

Perspectives in Development:

**An Exercise in Worldmaking**  
**Best student essays of 2017/18**



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### **Acronyms**

AFES – Agrarian, Food, and Environmental Studies  
ECD – Economics of Development  
GDP – Governance and Development Policy  
SJP – Social Justice Perspectives  
SPD – Social Policy for Development

## **Acknowledgments**

*From the members of the Editorial Committee:*

This book is a product of collective efforts of members of the Editorial Committee spearheaded by Sushant Anand, with members Putri Emelli, Satvika Jandhyala and Nina Motovska. Together, the committee managed to compile and edit this collection within several weeks and put all of its efforts for timely publication.

Valuable contributions were also made by the following people:

The professors, who submitted the finest essays in their respective courses;

Peter Bardoel, who has been of great help in making sure that everything is in order and his help with printing;

Sandra Nijhof and Jane Pocock, who were of assistance in finalizing publication of this book;

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*From Peter Bardoel:*

A heartfelt word of gratitude to you, Sushant, Putri, Nina and Satvika! You have worked the clock round to bring the editing to a smooth finish. Straight after your RP submission, with such a stressful time hardly finished, you proved to be willing and energetic to edit the essays. And that is no small task! I could fully rely on you.

So, whenever I am going to open this Exercise in World Making to browse, scan and read, I will think of you. It will be a gentle and warm reminder of you.

Knowing you from my lectures, it has been my pleasure to work with you again, in a different setting.

You have been a wonderful team.

Thank you, Sushant, Nina, Putri and Satvika...!

## Foreword

“I believe in the complexity of the human story and that there’s no way you can tell that story in one way and say, This is it. Always there will be someone who can tell it differently depending on where they are standing; the same person telling the story will tell it differently”  
(Chinua Achebe).

Like every year, the ISS Editorial Committee is now presenting a collection of the best student essays of the 2017/18 batch. The main guiding objective for this year’s book was *diversity*. We believe that in the present times more than ever maintaining of equal and inclusive representation is detrimental. Just like its student body, ISS is within itself a portrayal of diversity. With students from all parts of the world, we wished to give equal space to all regions of the ISS student community to ensure that the multitudes of perspectives are being heard. We believe that this is an essential part of studying at ISS and one of the main characteristics of the program itself – listening to and learning from one another, while respecting other’s opinions and thoughts.

We would like to thank the authors of the essays for devoting their time and efforts for writing of an interesting and high quality content, and having the courage to deal with often very complex matters. The topics ranged from policy analyses, to debates on inequality, to discussion on the evolution of the human rights and many others, while each took a different methodological and analytical approach. Not only are these a depiction of a great academic elaboration but also a walk-through the various courses and issues discussed in the ISS MA program.

We wish the authors and all of the students best of luck in their future adventures hoping that this book will be a nice recollection of their time at ISS!

We have decided to organize the book in accordance with the authors’ majors and these in an alphabetical order.

The essays from *Agrarian, Food, and Environmental Studies* (AFES) covered a diversity of sub-topics including the water problem and institutionalization in Mexico to generic understanding of concepts of capitalism and why it is inherently unsustainable from the lens of a book review. Cavan Kharrazian from the US analyzed the new Mexico water law through New Institutional Economics and then interrogated two fundamental assumptions that underlie it through a Marxist Political Economy framework. Issaka Adams from Ghana in his essay used the novel *The Glass Palace* and other sources to discuss why the mode of production of capitalism is inherently unsustainable. It used the theory of Marx that the capitalist mode of production develops the techniques that undermine nature and the worker. Lorenza Arango Vasquez discussed the case of milk industry in Colombia and what were the consequences of the sector’s switch from a small scale to large scale cooperation production

Second section contains essays from the *Economics of Development* (ECD) major with subject matters ranging from the issues of inequality to cryptocurrencies Paula Jaramillo discussed the essential role inequality plays in terms of economic development and the ways in which it may hinder development efforts. She then discussed the case of Argentina, a country which at initially high stages of economic development failed to deliver as a result of political instabilities and rising inequalities.

Gabriela Izurieta also looked at the issue of inequality but devoted further attention to the issues of understatement of inequality and studied the effects of inequality for the entirety of the Latin American region. Third paper from the ECD major written by Han Nguyen looked at the potential of cryptocurrencies, and more specifically Bitcoin, to become a world money. Han based the arguments from a perspective of three functions a currency shall have to arrive at her conclusion.

The essays in the *Governance and Development Policy (GDP)* section further range from the general women's empowerment issues for the General course, Making of Development, where Masiye from Zambia looks at origin and genesis of women's empowerment, analysis of its strides and ends by remaking empowerment by looking at possible ways forward. Karen Marriner, from Colombia, on the other hand writes an impressive piece as an indicative proposal for a UN body around solid waste management in Bogota, Colombia on behavioral transformation of people and actors involved in the practice by means of a thorough institutional and stakeholder analysis and articulates a pragmatic project around this issue. This was done as a part of the Network Governance and Local Responses course. Karen Resurreccion from Philippines, in her essay for the Development Management & Reforms course talks about revisiting the modas operandi related to the driving license application and procurement process as a reform strategy to keep 'unfit drivers off the roads' by a comprehensive problem analysis including information asymmetry and institutional motivation, concluding with a plausible reform strategy.

The essays in the *Human Rights, Gender and Conflict Studies: Social Justice Perspectives (SJP)* highlight the importance of non-state actors in mobilising rights in achieving social justice. From the role of media as illustrated by Tatiana Navarrete's (Colombia) essay to role of grassroots organizations such as the Nirbhaya case in India as brought forth by Vira Mistry (India). This observation of state sectors' involvement in cases of social justice can be further examined through Johanna Goossens's (Netherlands and United States) essay on the systematic oppression of the United States' prison labour system and its economic impact and ethical considerations. Design Chimwaradze's (Zimbabwe) essay brought these themes together as he produced an overview of the journey of development studies and social justice as academic discourses.

