreed upon – properly compensate local communities' land rights.

- Lack of country capacity to process and manage large-scale investments, including inclusive and participatory consultations that result in clear and enforceable agreements.
- Investor proposals that were poorly thought through, nonviable technically, or inconsistent with local and national plans for development.
- Resource conflicts with negative distributional effects (including from a gender perspective).

In addition to the current global wave of land acquisition related to agriculture, there is, as noted by Scalise and Tran (2013), a long history of land acquisition for mineral exploitation with negative consequences for indigenous peoples. In non-African contexts (particularly Latin America) indigenous peoples are often highly vulnerable to land alienation without consultation or compensation because of the informal nature of their tenure rights – frequently unrecognised in any firm sense by the state. For India, estimates indicate that between Independence and 2004, around 60 million people have been displaced from 25 million hectares, including 7 million hectares of forest and 6 million hectares of other common property resources (Fernandes 2008: 91).

By contrast, Scalise and Tran describe the beneficial effects of assuring small scale land access to formerly landless populations (particularly women) in Odisha and West Bengal. Although livelihood and well-being impacts of these programmes are not yet demonstrable, the authors summarise earlier research which indicates that when poor women agricultural labourers and their families secure access and rights to even small pieces of land suitable for agriculture and gardening, they can use the land to improve their livelihoods and life prospects. Significant benefits include improved household nutrition and the diversification against risk that an extra stream of income provides.

Land issues are a core aspect of intersecting inequalities and land remains the most common fundamental asset that excluded people can easily lose, so protecting their rights is a critical part of any programme, and is likely to have multiplier effects across other inequalities. Yet governments have been reluctant to put land (back) on the policy agenda and take land reforms seriously, largely because the latter are extremely politically demanding. Land inequalities have been addressed in countries where demand for land reforms was linked to broader political transformations. A clear example is that of Bolivia, where indigenous mobilisation has helped to place land issues very high on the government agenda. While there had been a number of early attempts to address the question of property rights, including the 1953 Agrarian Reform, it is only in the 1990s that issues of land reform were clearly linked to indigenous mobilisation. In August 1990, the *March for Life, Territory and Dignity*, a major mobilisation around the indigenous right to territory revealed the cultural diversity of the country. The mobilisation led to the establishment of the Agrarian Reform National Service in 1996, which endowed the Native Community Lands to the indigenous people. Subsequently, the Law of Communitarian Reconduction in 2006 went further in addressing the land rights of indigenous peoples. The 2009 Constitution deepened the concept of indigenous territory, recognising indigenous right to land and enabling the exclusive use and exploitation of renewable resources within their territories. It also established prior and informed consultation to enable indigenous communities to benefit from revenue generated by exploitation of non-renewable natural resources found in their territories. As Paz Arauco notes, until the early 1990s, indigenous people, peasant communities and small owners accounted for 30% of total extension of distributed land. This share increased to 57% in the latest round of land redistribution. Women's rights to property, regardless of civil status, has also been recognised since 1996 so that gender gaps in land ownership have diminished considerably – although gender equity in the land redistribution process has not yet been achieved (Paz Arauco, 2013).

While implementing land reforms and improving land governance are difficult tasks, countries cannot postpone them any further if they are serious about tackling poverty and inequality. This is even more pressing considering the global trends leading to fast transformation in land use and ownership. A serious land policy agenda includes two broad types of measures: actions to increase access to land based natural resources for groups which have not had access; actions to protect the rights to natural resources of people who depend heavily on fragile informal rights for their livelihood. The importance

of this second category of actions has increased greatly as pressures on scarce natural resources have grown due to the drivers outlined above. Key areas for attention include:

- Strengthening land governance systems so they recognise rights of all users – including arrangements where land rights are vested in community institutions.
- Putting in place systems which guarantee social impact assessment and consultation where large scale land acquisition takes place in situations where the rights of marginalised groups are not protected.
- Improving the transparency of land acquisition processes so that public debate can occur on the social implications, and to allow those who might not benefit as they should to contest processes of transfer of land access and ownership.
- Adopting a legislative framework guaranteeing fair land compensation and resettlement and rehabilitation for people displaced by land expropriation.

The report of the High Level Panel on Post-2015 put a striking emphasis on protecting poor people's rights in land and natural resources – it is the second proposed specific title under the critical first goal ('end poverty') in annex 1 on 'illustrative goals and targets', formulated as follows:

'Increase by x% the share of women and men, communities, and businesses with secure rights to land, property, and other assets.'

The Food and Agriculture Organisation of the UN's (FAO) Voluntary Guidelines on the responsible governance of tenure of land, fisheries and forests in the context of national food security (2012) provides the agreed global framework for action to improve land governance for poverty reduction. The drafting reflects the global concern that large scale land acquisition is proceeding in a way that threatens to undermine poverty reduction and development, rather than enhance it. The founding principles of the approach are as follows:

- Recognise and respect all legitimate tenure rights and the people who hold them.
- Safeguard legitimate tenure rights against threats.
- Promote and facilitate the enjoyment of legitimate tenure rights.
- Provide access to justice when tenure rights are infringed upon.
- Prevent tenure disputes, violent conflicts and opportunities for corruption.

The guidelines outline a range of actions which can be taken by key actors to improve the security of legitimate tenure rights for all – the categories of key actors are states, investors, courts and government agencies, tenure professionals, individuals/communities, academics and civil society. The guidelines are described as 'soft law'. They provide the mobilising framework for a range of actions by different actors and agencies.

One of the key strands of action focuses on enhancing the transparency of land acquisition processes. This was part of the agenda for the G8 focus on transparency at the Lough Erne meeting under the UK presidency in 2013. Locke and Henley (2013) examine the ways in which a possible land transparency initiative might act to promote development and protect informally held rights at the local level. Drawing on the lessons of other transparency initiatives they outline the following key points:

- Possible aims of a land transparency initiative are to improve the impact of land investments on poverty alleviation and food security in developing countries, and increase security of tenure and transparency of land governance.
- Clear indicators of success and a monitoring system need to be established from the start, with flexibility to adapt these as needed as the initiative evolves.
- Meaningful consultation and participation are key and need adequate time and space to develop.

- Data should be of high quality, openly available, and in an accessible, widely used format, although this can often be the main factor causing problems of transparency.
- A clear institutional structure for governing a land transparency initiative needs to be set up with distinct roles and mandates at international and national levels.

To conclude, access to land through informal and relatively insecure local systems of rights forms an important component of the livelihood of many marginalised groups. The wave of global land acquisition which is currently unfolding creates many risks for the well-being of such groups. A robust national and international public policy response is therefore needed to ensure that their situation does not get worse.

6.2 Targeting versus universalism

Ethiopia, Bolivia and Nepal have mixed universal with targeted policy and other measures. In Ethiopia, universal provision of (health and education, social protection) services has been mediated by the arrangements for fiscal decentralisation, which have particularly supported the poorest regions and local governments and led to the improvements noted above. In addition, some of the universal measures have built in provisions for the poorest people; for example the Productive Safety Nets Programme (PSNP) provides social assistance for the poorest households which cannot work in the public works components of the programme.

In Bolivia, there is a plethora of recent social programmes (Table 2). The main transfers include *Bono Juana Azurduy, Bono Juancito Pinto*, and the non-contributory pension (*Renta Dignidad*). All together these accounted for 2.0% of GDP in 2009 and benefited around 3.3 million inhabitants, about 30.8% of the Bolivian population (Ministerio de Economia y Finanzas Publicas, 2011), This represents much broader coverage than many Latin American social transfer programmes, which tend to be more focused on the poorest people. Nevertheless, high proportions of these programmes' beneficiaries were indigenous – more than 70% of individuals receiving health transfers and 59% of the education transfers.

These transfers are particularly relevant in rural areas, where the majority of the population is indigenous, as beneficiaries and their families generally use part of it for productive purposes. The non-contributory pension also contributes to the reduction of intersecting inequalities (gender and spatial). For instance, in 2007, in *Renta Dignidad* the share of rural women's personal income was five times higher than the one registered for rural men. According to the last Household Survey information officially available, indigenous participation in the programme target population reached 64% in 2009. Total amount spent on this programme reached 1.4% of GDP in 2009. One of the main future challenges of this program is how to cope with population aging in the next decades (Paz Arauco, 2013).

Table 2: Social programmes in Bolivia since 2006

Area	Programme	Focus
Employment	PROPAIS (2006 - 2013)	Short term employment programme benefiting communities living under the national extreme poverty line.
	Mi Primer Empleo Digno (2008 - 2013)	Employment programme benefiting young people from low income levels.
Education	Bono Juancito Pinto (2006 - 2013)	Monetary cash transfer aimed at reducing school dropouts in primary and secondary school levels of the public education system.

	Yo si Puedo (2006 - 2013)	Literacy programme focused on adults who don't know how to read and write.
	Yo sí Puedo Seguir (2009 - 2013)	Literacy programme for accomplishing primary education. Focused on adults and young people who dropped out of school at some point in time.
Health	Desnutrición Cero (2007 - 2013)	Nutrition programme benefiting children under 5 years old.
	Bono Juana Azurduy de Padilla (2009 -2013)	Incentive subsidy for pregnant women and children up to two years old.
	Seguro Público para el Adulto Mayor-SSPAM	Health insurance for older people aged 60 years or more.
Poverty	Extreme poverty eradication plan (2009 – 2013)	Food subsidy benefiting children under 2 years old with housing and food production programmes.
	Program Evo Cumple (2006 – 2013)	Cash transfer to municipalities for education and infrastructure projects.
Non Contributory Pension	Bono Dignidad (2008 - 2013)	Cash transfer to older population aged 60 years or more.

However, in the absence of targeting, 62% of all transfers in Bolivia benefit the non-poor, while 17% of the poor and 12% of the extreme poor are excluded from these transfers. Unsurprisingly, transfers have contributed little to the overall reduction in inequality in Bolivia. However, given the absence of political consensus in Bolivia (unlike Ethiopia and to a lesser extent Nepal) about addressing identity based and intersecting inequalities, perhaps leakage represents a political strategy to build that consensus.

Along with measures to enhance political participation by minority groups, and by women from different social groups as well as affirmative action to promote more equitable educational systems; most of these governments have also used economic policies and programmes to address the challenges posed by intersecting inequalities. Bolivia, in particular, stands out for its promulgation of the Hydrocarbons Nationalisation Law in 2006. This led to a considerable increase in government revenue from 31.6% to 44.4% of GDP between 2005 and 2010, transforming a long history of fiscal deficits and state dependency on external resources. The expanded fiscal space opened up by the law has allowed the state to adopt a number of redistributive policy measures, increasing social sector spending from 17.4% of GDP in 2005 to 18.9% in 2010 (Paz Arauco, 2013).

The main new programmes put in place since 2006 are explicitly targeted to disadvantaged sections of the population and address different aspects of their disadvantage. They include employment programmes for communities in extreme poverty and low-income youth; cash transfers to reduce primary and secondary school dropouts; adult literacy programmes; nutritional programmes for children under five; incentive subsidies to pregnant women and children under two; food subsidies for children under two; cash transfers to municipalities for education and infrastructure projects; and cash transfers to the elderly (aged 60 plus).

Brazil has since 2003 largely opted for broadly income-based social protection measures rather than identity-based targeting, but these have nevertheless succeeded in reaching out to large sections of the excluded poor. They include several large-scale conditional and unconditional cash transfer programmes, which have gradually replaced the political patronage that characterised earlier transfers of food baskets in kind, as well as serving to de-link access to social security from occupational status as had earlier been the case.

What is noteworthy about the new generation of social transfers is their simplicity, uniformity, universalism and decentralised character: design features that are intended to discourage the clientelism and corruption that characterised social welfare measures in the past. While *Bolsa Família* is a federal programme and relies on a central database of recipients, municipal governments are required to register beneficiaries, to update the database every two years, and are given incentives for progress in coverage of targeted population. At the same time, beneficiaries collect their transfers directly from a federal financial institution, partly bypassing direct local patronage politics. Even if receiving *Bolsa Família* does not depend on personal favours from bureaucrats or political elites, it would be naïve to think that the program cannot and has not been used politically. Several studies have shown that *Bolsa Família* has been very rewarding for President Lula and the PT in the electoral arena (Hunter and Power, 2007; Hall, 2008). Similarly, considering the long history of clientelism in Brazilian politics, in addition to the fact eligibility depends on a simple declaration of income by the beneficiary, several studies have also shown that municipal administrations can use their ability to register beneficiaries to turn them into political clienteles (Hall, 2008: 809, 813-815; Fenwick, 2009: 119; Ansell and Mitchell, 2011: 308).

While earlier social protection programmes in most of these countries were targeted towards the poor, a number of the more recent ones tend to have less focused coverage with implications for their redistributive potential. In Bolivia, for instance, none of the transfers are targeted to the poor, as eligibility is never conditional on being poor (Paz Arauco, 2013). As a result of near 'universal coverage', there are significant leakages to the non-poor population: 62% of benefits distributed through direct transfers are received by the non-poor. It also means that significant percentages of those in moderate or extreme poverty are excluded. This signals the tension between universal and targeted approaches, which have been a continuous theme in the literature on intersecting inequalities. On the one hand, targeting can help to ensure that policy efforts reach those most in need of them. On the other hand, there may be a need to go beyond transfers to universality of education and health services along with improvements in the quality of basic services in order to generate a durable political economy of action for social justice (Paz Arauco). This suggests the possibility that the tension may be resolved by targeting basic transfers in cash or kind to those in greatest need, while ensuring universal access to the basic services that are needed by all.

The Plan *Brasil Sem Miséria,* which was launched in 2011, appears to combine elements of targeting and universalism. It is intended to reach out to some of those in extreme poverty who continue to be left out of its social programmes. To achieve this goal, the government has adopted a policy of 'Active Search' which consists of professional teams that actively seek out people in extreme poverty through door-to-door visits and register them in a single national cadastre with their municipal institutions. This strategy has identified not only those disadvantaged by income but also by ethnicity, race, location, livelihoods (e.g. poor small family farmers, garbage collectors etc.) and disability. Unlike the *Bolsa Família,* which was the responsibility of the Ministry of Social Development, *Brasil Sem Miséria* now includes the participation of 22 ministries under the coordination of the Ministry of Social Development. The programme revolves around three axes, which address the key manifestations of intersecting inequality: income guarantees for the immediate relief of extreme poverty, with particular attention to children; the productive inclusion axis, which offers jobs and income opportunities (micro-enterprise, co-operatives, employment enhancing training and public works employment); and the public services axis to expand access to social services, namely health, education and social assistance and the construction of basic protection and social assistance networks.

The access to public services element of the Plan is worth noting as it can be seen as an attempt to universalise access through a combination of mapping the geography of exclusion, constructing new Social Assistance References Centres and using mobile teams to serve those living in hard to access places, with special centres for the homeless. The Basic Health Units network uses the criterion of concentrations of extremely poor families to identify sites for the construction of new units. Teams of doctors, nurses, dentists and community agents work together to take care of patients in their respective households or health units.

Some of the tensions between targeting and universalism can also be observed in Pakistan (Gazdar et al., 2013). This section compares two very different social programmes in order to draw out their lessons

for building inclusive citizenship and collective action in a context where civil society mobilisation around the rights of the poor is still weak. The first of these, set up by the Local Governance Ordinance 2001, sought to ring fence 25% of the local government budget to finance small community-initiated projects, which were to be made up of at least 25 people from a community to form Citizen Community Boards (CCB). CCB members would have to provide 20% of the costs of the proposed projects from their own budgets. The second was the Benazir Income Support Programme (BISP) which was begun in 2008 as an unconditional cash transfer targeted to women in poor households. The following discussion draws from the findings of a qualitative study (Gazdar et al., 2013) based on fieldwork in 40 selected communities across Pakistan in which CCBs were implemented – half of which had received project funding and others not. To assess the BISP, over 40 women beneficiaries were also interviewed.

Despite the apparently 'demand-led' and universalist character of the first programme, and its use of the language of collective action and citizenship, the more top-down BISP appeared to be more effective in reaching out to women from poor and marginalised groups and sowing the seeds of citizenship. The differences in outcomes can be traced to certain critical features of the two programmes.

As far as the CCBs were concerned, the first problem was access to information about the programme itself. In the absence of any effort at public dissemination of the programme, it was only those who were already in privileged positions – through their wealth, kinship groups and political contacts – who found out about it, largely through their personal connections with local elected representatives or government officials. In the sample of 40 communities visited in the aforementioned study, there was just one CCB that was initiated as a result of public information in the form of a newspaper advertisement. The most common channel of information about the CCB window was provided by local elected representatives or local government officials through personal connections. A large number of CCBs in the sample were directly or indirectly set up by a Nazim (head of Union Council) or a councillor – CCB officials were either close family members or political associates, or even acting directly on instruction. A number of CCBs that were initiated or facilitated by women councillors or religious minority councillors (Mehgwans in South Punjab) appeared to have a purpose beyond simply the immediate political agenda of the supporting councillor. The same could not be said for the large number of CCBs that appeared to be merely proxies for UC Nazims or their close allies.

Secondly, there was no definition of 'the community' that would be eligible to participate in the Citizen Community Boards, although it was assumed that the small scale of the projects envisaged by the programme would guard against elite capture. However, the qualitative field study came across a number of CCBs which were de facto managed by non-CCB members and for whom CCB members merely acted as proxies. In these instances, the CCBs were used by the non-members as a vehicle to enhance the political power and access which they already enjoyed. There were 8 such CCBs out of the sample of 40. Further, although CCBs were required by regulation to have a minimum of 25 members, in 30 out of the 40 CCBs there were only up to two active members. Even in those CCBs where informants were able to identify more than two active members, the total number of activists rarely exceeded 5 or 6. Moreover, the proxy CCBs run by influential members of the community were almost guaranteed access to funds, while those for whom the programme was ostensibly intended were often unaware of its existence. In any case, the latter rarely had the time, education and other resources necessary to fill in the prescribed project proposal templates, raise the 20% matching funds and complete the necessary procedures to qualify. As a result, not only were members of marginalised groups found by the study to be largely excluded from the programme, but women from these groups participated in even smaller numbers except in those districts where international donor organisations were able to insist on a minimum number of women members in the CCBs formed.

By contrast, the BISP performed far better in reaching poor and marginal groups because it specified that women from these groups were their primary target and then actively sought out these groups through its targeting methodology, in a manner reminiscent of Brazil's Active Search approach. BISP targeting was implemented through a nationwide Poverty Score Card survey which was carried out through a door-to-door census. There were several advantages to this method. First of all, it led to the widespread dissemination of information about the programme, including to those eligible to participate even though they were not informed about their entitlements under the programme. The study found

that the size of the program ensured that many people within communities knew others who had been interviewed for the poverty scorecard or had heard about it from a public medium. This ensured a level of transparency in the demand of BISP grants within the citizens. The study encountered a number of people who demanded BISP as a right due to their self-perception as poor. For another significant minority of interviewees, local patrons also served as sources of information about BISP. Unlike traditional sources of patronage, much of this patronage stemmed from modern channels such as politicians, NGO staff and government officials.

A second critical feature of the BISP design was the need to possess a valid computerised national identity card to qualify. This motivated many women to apply for such cards. Many of the 40 women interviewed had to get their identity cards made for the first time in their lives, and this entailed making visits to the NADRA Office where they would have their pictures taken. This was an important shift engendered by the BISP for women who face mobility and *purdah* restrictions. Another important feature related to the modality of transfer payment. The use of postal money orders, mobile phone transfers and debit cards were all methods which brought women from marginalised groups into contact with formal institutions, again, for the first time in the lives of many, as well as frequently circumventing entrenched patronage structures by providing a direct tool for accessing benefits. Even though poorer women often relied on the intermediation of others to access their benefits, this dependence often diminished as they became more familiar with the procedures. Two examples from the qualitative study are illustrative of this. The first is that of Rehsma Baghri from Shaheed Benazirabad, who belongs to a non-Muslim Scheduled Caste family and who traditionally worked as a beggar. She was also highly residentially insecure, as she lived on the village landlord's plot and needed his permission to provide her address on her CNIC. She learnt about BISP through the landlord, and had her survey form filled out at his *autaq*. Despite such strong marginality and dependence on a local patron, Reshma obtained her debit card herself and subsequently visits the bank to withdraw her payments without relying on this patron. The second example is that of Fateh Khatoon from Larkana, who faced extreme marginality due to a similar set of factors: her kinship group (Mugheri Baloch) was low in the social hierarchy of her village; her household was heavily indebted to the village landlord and they faced residential insecurity as they lived on his land, in addition to frequent food insecurity. She had her CNIC made upon the suggestion of her landlord, who told her that BISP would provide cash transfers to poor women. However, upon gaining this information she got her CNIC made and began obtaining her mobile banking payments independent of the landlord to whom she was virtually indentured, thereby establishing a direct relationship with the state.