Three papers of students from Indonesia, Ecuador and Kenya were selected to represent the *Social Policy for Development* major. Examining the term participation was the main theme of Bernarda Coello's (Ecuador) paper, where she looked at how the ambiguity of the latter notion obscures poverty-reduction initiatives. She then scrutinized the case of community participation applied in the policies aimed at development of indigenous populations in the Amazon. Jenna Juwono, an SPD student from Indonesia, conducted a discourse analysis of Esther Duflo's TED Talk analyzing the strength of Duflo's argumentation based on the roles that Kairos, Ethos, Pathos and Logos played in her talk. Last presented paper from the SPD major was written by Abdinasir Elmi Mohamed from Kenya. In his paper, Abdinasir looked at the ways in which the feminization of the global poverty discourse influences policy-making and leads to false positioning of women and children as the poorest members of the society.

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## **Inherent Unsustainable Nature of Capitalism: Perspective from Ghosh's Glass Palace and Contemporary Era**

*By Issaka Adams (AFES), Ghana*

### **Introduction**

Capitalism is both economic and political system in which goods and services are provided by private individuals in a free market to exchange for profit. The fundamental logic of the capitalist mode of production is profit (Harvey 2003: 88). Private property, capital accumulation and wage labor are some of the key characteristics of capitalism. Capitalism pushes for new frontiers for accumulation, and as it moves along, it leaves a devastating tread behind. In the words of the 19<sup>TH</sup> century philosopher Karl Marx, “*Capitalist production only develops the techniques and the degree of combination of the social process of production by simultaneously undermining the original sources of all wealth – **the soil and the worker***” (*Capital*, Volume 1, quoted in Foster and Magdoff 1998:38). Using the novel *The Glass Palace* by Amitav Ghosh and other sources, I argue in this essay that the mode of production of capitalism is intrinsically unsustainable. I stand on the premise of Marx as a conceptual framework that the mode of production of capitalism ruins nature and humans. Capitalism destroys the original sources of all wealth because it is inherently driven by greed, exploitation and appropriation of human and non-human resources. The essay thus pulls excerpts from *The Glass Palace* and other source to illustrate this point. I first give a brief summary of *The Glass Palace* before using quotes from it and other sources to support the thesis statement of the essay that capitalism is inherently an unsustainable mode of production.

### **The Glass Palace: A Brief Summary**

The Glace Palace is a fiction novel by Amitav Ghosh plotted in Burma (Modern day Myanmar), Malaya, Singapore, India, the United Kingdom and the United States. The story starts in the late 19<sup>th</sup> Century in Mandalay, the royal capital in northern Burma on the Irrawaddy River where King Thebaw of the Konbaung Dynasty ruled with Queen Supayalat. Ghosh first introduces a boy called Rajkumar Raha, an errand boy for Ma Cho, a food seller in Mandalay. Rajkumar is one of the main characters of the novel. Born in a town called Akyab near the Bay of Bengal, he lost his entire family to a strange fever sickness. Circumstance brought Rajkumar to Mandalay where he met Ma Cho. It was through working for Ma Cho that Rajkumar also met Saya John, a contractor for the Burmese teak camps exploited by the British. Saya John learns that Rajkumar is an orphan. He takes interest in him. One day, visiting Ma Cho, Saya John goes with his only son Matthew. Matthew and Rajkumar become friends and Matthew tells Rajkumar that the British were preparing to invade Burma. Matthew had heard from his father that the British were preparing to wage war in Burma and seize all the teak.

Burma's royal custom officials had picked a quarrel with a British timber company over some logs of teak. The company was flouting Burma's customs regulations, cutting the teaks and refusing to pay tax. The royal customs officers demanded that the company pay arrears for some fifty thousand logs. But the company protested and refused to pay. This sparked the war in which the British eventually conquered Burma. King Thebaw and his entire household were taken into exile. Burma became part of the British Empire. The Empire could now exploit the territory's resources without opposition. Saya John became a mentor to Rajkumar. He nurtured him in the timber business to become a wealthy and a successful man. The geopolitical struggle for power during the Second World War made Rajkumar and Saya John lose all that they had worked for. Saya John even lost his life through the war.

### **Colonialism, Capitalism in The Glass Palace, and Present-Day**

Researchers generally agree that the Age of Discovery in the late 15<sup>th</sup> century was the beginning of global colonization by European imperial powers. The New World became a settler colony while Africa and parts of Asia served as places for the imperial powers to extract resources. The Industrial Revolution which began in Britain in the 18th Century ensured that the resources of the non-settler colonies were exploited to the benefit of Europe. The British historian Eric Hobsbawm (1975:14) argues that the exploitation of the resources of the colonies was intensified during the Industrial Revolution to feed European industries. This helped some of the imperial powers especially Britain to experience sustained socioeconomic growth, leaping ahead of the rest of the world (Berg and Hudson 1990:24). As a capitalist industrial state, the British Empire ruled the colonies with iron fist in order to maintain the economic hegemony. The Empire conquered new territories through wars to extract resources. This for me is the central theme of *The Glass Palace*. The war that sent King Thebaw to exile was fought primarily because of timber, an important resource for building and carpentry work.