The sheer scale of the BISP, its clear definition of intended beneficiaries, its pursuit of active outreach in ways that disseminated information about the programme, various procedures which required women to engage with the state, very often for the first time in their lives combined to explain why it appeared more successful in reaching and engaging women from poor and marginalised groups. One reason why the CCB programme failed to mobilise poor people to engage with the state around their needs and priorities was that it had not taken into account the barriers faced by poor and marginalised groups in taking collective action as citizens around self-identified needs and priorities. From this point of view, the BISP provides some pointers about building citizenship identity among these groups, surely a prior condition before they can engage in the practice of citizenship (Gazdar et al., 2013).

6.3 Universal programmes

Brazil and Ecuador have both had a preference for universal measures, and making sure multiply disadvantaged or excluded groups are included. In both cases social programmes have occupied a central place in policy making, with public expenditure increasing from 4.8% to 7.7% of GDP between 1990 and 2008 in Brazil, and several significant new programmes in Ecuador since 2006. The key innovation has been Brazil's 'Active Search', designed to go the last mile in bringing excluded groups into benefiting from social policies (Box 8).

Box 8: Reaching the unreached through 'Active Search'

The central government have identified several constituencies that *Bolsa Família* has been less effective at reaching. For instance, 71% of the extreme poor are Afro-descendants, 40% are under 14 years old, 59% (9.6 million) lived in the North East and of the total rural population, 25.5% still live in extreme poverty. In order to identify these constituencies, the Brazilian state undertook what it calls an 'active search' for the people living in extreme poverty, through which professional teams sought to locate and register the targeted population. These teams had the task of actively seeking out people living in extreme poverty by conducting door to door surveys and helping them register in the national cadastre with their municipal institutions. According to a government report of May 2012, 14% of the families registered through the active search belonged to 'specific groups', including indigenous, quilombolas, squatters and homeless people who are victims of intersecting exclusion (MDS, 2012: 9-10).

According to the latest evaluation of the federal government published in January 2013, 791,000 new families have been registered leading to 19.5 million people surpassing the line of extreme poverty, of which 16.4 million reached this through the transfers from a new program, *Brasil Carinhoso*, which is directed at children under 15. Extreme poverty among children under 15 is now at 8.7%. As for results in respect to productive inclusion, 266,700 people are registered to take professional training, 65.8% of which are women. 210,000 rural families have received extension services, of which 1,000 were through programmes directed at women and 8,900 through programmes for quilombola communities, and 34,200 families are receiving 300 reais per trimester for environmental services through the *Bolsa Verde* programme (MDS, 2013).

While targeted cash transfers can contribute to increasing enrolment rates and school attendance, addressing intersecting inequalities – and achieving the MDG target of universal primary education – requires interventions that emphasise the improvement of access and quality of education *for all*, including the poorest and most marginalised groups. In fact, the ability of individuals to access education and succeed thereafter continues to be defined by experiences of social exclusion. This is particularly apparent in geographically remote rural areas, amongst migrant communities and ethnic, linguistic or social minorities, and of course amongst girls more than boys. Barriers to educational opportunity are the result of a complex set of factors involving social, economic and political systems; including the way in which schools engage with children and families from marginalised groups. Two of the most important barriers are difficult access to school and poor quality of the educational services provided.

Governments are in the position to remove these barriers with (relatively easy) interventions, for instance improving the quality of teaching. The 2013/14 Education for All Global Monitoring Report (UNESCO 2014) noted that in a third of countries analysed, fewer than three-quarters of existing primary school teachers were trained to national standards. It found that in West Africa few children are learning the basics and teachers on temporary contracts with low pay and little formal training make up more than half the teaching force. Lack of adequately trained teachers is felt especially by those who already face difficult access to appropriate services.

Improving the human resources and the infrastructure devoted to education demands of course a substantial financial commitment by donors and governments. As the Report of the Global Thematic Consultation on Education in the Post-2015 Development Agenda (Sayed, 2013) argues, 'to provide quality primary education for all, 114 countries will need at least 1.7 million more teachers in classrooms by 2015 than there were in 2010. More than half of the additional teachers – 993,000 – are needed in sub-Saharan Africa' (p. 9).

6.4 Affirmative action

As mentioned in previous chapters, many of the countries examined in this report have adopted affirmative action interventions to specifically address the discrimination and backwardness experienced by certain groups of the society. Often, as in the case of India, these interventions have been given a constitutional basis. However, even these countries present substantial differences in terms of implementation of affirmative action measures, their interaction with other social programmes, and their actual results on individual and group inequality.

6.4.1 Brazil

Following the recognition that universal programmes are not enough, Brazil has slowly moved towards more targeted or affirmative action interventions. Since 2002, only quotas for Afro-descendent people in public universities have so far been implemented, and this was prior to the PT government (the Cardoso administration had a commitment to affirmative action and made some progress on this issue). 'This policy has had excellent results as the number of students with Afro-descendent backgrounds between the age of 18 and 24 attending university tripled in 10 years, passing from 10.2% in 2001 to 35.8% in 2011' (IBGE, 2012). Studies have shown that affirmative action policies in universities have had a positive impact on the admission of excluded groups from lower socio-economic status and that benefitting individuals performed better than non-quota students (IBASE, 2008; Francis and Pianto, 2012). Hence, in August 2012, President Dilma Rousseff gave this measure further impetus by enacting the Quota Law, which stipulates that public federal universities and technical institutes have to reserve 50% of the vacancies for students that have studied in the public system. Of this proportion, 50% of the vacancies have to be allocated to students from families earning a salary that is below 1.5 minimum salaries. Among these reserved vacancies, the number of Black, Mixed-race and Indigenous23 students has to be proportional to that of the Brazilian population (Hevia-Pacheco and Vergara-Camus, 2013). One critique is that most of the benefits went to better off Black households.

Two bodies were specifically created in 2003 by President Lula to address intersecting inequalities: the Special Secretariat for Policies for the Promotion of Racial Equality (SEPPIR in Portuguese) and the Special Secretariat for Policies for Women (SEPM in Portuguese), both having the status of ministries and reporting directly to the President. After the organisation of state and national conferences on these issues in which social movements and civil society organisations participated, the Brazilian government has put together two specific action plans: The National Policy for the Promotion of Racial Equality and the National Plan of Policies for Women.

However, Racial Equality only became law in 2011, and while the law stipulates that health, education, leisure, and access to land, housing and work are rights of Black, Mixed race and Indigenous people, the process of integration into government policy has only just begun, with little specification of the affirmative action that is needed to make these aspirations a reality. The Ministry of Labour has established five affirmative action measures, including training programmes for domestic workers and Afro-descendent micro-entrepreneurs. Plans for women have been even slower to take concrete form, and the most significant measures – a literacy programme reaching 845,256 women, had no emphasis on women from excluded groups.

Thus the specific attempts to address intersecting inequalities are limited and have had few impacts in Brazil as yet. Progress in addressing inequalities is slow. The work of the special secretariats is useful in pushing the problematique of intersecting inequalities within the state, but these agencies then have to rely on line ministries to implement measures. There has been little impact on inequality overall, and especially on the share of GDP for the bottom 20%. Thus, the story so far is just the first step. Rights have been granted, but future progress may depend heavily on the ability of social movements to press

---

23 *Negro* (Black) and *Pardo* (Mixed-race) are official racial categories used by the Brazilian Institute of Geography and Statistics (IBGE), which conducts the national census. The term 'Afro-descendent' includes both of these groups.

the government to do more in the face of a reluctance to go the whole way on racial and cultural exclusion. Thus a key issue is that CSOs should maintain autonomy from the state.

The structural reforms which would also really make a difference – in taxation and asset (land) redistribution have not been addressed, despite being among the longest lasting demands of social movements. There are no asset transfers in any programme directed at discriminated groups. Even in the agrarian reform - the only programme of asset transfer - progress has been slow. According to several experts, the amount of land distributed by the PT governments, although very important, represents a decrease in regards to the previous administration of Fernando Henrique Cardoso (Hevia-Pacheco and Vergara-Camus, 2013).

6.4.2 Ecuador

In Ecuador, the 2009-12 Pluri-national Plan to Eliminate Racial Discrimination and Ethnic and Cultural Exclusion has put in place a policy and institutional framework and a set of 50 measures to eliminate discrimination and exclusion, including the adoption of affirmative actions and quotas to increase the access of indigenous, Afro-descendent and Montubio people to social programmes, secondary and higher education, and to increase their numbers among university research and teaching staff. However, despite these recent efforts, 'indigenous and Afro-Ecuadorean populations still register the worst social indicators, are the poorest, and continue to be discriminated against in school, in the workplace and in the media' (Hevia Pacheco and Vergara-Camus, 2013). Again, the implementation of such measures relies on many different institutional bodies, and despite the acknowledged impact of gender inequalities, the Plan does not address the intersection of women's with racial and ethnic inequalities (Box 8). This agenda is still very much a work in progress.

> ### Box 9: Women in Ecuador's Pluri-national Plan (PP)
>
> Unfortunately, many of the measures presented in the PP remain blind to the specific realities and challenges women face within their communities. Consequently it provides few guidelines to tackle racial discrimination and ethnic exclusion as experienced by Indigenous, Afro-Ecuadoreans and Montubio women and girls. In the few cases the PP refers to measures addressed specifically to women it is in a very vague and conventional way. As stipulated in the section on Rights of the Pluri-national Program, measures directed at women are limited to their social rights and more specifically to the 'special consideration' [sic] and care they will be given as girls and pregnant women (Ministerio Coordinador de Patrimonio, 2009:31). Also, since it is not specified in the text what that 'special consideration' entails, it is difficult to assess the value of such measures.
>
> The rest of the measures presented under the sub-sections of economic, cultural and territorial rights make no explicit references to affirmative action or quota systems to address women's specific needs or rights, such as access to land, property titles or the granting of additional points when applying for a position in the public sector (Ministerio Coordinador de Patrimonio, 2009: 31). The same can be said of the rest of the working pillars, with the exception of the one entitled *Participación ciudadana y fortalecimiento institucional* (Citizen Participation and Institutional Strengthening) which mentions the creation of the Gender National Council discussed above (Ministerio Coordinador de Patrimonio, 2009: 37).
>
> This is a clear illustration of the degree of gender blindness of the state's approach to racial inequalities and discrimination. As argued by Radcliffe and Pequeños in their study on Tsáchila women, the adoption of gender neutrality of anti-discriminatory policies renders Indigenous women invisible and the challenges they experience as women, irrelevant (2010: 1009). This is certainly an aspect that could be tackled and improved in the near future by the Transition Commission.

6.4.3 Nepal

Nepal's Interim Constitution of 2007 introduced legal basis to the recognition of minority rights and their promotion through positive discrimination. One of the first measures for the operationalisation of

these constitutional provisions was the amendment to the Civil Service Act. Following the amendment 45% of all seats were reserved for marginalised groups, and a similar provision was introduced into the police and the armed police forces, and by the army a few years later (see Tables 3 and 4).

Table 3: Distribution of reserved seats in some government services

Sector	Social Group	Reserved seats (proportion of 45% of total)
Civil Service Act[24]	Women[25]	33
	Janajatis	27
	Madhesis	22
	Dalits	9
	Persons with disabilities	5
	Residents of backward regions[26]	4
Police, Armed Police and Army service	Women	20
	Janajatis	32
	Madhesis	28
	Dalits	15
	Residents of backward regions	5

Table 4: Civil Service Intake (2007-08 to 2011-12)[27]

Category	Number	Percentage
Open	7248	61
Reserved	3561	30
Internal competition	1003	9
	11,812	**100**

Table 5: Civil service intake (2007-08 to 2011-12)[28]

Group	Number	Percentage
Women	1310	37
Janajati	975	27
Madhesi	730	20
Dalit	302	9
Persons with disabilities	141	4
Residents of backward regions	103	3

Too little time has passed since the introduction of reserved quotas to systematically assess their impact on the long-term goal of raising the profile of the target groups themselves. Some concern has been raised that only the better-off among the broad social categories have been benefitting from this provision (Panth, 2013). But existence of real progress is evident from the figures available for the five years since the quota system was introduced, i.e., 2007-08 to 2011-12. The seats in the reserved category do not equal 45% because reservations have not been introduced in internal promotions and in the Health Service, both of which are included in the data here. If the internal competition category were

[24] The Civil Service Act covers the following sectors: Economic Planning and Statistics Service; Engineering Service; Agricultural Service; Judicial Service; Foreign Service; Administration Service; Audit Service; Forestry Service; Miscellaneous Service; and Education Service.
[25] The age limit for women applicants has been relaxed to raise it to 40 years as opposed to 35 years for men.
[26] The backward regions consist of the nine districts from the Far- and Mid-Western regions which have the lowest HDI in the country: Achham, Kalikot, Jajarkot, Jumla, Dolpa, Bajhang, Bajura, Mugu and Humla.
[27] Panth, (2013)
[28] Panth, (2013)

to be taken out of the equation, the Reserved and Open categories would account for 33% and 67% respectively. That is still not 45% but does better than the 22% and 78% in the two years preceding the introduction of quotas (Panth, 2013) (Table 5). The figures here, however, do not distinguish between the higher-level gazetted and non-gazetted officials, and can be misleading since the trend has been for marginalised groups, including women, to have better representation in the lower echelons of government service (Asian Development Bank, Department for International Development, UK, and The World Bank, 2012).

6.4.4 Strengths and limitations of affirmative action

The major recent research on affirmative action as an instrument for addressing group based inequalities concluded that it is politically effective in the sense that political stability has been preserved in those countries which have strong affirmative action policies (India, South Africa, Brazil and Malaysia). But countries with strong affirmative action programmes are not strong on the integrationist policies (policies to achieve good relationships among groups by creating broader shared identities and bringing people together from different groups), which are needed to complement affirmative action (Brown, Langer and Stewart, 2012).

Affirmative action is designed to redress group based inequalities, not inequalities among individuals, and it is important that it is assessed in that light. It potentially creates socio-economic and political mobility for individuals from groups that have experienced barriers and discrimination. Without it, exit from the group is the only option for those aspiring individuals, and the group is poorer as a result. From the point of view of group cohesion and group progress, it is an indispensable, if not the only policy tool. However, affirmative action is not a substitute for strong general policies and their implementation. It cannot make up for weak implementation of general policies. For example, if education quality is low, affirmative action may not help people from minorities into employment, so long as employers are looking for quality educational qualifications. By contrast, Malaysia has been held up as a country in which affirmative action policies, in the sphere of education, have been successful. However, the success of these policies stems from the pursuit of both affirmative action and structural economic change. It is unlikely that one or the other policy on its own would have achieved the same degree of success.

Empirical findings are that affirmative action has generally reduced inter-group inequality, which is its objective, but large disparities among groups often remain over long periods. What can be said is that, without affirmative action, those inequalities might have been bigger, though it would be hard to prove this (given the absence of counterfactuals) (Brown, Langer and Stewart, 2012).

Affirmative action, by identifying particular groups who should be privileged, may in some contexts create new dynamics promoting claims for equal treatment by excluded groups which are not formally recognised within the administrative system. So in India, affirmative action for Scheduled Tribes and Castes has generated a massive further demand from other so-called 'backward castes', many of which can argue they are just as disadvantaged, and want politicians to support their case.

The results in terms of within-group inequality tend to vary by policy. Affirmative action in tertiary education and access to assets is disequalising; in secondary education and employment creation it is equalising. It is well known and demonstrable that long running educational quotas have led to a 'creamy layer[29]' among Scheduled Castes and Tribes in India (Heyer and Jayal, 2012). However, this is perhaps to miss the point of affirmative action – it is almost designed to create that creamy layer, a mechanism for oppressed, exploited, or minority groups to enter the middle classes and elites. Experiences of inequality do correlate closely with declining representation at secondary and tertiary levels of particular groups. Addressing the under-representation of marginalised groups in secondary, tertiary and vocational education then is an important area of intervention for affirmative action.

---

[29] 'Creamy layer' is an official category, used for instance by the National Commission for Backward Classes, that refers to the wealthier and more educated members of the Scheduled Castes and Tribes.

Overall, affirmative action measures can be vulnerable to a backlash and accusations of social engineering and reverse discrimination (Lihamba et al., 2006). For this reason, it is important that they are monitored and recorded, and to assess whether gains in one social category may lead to losses in another.

A further finding is that more universal policies are more inclusive but less effective at reducing group based inequalities. Clearly both are needed. Of the countries studied for this report, Bolivia, Brazil, and Ecuador are doing both, belatedly in the case of Brazil. India has perhaps focused too much on its affirmative action and not enough on getting universal policies right and well implemented. Nepal now looks as though it may go in the same direction, as its general development plan implementation capacities have been very weak historically. However, its initial measures have met with success.

7 Conclusions

The experiences and the successes of the countries reviewed in this report suggest that there are a small number of 'key ingredients' required to address intersecting inequalities, including: social mobilisation, political change, constitutional reforms, increased political participation in pluri-national states, a combination of universal and targeted or affirmative action especially in the policy field, and further mobilisation around the implementation of rights and guarantees. The combined existence of these ingredients is what characterises an 'inclusive political settlement' - one in which social justice is an explicit concern of both politics and policy-making.

Figure 9: Addressing intersecting inequalities – core ingredients
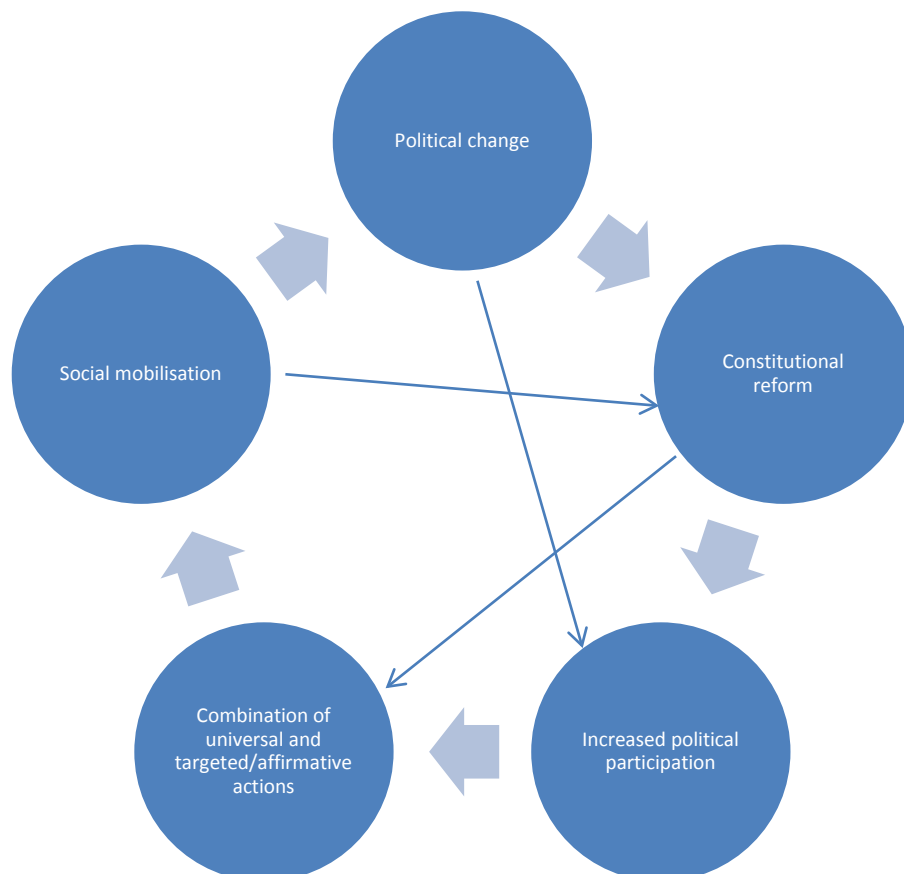
Progressive governments that acknowledge identity based intersecting inequalities are central and are often underpinned by long term social mobilisation or social movements, which link with or may become political movements and eventually, political parties competing in elections. They introduce

change at a constitutional level: devoting significant attention to getting the detail of constitutional provisions, follow up legislation and regulations right. The details of legislation and constitutions are important – countries need to invest in 'getting it right' if they want implementation to proceed smoothly. The right penalties and incentives to act need to be built in. Legislation can also be complementary when dealing with different issues such as the rights to employment, education and information, as in the Indian example. Giving space for civil society to monitor and hold government to account, for instance recognising the right to information, can substantially improve the speed and the quality of the process. In an inclusive political settlement, changes are made in the rules and structures or mechanisms of political participation, and in the rights and guarantees available to citizens. There is also continued social mobilisation to ensure that progressive governments live up to their promises and can face the backlash. We briefly scan each of these elements in turn.