The exploitation of Burma's resources by the British started long before the defeat of King Thebaw but it was intensified after his exile: "*The British occupation had changed everything: Burma had been quickly integrated into the Empire, forcibly converted into a province of British India. Courtly Mandalay was now a bustling commercial hub; resources were being exploited with an energy and efficiency hitherto undreamt of*" (The Glass Palace p106). Saya John by this time had begun making profit through his supply of provisions to the teak camps. He even travelled on first-class in an Irrawaddy steamship during his journey to deliver the supplies. This period marks the beginning of wealth accumulation for him. However, the economic fortune he enjoyed due to the expansion of the timber business came at the expense of human suffering. The timber business needed intensive human labour. Both Europeans and non-Europeans were employed by the timber company.

The Europeans served as supervisors while the non-Europeans did the tedious work of cutting, arranging and transporting the logs.

Marx's theory of the capitalist mode of production undermining the human being starts here in the novel. Workers' conditions at the teak camps are not what any human being would wish for. The oo-sis and the hsinouq, the workers who use tamed elephants to assemble the timber at the camps depend on opium to reduce body pains due to the difficult nature of the work. Their work is dangerous to the extent that sometimes it is between life and death. When the elephants contract the deadly disease known as anthrax it causes them to become violent. This leads to the death of the handlers. The poor workers are also killed by the crashing of timber in an event of breach of safety procedures. Even the European supervisors who are considered 'superior', and do less of the drudgery at the camps are also victims of the situation. On one occasion when Saya John and Rajkumar were in the camp to deliver provisions, Saya John makes a damning revelation to Rajkumar about the horrible nature of life the supervisors have to endure in the forest:

*"Think of the kind of life they lead here, these young Europeans. They have had at best two or three years in the jungle before malaria or dengue fever weakens them to the point where they cannot afford to be far from doctors and hospitals. The company knows this very well; it knows that within a few years these men will be prematurely aged, old at twenty-one; and that they will have to be posted off to city offices. It is only when they are freshly arrived, seventeen or eighteen, that they can lead this life, and during those few years the company must derive such profit from them as it can. So they send them from camp to camp for months on end with scarcely a break in between. Look at this one: I am told he has already had a bad bout of dengue fever. That man is not much older than you, Rajkumar—maybe eighteen or nineteen—and here he is, sick and alone, thousands of miles from home, surrounded by people the likes of whom he has never known, deep inside a forest"*(ibid p119 ).

Also, when Uma, a friend of the Rajkumar family visits Mathew at his Morningside rubber plantation in Malaya and admires the uniformity of the farm, Mathew uncovers the intense labour his workers had to go through to make the plantation successful. He fully admits the success of the plantations comes at the cost of human lives: *"They have a saying you know - every rubber tree in Malaya was paid for with an Indian life"* (ibid p366). Rajkumar before breaking away from Saya John to started his own timber business and had to exploit poor and vulnerable workers from India in order to get the seed capital for the business. Through a friend named Baburao he met in Yenangyaung, Rajkumar got to know how to recruit able-bodied men from poor families in India to work in the oil exploration activities that were taking place in Burma. In fact, this human trade was equivalent to modern-day human trafficking. In the distant past, it could be compared to the Trans-Atlantic Slave Trade which saw millions of Africans shipped to the New World to work in sugar plantations for Europeans to accumulate wealth.

Rajkumar's 'slaves' are kept in poor conditions in the ships en route from India to Burma. During his first trip with Baburao for the recruitment in India, two recruits died due to cruel treatment and appalling conditions aboard the ship. But Baburao being a 'master' of this horrible business told Rajkumar, "*Two out of thirty-eight is not bad. On occasion I've lost as many as six.*" Indeed, both Rajkumar and Baburao couldn't necessarily be blamed for engaging in this despicable trade. As Marx said in *The Eighteenth Brumaire of Louis Napoleon*, "*Men make their own history, but they do not make it as they please; they do not make it under self-selected circumstances, but under circumstances existing already, given and transmitted from the past*" (Marx 2008:1). The existing system at the time sanctioned their actions. And indeed, there was no question about morality and ethics in capitalism. The system was ingrained in love for wealth than the human life. That is why the Trans-Atlantic Slave Trade continued for over 300 years until when machine labor became efficient and profitable than human before it was abolished. The slave trade was thus abolished not because it was immoral, but because it was unprofitable due to invention of machine labor.

Situating the exploitation of the human life for wealth in *The Glass Palace* in this contemporary era, we would find that nothing had changed. The subjugation of the work for the sake of profit was still an ongoing process in any capitalist regime. The power of labor unions was dwindling while that of corporations is rising. In 2016, a report by Oxfam America revealed that in order to enhance efficiency in production, the poultry industries in the United States were denying workers the right to even use the washroom during working hours:

*"Workers urinate and defecate while standing on the line; they wear diapers to work; they restrict intake of liquids and fluids to dangerous degrees; they endure pain and discomfort while they worry about their health and job security. And they are in danger of serious health problems. The denial of bathroom breaks strikes women particularly hard. They face biological realities such as menstruation, pregnancy, and higher vulnerability to infections; and they struggle to maintain their dignity and privacy when requesting adequate time to use the restroom"* (Oxfam report 2016).

Enhancing efficiency is nothing more than increasing profits of the corporations. And this is achieved by all means even if it requires the blatant disregard for the dignity of the human being. This proves capitalism is indeed antithetical to the human being behind its operation. The British film producer David Puttman summarizes this by saying: "*capitalism disregards human suffering in pursuit of profit*" (TEDxDublin 2014).

Apart from the worker, nature which is the source of all life is also ruined by capitalism as said by Marx. It is worth taking note here that even in other economic systems, humans make use of nature to satisfy a need. But the thing with capitalism is that it always wants to exploit nature in such a way that nature becomes subordinate.

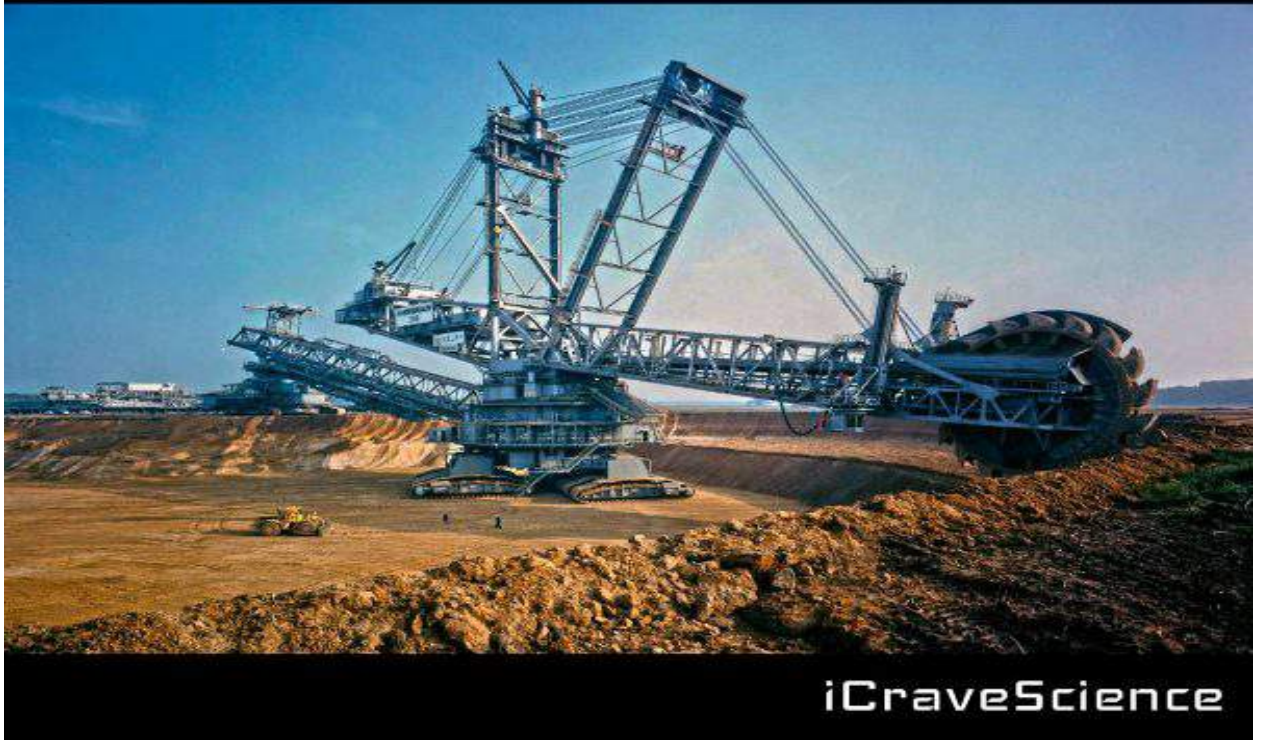
From *The Glass Palace*, Saya John tells Rajkumar in a conversation in the jungle: “You see that man, Rajkumar? That is someone you can learn from. **To bend the work of nature to your will**; to make the trees of the earth useful to human beings—what could be more admirable, more exciting than this? That is what I would say to any boy who has his life before him” (p121). Also, When Uma visits Mathew at the Morningside Rubber Plantation; Mathew expresses the superiority of humans over nature. He tells Uma: “This is my little empire, Uma. I made it. I took it from the jungle and **molded it into what I wanted it to be**” (p366). The text in bold explains the danger of the mode of production of capitalism. The notion of humans being superior to nature leads to the forgetfulness of our duties and responsibilities to honor it in order for it to continue to sustain life. Shortly after the British takeover of Burma, Ghosh paints a grim detail of how the environment was being destroyed in pursuit of economic gains:

*“This was the season for the timbermen to comb the forest for teak. The trees, once picked, had to be killed and left to dry, for the density of teak is such that it will not remain afloat while its heartwood is moist. The killing was achieved with a girdle of incisions, thin slits, carved deep into the wood at a height of four feet and six inches off the ground...The assassinated trees were left to die where they stood, some-times for three years or even more”* (p.111). Ghosh’s description of this plunder of nature is a fundamental characteristic of capitalism. It is a system that claims superiority over nature and thus continues to exploit by whatever means as long as it leads to wealth accumulation. Saya John in page 120 tells Rajkumar how the British converts tamed elephants to work for profit and even devising a method to float the timber logs downriver. It is also a system that puts profit first ahead of everything. Saya John advises Rajkumar in page 288 “*Timber is a thing of the past, Rajkumar: you have to look to the future - and if there’s any tree on which money could be said to grow, then this is it - rubber*”.

The relationship between capitalism and nature is therefore that the former develops sophisticated techniques to exploit the latter. The goal of course is to become ‘master’ over nature. The becoming ‘master’ over nature notion has intensified in this modern era. Humans’ technologies for exploiting nature for economic gains are getting stronger and bigger. And because capitalism has become global, human activities for economic gains are causing an ecological collapse faster than expected. At the Copenhagen Climate Change summit in 2009, former UN Secretary General Ban Ki-Moon said “**our foot is stuck on the accelerator and we are heading towards an abyss**” (UN World climate conference 2009). There has been a surge in the search of energy and material to feed industries, man-made moving objects and households. For example, China from 2011 to 2013 is said to have used more cement than the United States did in the entire 20<sup>th</sup> Century (*Washington Post* report 2015). This gluttonous level of material use drives the inventions of sophisticated technologies in order to exploit more of nature’s resources without caution.