Political change leading to the development of inclusive governments able to address intersecting inequalities is something which can be built slowly over decades (Brazil), or happen relatively rapidly where the ground has been prepared by social movements (Bolivia, Ecuador, Pakistan); it can involve alliances with social movements (India) or violent conflict (Ethiopia, Nepal). The case studies discussed in the report presented two main types of political trajectories: governments with a strong inclusive and redistributive agenda combined with class-based social mobilisation; and multi-ethnic countries in which movement-based governments are the expression of identity-group mobilisation which aggregates large but previously marginalised groups in an effective political project. While different political trajectories are possible, inclusive governments may end up pursuing quite similar policy and political agendas. For example, they need a narrative capable of carrying a broad consensus around progressive policies, the coalition of political parties and social movements to deliver it, and successive electoral victories to provide the medium to long term continuity necessary to address the challenging policy and political issues involved.

Constitutional change is a critical ingredient to address the deep seated historically determined inequalities that have persisted into the modern era. These may be based on caste, language, tribe, religion or even (more weakly) location, and need to be acknowledged and addressed in the ways in which states are constructed and state processes are governed, if the 'rules of the game' are to change. New constitutions offer a political moment when the normal structures of politics can be laid aside in favour of a more participatory process, in which civil society organisations can find more space. In most of the cases analysed for this report, progressive, detailed legislation and public policies and programmes have followed quickly on constitutional development. However in the case of Brazil, the new progressive constitution predated the development of detailed policies, rights and guarantees by more than a decade and also predated a significant change of governing political parties. In the case of India, a very progressive post-independence constitution, coming to effect in 1950, was not matched by adequate detailed legislation in relation to economic and social rights, which were relegated to the non-justiciable Directive Principles of State Policy in part IV of the constitution of India. The deficit was not in terms of affirmative or targeted actions, but largely in the provision of basic services to all citizens – the foundation that is required for affirmative or targeted action to work.

Constitutional change includes introducing mechanisms of political participation that privilege multiply disadvantaged groups, in particular from racial, ethnic or religious groups, and also women. India's constitution was substantially amended in the 1990s to allow women, Scheduled Caste and Tribal groups special political quotas in local self-governance, something which has had significant payoffs for lower caste and Scheduled Tribe women and men (Nayaran, 2009). Nepal's new constitution has led to significant political affirmative action, which has already had results. In Latin America, Brazil's now long and celebrated tradition of decentralisation and civil society participation is well known. Less well known are its policy-discussion conferences and councils, and Ecuador's policy councils at national, state and local levels, which bring together civil society and political/bureaucratic interests for policy formulation and monitoring.

Beyond political participation, progressive governments pursue a combination of universal and targeted or affirmative action measures. Targeted measures include those that support the immediate needs of cash and food for people for whom these are extremely scarce resources on a day to day basis – social

protection and employment guarantees are the major instruments here. There are major innovations in ensuring that these services reach the previously unreached, such as Brazil's Active Search process and Pakistan's census and ID card based approach. Where social protection is not targeted (Bolivia), it has less impact on reducing poverty and inequality. Universal measures include services (health, education, water and sanitation) which are progressively extended to all. But there needs to be an element of targeting the unreached here too – addressing the deficit of demand from the persistently disadvantaged, and the barriers of cost as well as discrimination they face accessing these services. This is an area where experimentation in context may well still be needed, and where efforts can easily be culturally misplaced, so care is needed and results are influenced by the details of legislation and implementation.

The extent to which a progressive government actually delivers, monitors and evaluates what it achieves, and identifies the gaps and how to fill them, or how to change tack to achieve more, is at least partly determined by how well civil society is able to remain autonomous from government and hold it to account, as well as continue to contribute a flow of ideas and suggestions into policy. Government can create these spaces, but can also remove them when the going gets tough. The most progressive governments have significant listening and partnership characteristics. Continued social mobilisation around the implementation of rights and guarantees to hold progressive governments to account is thus critical.

Are all five of these elements required to address intersecting inequalities? As indicated in Figure 9, they support each other. It is possible that one good universal programme may be a good entry point – for example the Benazir Income Support Programme in Pakistan, which pioneered a census to register all possible beneficiaries prior to allocating income support to the poorest - a highly inclusive mechanism. This followed a return to electoral democracy after a long period of military rule, so there was political change, but no constitutional reform, increased political participation or widespread social mobilisation. However, it is as yet early days to judge results in Pakistan.

Targeted or affirmative actions may not always be necessary. Ethiopia, for example, has improved political and social inclusion by setting up political structures, broadening alliances within the regime to include previously excluded groups, and implementing universal programmes (Basic Services, PSNP, although there are elements of targeting in the latter). However, while much has been achieved, there are still excluded and marginalised groups in Ethiopia, especially among the Afar and Somali pastoralists. Addressing these issues of exclusion and marginalisation may require new approaches and intervention, possibly including affirmative action measures.

The combinations and sequences of targeted and universal actions are varied, but a common pattern emerges: basic services are universally provided, while measures focused on supporting income and basic cash and food needs are commonly targeted. In terms of theories of public goods provision, this makes a lot of sense – the universal human development services produce public goods (protection from disease, a literate/educated population); while the income and food supplies needed by the most disadvantaged people are mostly merit goods, though they do have some public goods characteristics to the extent that destitution is a public bad or leads to public bads.

It is also clear that these serious attempts to address deep rooted identity based inequalities are only the beginning of the process. At the level of outcomes, the improvements are often small, suggesting there is a long way to go. The reform processes themselves are tricky: legislation has to be got right to work well - there can be a backlash - and political continuity is required. In some cases long term progress is likely to depend on continued social mobilisation and action by social movements to keep up the pressure for implementation of rights and guarantees.

Ethiopia is the longest lived of our reported cases - nearly 20 years. As we have seen, the outcomes there are impressive. One fundamental factor was the equalisation of access to land during the land reforms of the Mengistu era, prior to the current regime. While aspects of this were, and are, controversial – the resettlement programme has been argued to involve abuses of rights linked to land appropriation in recent years – relatively equal access and the continued prohibition of a land market has given Ethiopian rural society a basic egalitarian character which is very inclusive. Elsewhere among

our case countries, despite land sometimes being a major demand of social movements seeking to reduce inequalities, governments have generally resisted bringing land issues back on the policy agenda. Bolivia is perhaps another exception, especially in granting indigenous groups legal tenure of much of the land they considered theirs.

Secure land tenure is of topical importance for multiply disadvantaged people, and there are different routes that can be adopted to achieve it, some of which do not necessarily involve the politically difficult redistribution of land. Governments should be open to the possible ways in which they can create greater security of tenure for the poorest people, for instance exploring measures to enhance the functioning of rental markets, enable purchases and provide securer access to state land, or collectively held resources where this is necessary. Interventions will have to be adapted to each country's governance structure and capacity, and will necessarily be shaped by the bargaining capacity of the groups of stakeholders involved. The important point here is that there are many ways of providing greater security other than private ownership and demarcation, which can be politically challenging and may not benefit the weakest households. Identifying and implementing these ways to grant security of rights to land and other natural resources can lead to significant advancement in the inclusive growth agenda.

Such fundamental political issues are necessary to support the sustained long term process of political and policy change which addressing intersecting inequalities requires. Intersecting inequalities invariably have deep histories, and will not be driven away lightly. Advocates of electoral democracy tend to be pre-occupied with the value of power changing hands. Addressing intersecting inequalities also requires a long term political project, in which power changing hands may be counter-productive. On the other hand, progressive regimes can get stale and become repressive. Hence, it is important that the long-term political process aims at reinforcing the relationship between the state and marginalised citizens, for instance with programmes such as Brazil's Active Search and Pakistan's Census and ID based approach.

None of the 'core ingredients' discussed here are easily acquired, nor do they operate in a predictable and mechanistic way. An inclusive political settlement is not achieved by simply combining the right ingredients. Even countries which achieve constructive state-society relations and which implement progressive policies will face negative feedback and unpredictable results. Yet policy making in countries committed to social justice should focus on devising strategies to obtain these ingredients, as neither growth nor social protection are by themselves sufficient to tackle intersecting inequalities.

7.1 Implications and recommendations of relevance to the post-2015 framework

This report has discussed the experience of countries that have been relatively successful in tackling intersecting (group-based) inequalities. The reasons for this success were identified not so much in aid as in specific policies and political arrangements. In other words, national policies are fundamental to tackling inequalities and achieving the MDGs. A challenging agenda emerges for countries committed to tackling durable identity-based inequalities. Positive outcomes require a long period of time (more than 10 years); governments that bring together a coalition of constituencies including excluded groups and social advocates and remain in power sufficiently long to provide stability of purpose and action; and the visionary political project which is capable of holding such coalitions together and returning progressive governments to power in successive elections. It is an agenda where there do not seem to be many short cuts – it is a relatively wide policy agenda.

Even when the necessary ingredients are in place over a long period of time it is clear from the experiences discussed in this report that positive outcomes can be elusive for some groups, while there is general progress for those experiencing multiple disadvantages. It is not only positive policies, but also progressive social change that is needed to counter the discrimination and deep rooted inequalities which are so pervasive. Progressive governments can put the right constitutional provisions and policies and programmes in place, but society also has to change. It is highly likely that the necessary structural

and societal changes will not be accomplished even in these more successful countries by 2030. Then there are others, less successful at identifying intersecting inequalities, where the persistent inequalities among groups may not even be addressed. This should be a sobering counterweight to the aggressive optimism characterising much of the post-2015 discussion during 2012-14, where 'getting to zero' is seen as just around the corner.

Interestingly, the societies that are expected to 'lead the way to zero' poverty and deprivation following China's success in the MDG period - among them India, as well as a number of Latin American countries - are also subject to some of the most entrenched intersecting inequalities. African societies are rarely as hierarchically structured (perhaps with the exceptions of South Africa, Sudan, Rwanda and Burundi), though histories of slavery and colonial discrimination have left long shadows. Some African countries may find it easier to address intersecting inequalities through universal approaches as a result.