## Bagger 288 Excavator

The **world's heaviest and largest land vehicle**. Took **10 years to build** and **\$100 million**. Moves 8.48 million cubic feet of material a day, enough to fill a football field sized hole, 98 feet deep. Took **3 weeks and \$10 million to travel 14 miles**.



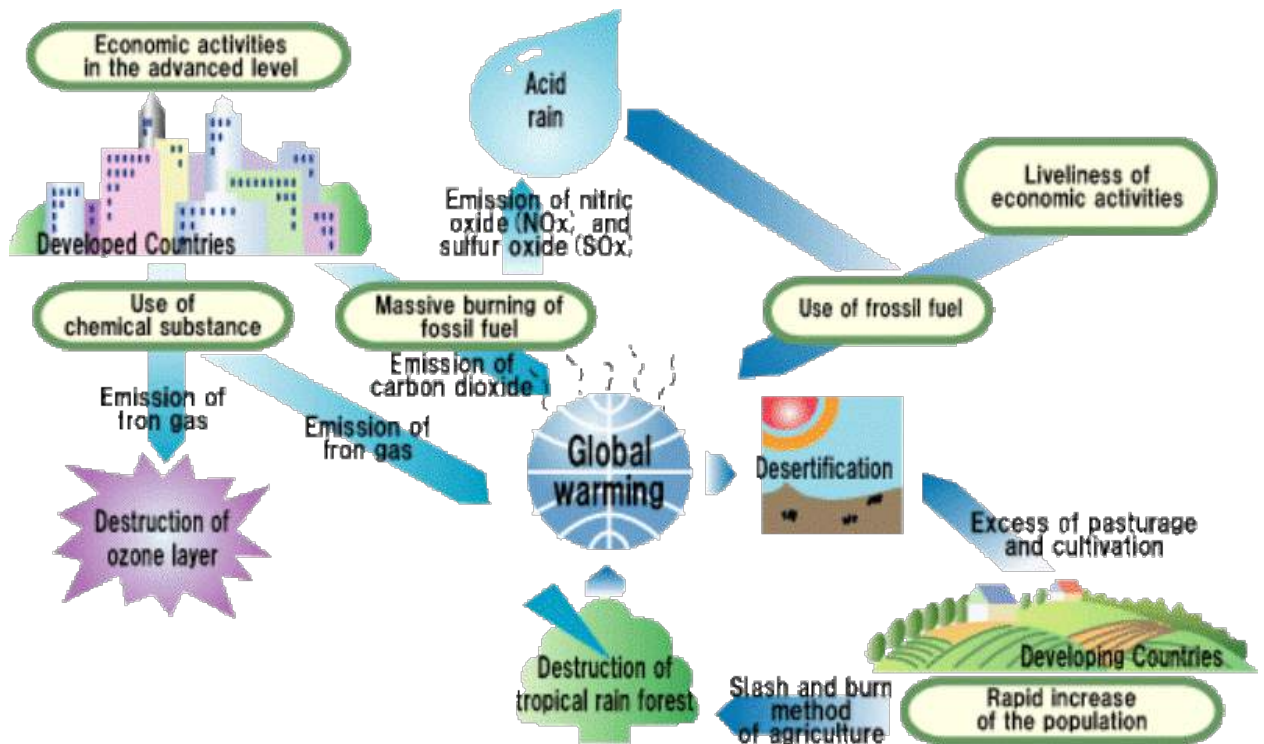
Bagger 288 excavator, iCraveScience 2016

The social and environmental cost of the plunder is enormous. Imagine the years to come when we would have many of these bagger 288 excavators cutting through the Earth. This indisputably would speed up the environmental disaster the world is facing. We would have to brace ourselves for the worse as nature fights back.

Mathew in a conversation with Uma about how he transformed his Morningside Estate into a uniform rubber plantation confirms nature turns against humans if it is bent in any way to serve the will of humans: *“Looking at it, you would think everything here is tame, domesticated, that all the parts have been fitted carefully together. But it’s when you try to make the whole machine work that you discover that every bit of it is fighting back. It has nothing to do with me or with rights and wrongs: I could make this the best-run little kingdom in the world and it would still fight back”* (p266). This means actions exerted by humans on the environment leads to a reaction. Sounds like Sir Isaac Newton’s Third Law of Motion. It also means a system like capitalism which exploits nature without care is bound to collapse when nature starts fighting back. And of course, Mathew’s statement of nature fighting back is the imminent ecological collapse starring at humanity.