The case studies presented here do emphasise the importance of a strong commitment to providing universal access to quality basic services (in health, education, water and sanitation, social protection) as a foundation for building equity across social groups. In this dimension the Open Working Group text (July 2014) provides a clear advance on the High Level Panel report of May 2013 through the clear commitment to universal health coverage. An important question here will be how to set measurable benchmarks for progress towards achieving this. Watkins (2014) has suggested using commitments to reduce disparities (e.g. in average years of schooling) – whether measured by wealth, spatial and/or identity (e.g. gender) groupings to create pressure to move towards greater investment in groups which are lagging behind in either access or achievement.

A second implication, which is material for discussion of a goal on governance, is the role information plays in reaching the unreached. Brazil's development of its Active Search mechanism is a case in point, as is Pakistan's census-type registration of everyone prior to implementing the Benazir Income Support Programme. Constructing and providing complete and transparent information is a strong basis not only for states to reach out to the unreached, but also for civil society organisations to hold governments to account. India's Right to Information was a critical and widely used component of the rights and guarantees introduced by Congress-led governments during the 2004-2014 administrations. Strengthening the information base of policies and programmes requires a degree of administrative capacity. Where this is absent or clearly deficient, it will be important to explore alternatives, including contracting out, and public-private partnerships. Getting the detail of legislation right is an important element.

Where details are left unclear this can lead to significant delays in implementation, or challenges and pushback. The legislation needs to include appropriate incentives and penalties to make sure that implementers produce the intended results, and have little discretion. Otherwise the likelihood of local elite capture is high. There is considerable scope for South-South learning in terms of progressive legislation and its implementation and the rights-based approach to social protection is a valid starting point to push the agenda in that direction. However, donors need to understand the importance of supporting the legal recognition of economic and civil rights too.

There are other potential ingredients (such as land reforms) which are not or only rarely included, but which could make a big difference. This is not necessarily the classic land redistribution of yesteryear, but rather acknowledging how important secure tenure of quality land is for socio-economic status for many disadvantaged groups, and taking actions of different sorts, which result in expanded and/or more secure access. There is sufficient experience with such actions to believe that they can make a significant difference to the most disadvantaged people, and that different measures are feasible in different contexts. It is also an area of increasing importance as the value of land based assets (including water) is likely to continue to rise given a range of drivers (from increasing use of biofuels to growing middle class consumption patterns).

There are implications for the post 2015 framework of the centrality attributed to national policies by the 'tackling inequalities agenda' discussed so far. An important function of the post 2015 framework should be to convince governments of the importance of implementing the 'right' national policies for

tackling intersecting inequalities – and achieving the MDGs. It should also offer a menu of recommendable interventions and suggestions on how to implement them. However, it should be the task of each country to select the most appropriate combination of policies and programmes, and adapt them to its specific circumstances. Each country needs also to set its own specific targets, accompanied by effective Monitoring & Evaluation (M&E) processes.

We can identify three key groups of lessons and pointers that should shape the social justice dimension of the post-2015 framework and bring it up to the task of tackling intersecting inequalities:

1. *Frameworks of targets and indicators which enable learning and promote action to address intersecting inequalities*

    Concrete mechanisms can be embedded in the framework to ensure that no one is left behind, including the groups facing multiple disadvantages. For a start, it will be important to monitor the inclusion of the most marginalised across whatever goals and targets are agreed by focusing on how the bottom 5%, 10% and 20% have fared in any distribution of outcomes.

    Stepping stone equity targets can be set for narrowing disparities between disadvantaged groups (identified by region, social identity or wealth category) and the average or higher groups; the disparities to be monitored would concern basic life chances in survival, nutrition, education and wider opportunities and be set over intermediate time periods between 2015 and 2030 (Watkins, 2014). For example, halving over a 5-year period the gap in child survival, maternal mortality or school attendance between the richest and the poorest 20%, between urban and rural regions, ethnic minorities and the rest of the population. These stepping stone targets should be defined at the national level through an open discussion between the government and the civil society, trade unions, health-care workers and education specialists, etc., but be aligned to broad parameters established by the post-2015 framework against which to measure progress in narrowing inequities (ibidem).

    Critical to making the aspiration for the SDGs to tackle intersecting inequalities will be the capacity of the post-2015 architecture to provide incentives for countries to develop meaningful targets and to adapt their monitoring systems. The specific disaggregation of data between quite specific social realities (boys from dominant and girls from minority, disadvantaged ethnic groups for example) is not absolutely necessary – though clearly desirable. Using marginal Districts or poor urban zones as a proxy may be adequate to produce the policy responses necessary (e.g. focusing service delivery budgets and institutions on the challenge of raising outcomes for groups subject to intersecting inequalities). But the process of addressing inequality is essentially political. The theory of change which supposes that goals and targets can influence country level processes to promote equity assumes that changing global norms – allied to a process which requires countries to consider how to set targets and measure their attainment – can stimulate meaningful change in areas where elites may resist. Finding the right language for goals – but also the right processes to commission, aggregate, document and measure national targets – will be critical to making this ambitious aspiration work.

    The framework should be endowed with a comprehensive and effective Monitoring and Evaluation (M&E) strategy, one that relies on **cross-country (particularly South-South) learning**: M&E should include mechanisms for the identification of relative successes and their causes, so that actors from other countries (governments, political parties including opposition parties, civil society) can learn from them. M&E also needs to include inequality indicators that capture inequality in income as well as in other dimensions. Implementing such systems of M&E would require significant improvement in the disaggregation, coverage, quality and timeliness of data.

    Using a wide range of indicators would increase the chances that the 'hardest cases' of exclusion stand out and are taken care of. UN and member states need to commit to actively watching these through some specific mechanisms, for example an annual report and conference or meeting

attached to UNGA. While it will be a big challenge to include identity-based indicators the following approaches should be considered:

a) Indicators across all relevant targets to ensure that the most disadvantaged are included in progress.
b) Stepping stone equity targets aimed at narrowing disparities in basic life chances (including survival, nutrition, education, and wider opportunities) between relevant social groups, to be set over 3-5 year periods.
c) A multi-dimensional poverty indicator with particular reference to identity based poverty.
d) An inbuilt mechanism to motivate monitoring these indicators, given the failure to do so under the Millennium Development Goals (MDGs). This could be an annual day at the UNGA devoted to the very bottom of the distribution, and to intersecting inequalities in particular.

2. *Policy measures which effectively address intersecting inequalities*

Mechanisms which rigorously and transparently ensure inclusion in social policy measures like Brazil's Active Search, or Pakistan's census approach to social protection, are critical to efforts to reach the hard to reach, and include the marginalised. These mechanisms ensure that everyone gets some consideration. This element of universality as a background to what may be a targeted programme goes a long way towards addressing exclusion. Some key points to consider include:

a) For the post-2015 agreement putting some flesh on the principle of 'not leaving anyone behind', as suggested by the Secretary General's High Level Panel, would be useful. This might be achieved by a principle of 'active targeting within universal provision' – including an indicator which measures whether the multiply disadvantaged are being left out of major public programmes (health, education, social protection).
b) Universal registration of births has been proposed as a governance target – this would greatly enable implementation of measures like Active Search or a census approach to service delivery.
c) In both Pakistan (BISP) and India (MGNREGA), significant social protection schemes have been designed explicitly with a view to strengthening poor people's capacity to make claims on the basis of citizenship rather than patronage. There is a clear synergy between the citizen registration agenda and these approaches to social protection.

3. *Strengthening tenure rights for the powerless.*

Where high inequality in land distribution prevails, governments can be encouraged to think of innovative schemes to provide greater security of land tenure and new ways of providing small parcels of land to highly disadvantaged rural residents for a house and garden at least. It will also be important to address situations where land alienation is taking place at a rapid pace and put in place measures to ensure that loss of land does not occur by force and/or without compensation and prior consent. Key areas of actions include:

a) Strengthening systems for recognising local tenure rights – particularly where held informally and/or collectively by marginalised social groups suffering multiple disadvantages.
b) Special schemes/measures to strengthen land access for excluded groups.
c) Strengthening transparency of land acquisition processes.
d) Working with a range of stakeholders (including firms, social movements, and national/local civil society) to ensure positive social impacts from new commercial investments in land and agriculture.

The suggestion for a target on providing secure land tenure made by the High Level Panel is a very relevant one. Given that land is only one asset among several which may be of importance to the poorest people, the concern could be broadened to include assets in general, if practical ways can be found for this.

Finally, this report would provide support to those who would like to see the post-2015 development framework provide incentives to governments to legislate or make constitutional provision for socio-economic and political changes which would enable intersecting inequalities to be addressed. Future UNGA meetings could then be informed by an assessment of the extent to which these are in place, and implemented, in each country. While this would be difficult to build into the structure of goals and targets as developed for the MDGs, it could be an accompanying measure.

References

ADB (2012) 'Sectoral Perspectives on Gender and Social Inclusion: Agriculture', *Gender and Social Exclusion Assessment 2011*. Sectoral Series: Monograph I. Kathmandu: Asian Development Bank, Department for International Development, UK, and The World Bank.

Amsden, Alice (2010) 'Elites and Property Rights', Working Paper No. 2010/109, UNU-WIDER

Ansell, Aaron and Mitchell, Ken (2011) 'Models of Clientelism and Policy Change: The Case of Conditional Cash Transfer Programmes in Brazil and Mexico', *Bulletin of Latin American Research*, 30(3): 298–312.

Baxi, U. (1985) 'Taking Suffering Seriously: Social Action Litigation in the Supreme Court of India', *Third World Legal Studies*, 4(1), 107-132.

Becker, M. (2013) 'The Stormy Relations between Rafael Correa and Social Movements', *Latin American Perspectives*, 40(3):43-62.

Borja, R. (2011) 'Balance político del gobierno de Rafael Correa. Nudos críticos y temas polémicos', *La Tendencia. Revista de Análisis Político*, 11:12-24.

Borja Cornejo, D. (2012) 'La disputa del sentido de la revolución ciudadana', *La Tendencia. Revista de Análisis Político*, 13: 77-82.

Borooah, V. K., Sabharwal, N. S. & Thorat, S. (2012) *Gender and Caste-Based Inequality in Health Outcomes in India*. Working Paper Series VI (03). New Delhi: Indian Institute of Dalit Studies.

Brown, G., Langer, A., and Stewart, F. (2012) *Affirmative Action in Plural Societies: International Experiences*, Palgrave Macmillan.

Chopra, D. (2009) *National Rural Employment Guarantee Act, India: Towards an understanding of policy spaces.* Unpublished PhD thesis: Cambridge University.

Cobham, A. and Sumner, A. (2013) *Is It All About the Tails? The Palma Measure of Income Inequality*. Working Paper 343, Center for Global Development.

Cotula, Lorenzo (2013) *The Great African Land Grab? Agricultural Investments and the Global Food System. African Arguments.* London: Zed Books.

Deininger et al. (2011) 'Challenges posed by the new wave of farmland investment' *The Journal of Peasant Studies,* Volume 38, Issue 2, 2011.

Drèze, J. (2011) 'Employment Guarantee and the Right to Work'. In R. Khera (Ed.), *The Battle for Employment Guarantee*. New Delhi: Oxford University Press.

Easterly, William (2006) *Social Cohesion, Institutions, and Growth*. Working Paper Number 94, Center for Global Development.

Engel, Jakob (2011) *Ethiopia's progress on education: A rapid and equitable expansion of access*. ODI, London.

Fenwick, Tracy Beck (2009) 'Avoiding Governors: The Success of Bolsa Família'. *Latin American Research Review*, 41(1): 102-131.

Fernandes, Walter (2008) 'Sixty years of development-induced displacement in India: Impacts and the search for alternatives', in Hari Mohan Mathur (ed) *India Social Development Report 2008: Development and Displacement*, New Delhi: Council for Social and Development and Oxford University Press.

Food and Agriculture Organization of the United Nations (2012) Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. Rome: FAO.

Francis, A and M. Tannuri-Pianto, (2012) 'Using Brazil's Racial Continuum to Examine the Short-Term Effects of Affirmative Action in Higher Education'. *Journal of Human Resources*, 47(3):754-784.

Gazdar, Haris; Quratulain Masood, Syeda and Naqvi, Haider (2013) 'Bottom Up or Top Down? Exclusion and Citizenship in Pakistan'. Background Paper.

Gomez, M and Tran, H (2012) 'Women's land and property rights and the post 2015 development agenda', UN Women and Unicef: Addressing Inequalities, Global Consultation.

Green, D. (2014) 'How Change Happens: Supporting tribal people to claim their rights to India's forests', in From Poverty to Power blog, 16 July 2014, http://oxfamblogs.org/fp2p/how-change-happens-supporting-tribal-people-to-claim-their-rights-to-indias-forests/

Grugel and Riggirozzi (2012) 'Post-neoliberalism in Latin America: Rebuilding and Reclaiming the State after Crisis', *Development and Change*, 43:1, January 2012.

Hall, Anthony (2008) 'Brazil's Bolsa Família: a Double-edged Sword', *Development and Change*, 39(5): 799-822.

Hevia-Pacheco, Paula and Vergara-Camus, Leandro (2013) 'Addressing Intersecting Inequalities: Inclusive Political Regimes, Democratically-elected Left-wing Governments: The Cases of Brazil and Ecuador' Background Paper.

Heyer, J. and Jayal, N.G. (2012) The Challenge of Positive Discrimination in India', (co-author Judith Heyer) in Graham Brown, Arnim Langer and Frances Stewart (eds.) *Debating Affirmative Action*. Basingstoke: Palgrave Macmillan. 2012.

Horowitz, Donald L. (1985) *Ethnic Groups in Conflict*, Berkeley: University of California Press.

Houtart, F. (2011) 'El concepto de Sumak Kawsai (Buen Vivir) y su correspondencia con el bien comun de la humanidad', http://alainet.org/active/47004&lang=es

Hunter, W. and J.T. Power (2007) 'Rewarding Lula: Executive Power, Social Policy and the Brazilian Elections of 2006'. *Latin American Politics and Society*, 49(1):1-30.

IBASE (2008) *Cotas raciais. Porque Sim?* Third Edition, Rio de Janeiro, IBASE.

IBGE (Instituto Brasileiro de Geografia e Estatísticas) (2012) 'News » SIS 2012: entrance of black and brown young people at university has tripled in ten years'. http://saladeimprensa.ibge.gov.br/en/noticias?view=noticia&id=1&busca=1&idnoticia=2268 (consulted on June 5, 2013).

Indian Institute of Dalit Studies (2013) *Social Exclusion and Rural Poverty: Role of Discrimination and General Factors in Access to Government Schemes for Employment, Food, Health Services, Agricultural Land and Forest Resources in the Poorest Areas in India*. New Delhi: Indian Institute of Dalit Studies.

International Crisis Group (2009) *Ethnic Federalism and its Discontents*. Brussels and Nairobi.

Jijón V. H. (2010) 'Economía alternative, plurinationalidad e intercultural'. *La Tendencia*, Vol. 10, Feb.-Mar. 2010, pp.103-107.

Kabeer, N. (2010) *Can the MDGs provide a pathway to social justice? The challenge of intersecting inequalities*. IDS, MDG Achievement Fund.

Kabeer, N. (2013) 'Grief and rage in India: making violence against women history?' http://www.opendemocracy.net/5050/naila-kabeer/grief-and-rage-in-india-making-violence-against-women-history

Kalebe-Nyamongo,Chipiliro (2010) *Mutual Interdependence between Elites and the Poor*. Working Paper No. 2010/117, UNU-WIDER.

Kharas, Homi and Rogerson, Andrew (2012) *Horizon 2025: Creative destruction in the aid industry*. London: Overseas Development Institute.

Khoza, Sibonile (2009) '…South Africa…' in Gacitua-Mario, Estanislao, Sophia Georgieva and Andrew Norton (2009).

Lakner, Cristoph and Branko Milanovich (2013) *Global Income Distribution: From the Fall of the Berlin Wall to the Great Recession*. World Bank Policy Research Paper 6719.

Langer, A, Stewart, F and Venugopal, R (2011) *Horizontal Inequalities and Post-conflict Development*. Routledge.

Larrea, A.M. (2010), 'La disputa de sentidos por el buen vivir como proceso contrahegemónico' in SEMPLADES (Coord.), *Los Nuevos Retos de América Latina: Socialismo y Sumak Kawsay*. Quito: SEMPLADES.

Lenhardt (forthcoming) Inclusive Progress: Exploring evidence of reduced intersecting inequalities in human development. London: ODI.

Lenhardt and Shepherd (2013) *Challenge Paper 1: What has happened to the poorest 50%?* Chronic Poverty Advisory Network, Overseas Development Institute, London.

Lihamba, A., R. Mwaipopo, and L. Shule. (2006). 'The challenges of affirmative action in Tanzania higher education institutions: A case study of the University of Dar-es-Salaam, Tanzania'. Women Studies International Forum 29: 581–91.

Lijphart, Arend (1977) *Democracy in Plural Societies: A Comparative Exploration*. Yale University Press.

Lijphart, Arend (2004) 'Constitutional Design for Divided Societies', *Journal of Democracy* 15:2, April 2004.

Litchfield (1999), Inequality: Methods and Tools:
http://siteresources.worldbank.org/INTPGI/Resources/Inequality/litchfie.pdf

Locke, Anna and Henley, Giles (2013) *The possible shape of a land transparency initiative*. London: Overseas Development Institute.

Lopez-Calva, Luis and Nora Lustig (2010) *Declining Inequality in Latin America. A decade of progress?,* Brookings Institution Press.

MacAuslan, Ian (2008) *India's National Rural Employment Guarantee Act: A Case Study for How Change Happens*. Oxfam International: Oxford.

MDS (2012) *Plano Brasil Sem Miséria*.

http://www.brasilsemmiseria.gov.br/documentos/mds_revista_ingles.pdf (consulted on June 5, 2013).

MDS (2013) *Plano Brasil Sem Miséria. Resultados de junho/2011 a dezembro/2012*. Ministerio de Desenvolvimento Social e Combate à Fome. Available: http://www.brasilsemmiseria.gov.br/banners/caderno-de-graficos-bsm-2011-2012-v2.pdf

Mearns, Robin and Andrew Norton (2010) 'Equity and Vulnerability in a Warming World: Introduction and Overview" In Mearns and Norton (eds): *Social Dimensions of Climate Change: Equity and Vulnerability in a Warming World*. World Bank.

Mehta, A. et al (2011) *Indian Chronic Poverty Report*. Indian Institute of Public Administration, New Delhi

Melamed, Claire (2012) *Context, Politics and Processes for a post 2015 Global Agreement on Development*. London: Overseas Development Institute.

Melo, Marcus Andre, Njuguna Ng'ethe and James Manor (2010) *Against the Odds: Politicians, Institutions and the Struggle Against Poverty*. Hurst & Co Publishers.

Milanovic, Branko (2012) 'Global Income Inequality by the Numbers: in History and Now: An Overview'. Policy Research Paper 6259. World Bank.

Ministerio Coordinador de Patrimonio Natural y Cultural del Ecuador (2009) 'Plan Plurinacional para eliminar la discriminación racial y la exclusión étnica y cultural', 1-169, http://www.codae.gob.ec/index.php?option=com_content&view=article&id=188%3Aplan-plurinacional-para-eliminar-la-discriminacion-racial-y-la-exclusion-etnica-y-cultural&catid=27&Itemid=63 (Consulted May 13th, 2013).

Ministerio de Economía y Finanzas Públicas (2011) 'Memoria de la Economía Boliviana, Unidad de Análisis y Estudios Fiscales', La Paz.

Mohamed, Maznah (2012) 'Ethnicity and Inequality in Malaysia: A Retrospect and a Rethinking', in Brown et al (editors) (2012).

Moncayo Gallegos, P. (2011) 'Balance crítico del plan de gobierno de Rafael Correa', *La Tendencia. Revista de Análisis Político*, 11:48-54.

Moser, Caroline and Andrew Norton (2001) *To Claim our Rights: Livelihood Security, human rights and sustainable development*. London: Overseas Development Institute.

Mosley, Paul (2012) *The Politics of Poverty Reduction*, Oxford University Press

Narayan, Deepa (Ed) (2009) *Moving Out of Poverty: The Promise of Empowerment and Democracy in India*, World Bank; Palgrave Macmillan UK.

Nayak, Nandini (2013) 'India: Rights and Guarantees' Background Paper.

Norton, Andrew (2011) 'Social Guarantees: Rights as Smart Politics' in Ashwill, Maximillian and Andrew Norton (2011) *Building Citizenship through Social Policy in the Easter Caribbean: the Role of Social Guarantees*. ODI/World Bank.

Norton, Andrew (2014) 'Fear of Disorder versus Hope for Change: the Politics of Inequality', ODI Opinion 6 January 2014. London: Overseas Development Institute.