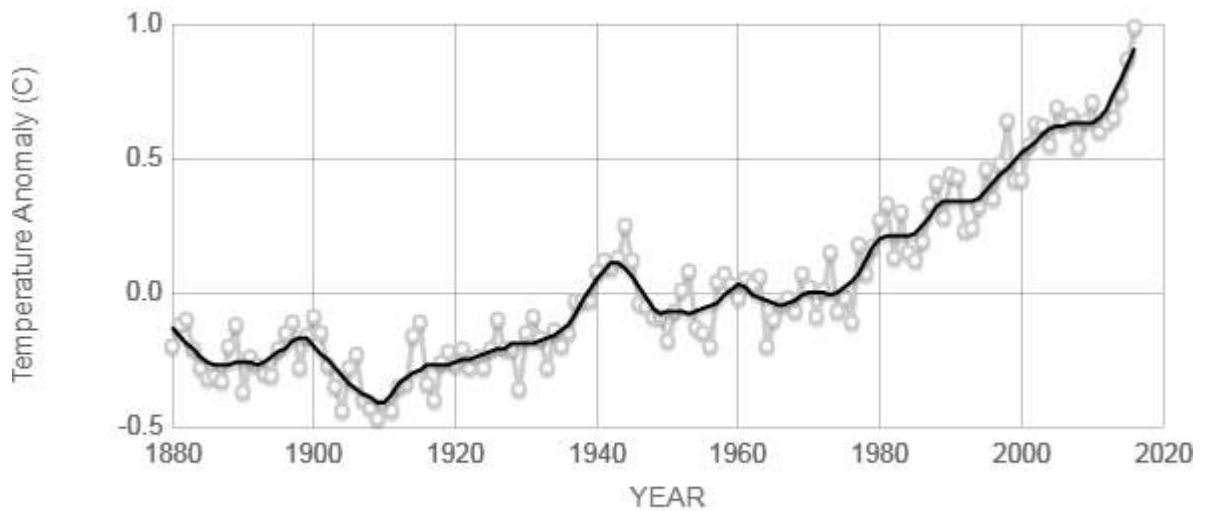


Capitalism misleads man to think he is superior than his origin (nature). Today, academics, governments, civil society organizations and even corporations are admitting that we can't continue the business as usual model. The sustainable development plan introduced by the UN to try and make capitalism sustainable has failed miserably. Professor M.A. Mohammed Salih of the International Institute of Social Studies argues that *"negative environmental trends have not reversed in any satisfactory manner and in some cases the trends are worsening rather than improving"* since the implementation of the sustainable development agenda (Mohammed Salih 2009:1).



Learn Health, Safety and Environment, 2016

The economic activities largely carried out by advanced capitalist industrialized countries are culminating in the current ecological crisis. The Earth is warming. In 2017, the United States National Aeronautics and Space Administration (NASA) reported that the year was the second-hottest year after 2016 (NASA Global Temperature Report 2017).



Source: climate.nasa.gov

NASA data showing the rise of Global Temperature in 2017

Capitalism cannot transform itself. Corporations are still motivated by greed. The goal is wealth accumulation than invent technologies that could ensure sustainable development. Poor countries who have made less impact in the destruction of the ecology are today bearing the severest brunt of the disaster caused by rich industrial capitalist nations.

### **Conclusion and Final Thought**

The essay used the novel *The Glass Palace* and other sources to discuss why the mode of production of capitalism is inherently unsustainable. It used the theory of Marx that the capitalist mode of production develops the techniques that undermine nature and the worker. Marx theory hence served as a conceptual framework for the essay. And it is evident from the excerpts taken from *The Glass Palace* and other sources that capitalism is ingrained in the idea of profiting making to the extent that it cares less about the welfare of the environment and humans. It is true that no economic system is perfect but capitalism takes a complete different trajectory from the others regarding its relationship with nature and humans. It is a system driven by greed, exploitation and appropriation, with the ultimate goal to accumulate wealth by all means including the violation of ethical and moral values of both the environment and human society. By this, the mode of production of capitalism is not only unsustainable; it is also an existential threat to humanity.

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# **Colombian milk industry in the era of consolidation**

*By Lorenza Arango Vasquez (AFES), Colombia*

## **Introduction**

In 2016, the sales of *Colanta* (*Cooperativa de Lácteos de Antioquia-Colombia*) surpassed COP 2 billion (USD 700.000), the biggest rate of return in the history of the company (La República 2016a, La República 2016b). The numbers also represent the highest revenue within the industry, positioning *Colanta* as the top company in the sectors of production, processing and distribution of milk and other dairy products in Colombia. Subsequent positions are held by two other national companies and an international competitor, respectively. Together they account for nearly 70% of the internal market (La República 2016b). Across Colombia, from convenience stores to large chains of supermarkets, the companies have “successfully” position its products through a range of marketing devices that refer to milk and its by-products as “the indispensable element of a healthy diet” (El Espectador 2017).

This essay examines the configuration of the milk industry in Colombia. It argues that the industry is the result of a dual process of corporate consolidation and concentration, in which a once highly disperse and competitive landscape of small-scale cooperatives and family businesses has given way to the dominance of few large-scale corporations. As a corollary of its overarching expansion, the top four milk companies have come to play a significant role in the configuration of the so-called “consumer food environment” in the country. The first section employs the definition of “corporate consolidation” by Howard (2009) and the understanding of “corporate concentration” of Hendrickson (2015) to make sense of the industry’s path of formation. It concludes that the consequences of the industry’s concentration are profound and vary, one of the most representative being its increasing influence on people’s diet. Thus, the second section briefly signal the strategies through which the leading milk corporations are determining food choices, in an attempt to building connections between these analytical concepts.

## **National milk industry: an overview**

2016 was certainly a remarkable year for Colombia’s top milk company. Its most recent success, however, has long been anticipated; the company has shown a steady economic performance from the turn of the 21<sup>st</sup> century. Over 60 years ago, *Colanta* was founded by a group of small milk producers to the aim of ensuring fair prices for the milk to be sold to manufacturers and processing businesses. Today, it constitutes the largest cooperative in the country that congregates 21000 members (Colanta 2018). Its participation in the dairy national market is of 24% (La República 2016b). Slightly away from the top position, *Alpina* –a multinational company originated in Colombia also in the mid-twentieth century- accounts for the 23% of the market.

*La Alquería* -a family business at the outset- has grown to become the third leader of the market, through its specialization in milk by-products. It holds a share of about 10% of the total market participation (Dinero 2015, La República 2016b). In the fourth place, much more distant from the two leading corporations, is a subsidiary of the Italian firm *Parmalat*. Since its arrival the company has increased its market share, but has remained far from reaching the three national competitors.