Oakland Institute (2013) *Ignoring Abuse in Ethiopia: DFID and USAID in the Lower Omo Valley*.

Observatorio sobre Discriminación Racial y Exclusión Etnica (2012) 'Tres iniciativas legislativas contra el racismo y la protección de derechos colectivos", *La Agenda Legislativa y el Combate al racismo en Ecuador*, FLACSO-Ministerio Coordinador del Patrimonio, 3:5-6.

OECD (2012) *Perspectives on Global Development 2012: Social Cohesion in a Shifting World*.

Oxfam (2014) 'The Chhattisgarh Community Forest Rights Project, India'. The Active Citizenship Case Studies Series.

Panth, Rabilal, (2013) 'Nijamati Sewa Prabeshma Arakshan Abhyasle Dekhayeko Sanket' (Trends Shown by the Practice of Reservations in Civil Service), *Nijamati Seva Patrika* (Civil Service Journal), 34:1, January 2013.

Paz Arauco, V. (2013) 'Committing to social justice: Programmes and policies reducing interesting inequalities in Bolivia'. Background Paper.

Piketty, Thomas (2014) *Capital in the Twenty-First Century*. Harvard University Press, Boston, Mass.

Piron, Laure-Hélène (2004) 'Rights-based approach to social protection', Theme Papers on Social Protection, London: Overseas Development Institute.

Radcliffe S. and A. Pequeño (2010) 'Ethnicity, Development and Gender: Tsáchila Indigenous Women in Ecuador', *Development and Change*, 41(6):983-1016.

Rajagopal, B. (2003). *International Law from Below: Development, Social Movements and Third World Resistance*. Cambridge: Cambridge University Press.

Sabharwal, Nidhi. (2011). 'Caste, Religion and Malnutrition Linkages'. *Economic and Political Weekly*, Vol. 46, Issue No.50, December 10, 2011.

Sayed, Yusuf (2013) *Making Education a Priority in the Post-2015 Agenda. Report of the Global Thematic Consultation on Education in the Post-2015 Development Agenda*. The World We Want; UNESCO and UNICEF.

Scalise, Elisa and D. Hien Tran (2013) 'Bridging the Gap Between Policy and Practice: How Different Approaches to Secure Land Rights Can Reduce Poverty and Social Exclusion'. Background paper.

Schneider, A., Goldfrank, B. (2002). 'Budgets and Ballots in Brazil: Participatory Budgeting from the City to the State' - IDS Working Papers.

SENPLADES (2009), The Republic Of Ecuador National Development Plan, 'National Plan for Good Living 2009-2013 – Building a Plurinational and Intercultural State', Ecuador.

Shepherd, A., Scott, L., Mariotti, C., Kessy, F., Gaiha, R., da Corta, L., Hanifnia, K., Kaicker, N., Lenhardt, A., Lwanga-Ntale, C., Sen, B., Sijapati, B., Strawson, T., Thapa, G., Underhill, H. and Wild, L. (2014) *The Chronic Poverty Report 2014-5: The road to zero extreme poverty*. London: Overseas Development Institute.

Stewart, Frances (2008) *Horizontal Inequalities and Conflict: Understanding Group Violence in Multiethnic Societies*. London: Macmillan.

Sumner, Andy (2012a) *Where do the World's Poor live? A New Update*. IDS.

Sumner, Andy (2012b) *The New Face of Poverty: How has the Composition of Poverty in Low Income and Lower Middle-Income Countries (excluding China) Changed Since the 1990s*. IDS/ODI.

Thorat, Sukhadeo and Sadana Sabharwal, Nidhi (2013) 'Excluded and Indigenous Groups: Lessons from Indian Affirmative Action Policy for Post 2015 Million Development Goals Strategy'. Background Paper.

Thorat, Sukhadeo and Joel Lee. (2006). *Discrimination in Mid-Day Meal and PDS*, Working Paper, New Delhi: Indian Institute of Dalit Studies.

UN (2013) 'A new global partnership: eradicate poverty and transform economies through sustainable development'. *The Report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda*. United Nations Publications, New York.

UN (2014) 'Introduction And Proposed Goals And Targets On Sustainable Development For The Post 2015 Development Agenda', Zero Draft rev. 1. Available at: http://sustainabledevelopment.un.org/content/documents/4523zerodraft.pdf

United Nations Research Institute for Social Development (2010) *Combating Poverty and Inequality: Structural Change, Social Policy and Politics*. UNRISD, Geneva.

UNESCO (2010) *EFA Global Monitoring Report: Reaching the Marginalized*. UNESCO: Paris.

UNESCO (2014) *EFA Global Monitoring Report 2013/14: Teaching and Learning: achieving quality for all,* UNESCO: Paris.

UNSG High Level Panel on Global Sustainability (2012) *Resilient People, Resilient Planet: A Future Worth Choosing*. New York, United Nations.

Vollan, Kåre (2011) 'Group Representation and the System of Representation in the Constituent Assembly and Future Parliaments of Nepal', *International Journal for Minority and Group Rights*, 18:3, pp. 343-368; and www.inseconline.org/index.php?type=opinionforums&id=29&lang=en.

Watkins, Kevin (2014) 'Leaving no one behind: an agenda for equity', *The Lancet*, Vol 383, 9 May 2014.

Woldehanna, T (2013) 'The role of policies and programs in addressing intersecting inequalities: the Ethiopia case'. Background Paper.

World Bank (2003) *World Development Report 2003: Sustainable Development in a Dynamic World: Transforming Institutions, Growth, and Quality of Life*. World Bank.

World Bank (2010) *Equal Opportunities, Better Lives. Gender in Africa: Using Knowledge to Reduce Gender Inequality through World Bank Activities*. Washington DC: The World Bank.

World Commission on Environment and Development (1987) *Report of the World Commission on Environment and Development: Our Common Future*. Oxford: Oxford University Press.

WEF (2014) 'Global Risks 2014, Ninth Edition', the World Economic Forum: Geneva.

Appendix

In order to select country case studies on progress in reducing intersecting inequalities for this report, 16 Demographic and Health Surveys (DHS) were used to assess changes in selected human development indicators; and in women's education and child mortality in particular, across groups and within groups. This annex includes a brief technical description of the measures used to track the significance of intersecting inequalities over time for the countries with available data. For a more comprehensive treatment of the data please refer to Lenhardt (forthcoming).

Sample:
Of the approximately 90 countries covered by the DHS, only 16 which include two survey points between the 1990s and 2000s also include a comparable indicator of ethnicity across both time periods; a factor which was considered crucial to this analysis. These 16 countries are:

Table A1: Country sample and DHS survey years

Country	1st survey year	2nd survey year
Benin	1996	2006
Bolivia	1998	2008
Burkina Faso	1993	2010
Ethiopia	2000	2011
Ghana	1998	2008
Guinea	1999	2012
Kenya	1998	2008/09
Malawi	2000	2010
Mali	1995/96	2006
Nepal	1996	2006
Niger	1998	2006
Peru	1996	2009
Philippines	1998	2008
Uganda	1995	2011
Zambia	1996	2007
Zimbabwe	1999	2010/11

Women between the ages of 15 to 49 are included in the DHS sample. DHS surveys are nationally and sub-nationally representative, but they are not necessarily ethnically representative. Once the data is disaggregated by sub-group, the number of respondents can become quite small. In accordance with the UNESCO WIDE database on inequality in education,[30] which also uses DHS data for its calculations, a minimum group threshold of 30 observations has been used. In some countries this does eliminate some ethnic groups, introducing an undesired bias in the analysis, given that their minority status means

---

[30] And consistently with the threshold required by the central limit theorem.

they are also likely to be among the most marginalised. In these cases, the household outcomes for these groups do still factor into the overall inequality measures, but their group averages are not reported as they are not large enough to represent the entire group.

Indicators:
Education is reported by the number of years of schooling that a woman has attended. Although setting the lower age bound as low as 15 could downwardly bias the average years of education, given that some girls would not have completed their expected number of years of education by this age, this procedure was adopted because any further reduction of the sample size would mean even lower numbers of observations for group disaggregation. Each country was tested for any correlation between age of respondent and years of education and it was found that the reverse was true, i.e. that older women were less likely to have achieved the same amount of schooling as younger women. Given that this is true of education measures generally, the lower age bound appears to compensate for some of the bias in the upper end of the age distribution. Ideally the sample would be narrowed to only include an age-range beyond which women might be expected to have completed school, around 19, and below an age that older women who have not benefited from the last 20 years' progress in education, around 39. In the interest of maintaining as many groups as possible with more than 30 observations, this requirement was relaxed, so the absolute group measure of women's education may be biased downwards for some countries.

Child mortality at the household level is used as an indicator of health and is converted to a household percentage to allow for the group decomposed inequality measure. This is calculated by the number of children who have died in a household as a proportion of all children born in the household. This is a fairly extreme measure of health, but the constraints of the inequality measure mean that a continuous measure of health is required, therefore this bounded continuous variable was constructed to better suit the measure.

Inequality measure[31]:
Generalized entropy (α=2) has been applied as an inequality measure as it allows total inequality to be decomposed into groups:

$$GE(2) = \frac{1}{2n\bar{y}^2} \sum_{i=1}^{n} (y_i - \bar{y})^2$$

Where n is the number of individuals in the sample, y_i is the years of education/wealth factor score/household child mortality of individual i, i ∈ (1,2,...,n).

The more commonly known Theil index applies a general entropy measure setting α=1. A value of α =1 applies equal weights to differences across the distribution, while a value of α =2 gives proportionately more weight to gaps in the upper tail. The upper end of the distribution has been highlighted here using α =2 because measures of years of education and child mortality for some countries contain a number of 0 observations. The large number of 0 values would downwardly bias the extent of inequality, when in fact much of the inequality under observation is among those women who are receiving some education (greater than zero) and those households who have faced child mortality (greater than zero). By applying a slightly higher weight to values in the upper end of the distribution we accentuate the differences between this end of the distribution and the rest.

---

[31] For an overview of inequality measures including the generalized entropy measure see Litchfield (1999).

ODI

ODI is the UK's leading
independent think tank on
international development
and humanitarian issues.

Our mission is to inspire and
inform policy and practice
which lead to the reduction
of poverty, the alleviation of
suffering and the achievement
of sustainable livelihoods.

We do this by locking together
high-quality applied research,
practical policy advice and
policy-focused dissemination
and debate.

We work with partners in
the public and private sectors,
in both developing and
developed countries.

Cover image: © Peter Rivera: Central
market in Bangalore