This scenario was not always the same. Before 1990 the production of milk was mainly “artisanal”, constituted by several cooperatives whose produce was directed to local and regional markets. No great deal of technologies was implemented; the level of milk litres was determined by natural factors such as weather, for instance. Moreover, there was not much product differentiation (Dinero 2002). However, the beginning of the new millennium was marked by the insertion of dairy multinational companies to Latin America, and a simultaneous renovated support from the national government to medium size national companies via loans (El Tiempo 1997), arguably as a way to mitigate the advance of the first ones. With time, the sector embarked itself in a path of great speed “modernization”: milking processes were done employing technological equipment, and differentiated milk by-products became the path to go. The race to the top had just started.

#### **a. On the path towards corporate consolidation and concentration**

Resulting from this modernization was the consolidation of the milk industry in the aforementioned four players. The emergence of differentiated products permeating the national markets left out of the playing field the many smallholders associated to the industry, that did not have the financial resources neither the technical assistance to cope with these changes. This phenomenon, categorized by scholarly work as a “treadmill of production” (Boehlje, Hofing and Schroeder 1999:2), has served as the preface for processes of “corporate consolidation” (Howard 2009: 1270). Put it differently, those businesses that could not keep up with the pace of the industry were absorbed by their larger competitors, via mergers and/or acquisitions that in turn were competing for subsisting in the treadmill longer (Howard 2009: 1268). In the case of Colombia (as witnessed in other latitudes), not only did the latter happen with the new millennia turn, but “fusions and acquisitions” are an ongoing strategy of the top companies to ‘penetrate markets and staying on top’ (Dinero 2015), in the words of *La Alquería*’s executive director. The strategy is not except of pitfalls. It has signified, among others, diminishing working conditions for absorbed smallholders, and the lost of traditional milking practices that generated bonding effects between producers and consumers.

According to Hendrickson (2015: 421) (also Howard 2009: 1271), consolidation takes place via two related processes: horizontal integration –the absorption of companies located at the same segment of the chain and/or vertical integration – when the absorption takes place across several segments of it. The milk industry in Colombia is representative of both trends.

Along a period of 15 years *Colanta* has acquired around 120 small and medium size cooperatives and small businesses of milk production operating at the regional level (Colanta 2018) – following horizontal integration. In addition, it took ownership of other upstream actors such as inputs providers, as well as downstream the chain like retail points. Thus, reaching the top position was a matter of time.

*Alpina* and *La Alqueria* have followed a similar pattern, although their businesses are less integrated than *Colanta's*, which owns a significant number of players in the two ends of the chain. Both have acquired other pasteurizers and are the owners of distribution channels and exclusive retail points (destined only to their products). *Alpina* has opted for expanding its penetration further by exporting to other countries within the region Venezuela, Ecuador, Bolivia; and more recently to the United States (Portafolio 2017), a process point out by Hendrickson (2015:421-423) as a third channel of corporate consolidation, namely globalization. Indeed, *Alpina* is not solely an important actor at the national level, but has reached global agrifood markets that in turn are highly consolidated, as identified by Hendrickson, Heffernan and Howard (2001: 10) (also Hendrickson 2015: 423). The US dairy industry, originally integrated by cooperatives of farmers, started a rapid consolidation process from around 1990s to become one of the highly concentrated milk industries globally. While writing this paper, *Colanta* was awaiting the “green light” from the European Union to initiate its exports, accordingly.

Similarly, the transnational *Parmalat* owe its forth position in the Colombian market to the series of acquisitions registered from 1998. Upon its arrival, the Italian firm bought *Proleche*, *Colanta's* biggest competitor in the region, where it is headquartered, and has continued this trend that only adds to the number of mergers that had taken place in Argentina and Chile prior to its landing in Colombia (El Tiempo 1998). Only in 2011, Parmalat accumulated nearly one billion in sales, a panorama explained by analysts as the result of lowering its prices up until 168% (Dinero 2015) in an attempt to displace *Alpina* from the second best position in the industry.

With consolidation at its highest peek, the milk landscape has become the most highly concentrated industry within the country (only followed by cacao's), where four companies account for about three quarters of participation in the dairy market. In echo of Hendrickson (2015: 421) concentration is both an analytical lens and a useful numeric tool to visualizing the effects of mergers and acquisitions taking place within an industry. Building on his collaborative work with fellow researchers, the author has argued that a number exceeding 40% can be categorized as an overly concentrated industry. The Colombian case is illustrative of this categorization.

Several key points can be made. First, consolidation of the milk industry is not a natural development. Howard contends that an influential political position is one factor that contributes to industries being dominated by “few players” (2009: 1270).

In Colombia, the state has played a fundamental role in leading the industry's concentration: the case of *Colanta* stands out.

“The business success” is partly the result of the favorable financial environment that cooperatives held, by means of loans and exemption of taxes (La República 2016a).

Some even doubt of *Colanta* being close to a meaningful definition of cooperative, and had rather become a profit oriented company soon after its establishment.

Second, although part of a wider process of globalization of the agrifood system, the character of the Colombian milk industry remains characterized by the prevalence of private national companies; international players have penetrated the market, but are far from becoming indisputable competitors. The still dominance of a national private sector (and its relevance to the understanding of food and agrarian systems) in nonetheless global agri-food markets is an evidence of a phenomenon already pointed out by Schneider (2016), in the context of the rise of pork agribusinesses in China. Third, consolidation has resulted in the diminishing of small producers' livelihoods; the lost of traditional practices of milking and the one to one relationship between vendor and consumer in local markets. The market power of the top four milk companies has been partly determining consumer diets.

#### **a. On delineating what to drink**

‘[...] We are proud to occupy such a significant position in the diets of our Colombian families. We will keep innovating to take to you the most nutritious milk to accompany your meals ...’ – the latter is an abstract of the speech pronounced six months ago by the executive director of *La Alquería* (number three in the ranking) about the launch of its most recent product: milk powder in four different flavours (El Espectador 2017). Much controversy has arisen since then as the company is said to eventually challenge the high intake of liquid milk, especially in low socio-economic levels. In Colombia, the price of overall milk and other dairy products is already average; only those that are to target special diets, such as “lactose free” milk are charged higher.

*La Alquería's* new product, however, seem to be following new strategies to increase its demand, shaping the “acceptability and affordability of foods”, also referred to as the “food environment” (Greenberg 2017: 468). As illustrated by Greenberg (2017: 483-485), top food companies have managed to proclaim themselves as drivers of nutrition and good health, and profit from it. Manufacturing products that are to be easily nutritionally manipulated is one key mechanism (Greenberg 2017:483). Milk powder is the result of processing the surplus of milk once the milking process has finished. Because it is processed with a little percentage of milk itself (and later mixed with additives) the product is sold under the label of “low fat” (El Espectador 2017). Interestingly, the company has fallen into an apparent contradiction: promoting an alleged “nutritious low fat” milk, while adding coloring and flavoring ingredients.

The consolidation of the industry has not stop the race to the top. In addition to developing products subject of nutrition manipulation, companies also sell them at a low price. In Colombia, milk corporations collect the milk surplus at a very low price. They too sell it “cheap”.

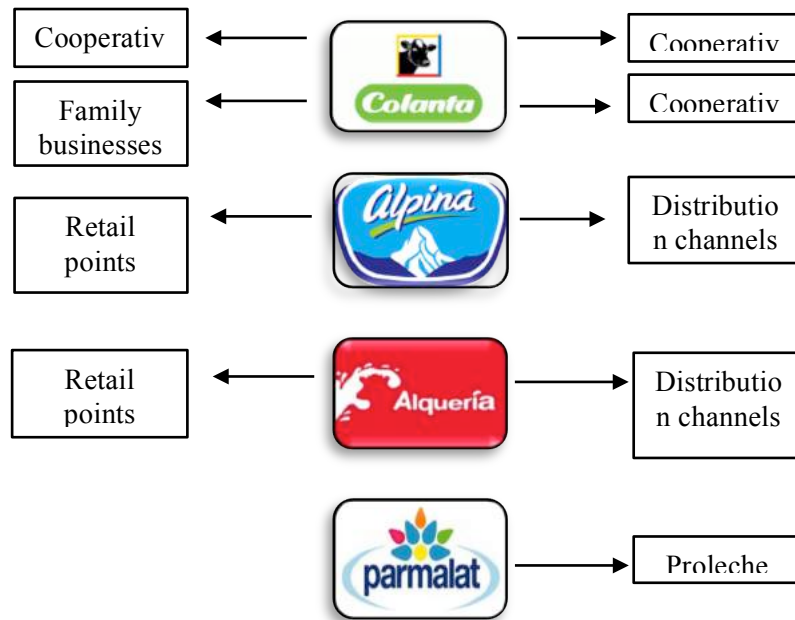
For Greenberg (2017), via advertising corporations direct cheap products to the general audience, but particularly to low income families as a way to expand their businesses even more (2017: 484). *La Alquería*'s new milk powder is directed to this segment of the population.

Milk powder is also part of a broader strategy of corporations to develop the so called “functional products” –to which especial micro-nutrients are said to be added in order to enhance people’s health (Scrinis 2016: 5). According to Scrinis (2016), despite of or even because of its alleged benefits, “functionalized foods” deserve scrutiny. Enhanced nutrition by adding or lessening products’ components might have an element of truth. Nevertheless, one problematic issue is that those alleged vantages over more regular products are used to advance profit-seeking agendas in the name of “health”. After *La Alquería*'s announcement, a segment of the Colombian sanitary authorities has called for the attention of consumers to analyze its food choices, as products such as milk powder ‘could serve as part of a diet, but can not become a substitute of less processed options’ (El Espectador 2017). Yet, the warning is coming too late; “food environment” is already corporate-shaped.

## **Conclusion**

Colombia’s milk industry has reached an extraordinary level of concentration. Mergers and acquisitions increased around the beginning of the 21<sup>st</sup> century and continue to be the practice today. Among other many and more severe consequences upon peasants’ livelihoods, for instance, it was argued that corporate consolidation has been instrumental to shaping people’s “food environment”. Through advertising of “health enhancing” milk products at a low price, the top four of the industry are partly determining what people should drink. If consolidation comes as a first act of market power, the companies’ delineation of the “food environment” does nothing but to trigger concentration further

### Visualizing Colombian Milk Industry Consolidation



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# **‘Contested Waters’: New Institutional Economics, Marxist Political Economy, and the Mexican Water Reforms**

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## **Introduction**

In 1992, the Mexican government passed the National Water Law which, among other things<sup>1</sup>, decentralized federal water provisioning, transferred management of water to local “Water Users Associations,” instituted new property rights governing the trading of water as a commodity, and allowed for privatization of municipal water systems (Wilder and Lankao 2006: 1977-1975). This change came at a time when international institutions like the World Bank were devising new development strategies for natural resource management in the “post-Washington Consensus” era (Franco et al. 2013: 1661). That same year (1992), the International Conference on Water and the Environment produced the ‘Dublin Principles,’ which unequivocally declared the relative scarcity of water and highlighted its value as an economic good (International Conference on Water and the Environment 1992). Moving away from strict ‘free market’ prescriptions offered by orthodox neoclassical economists, this new regime of water management resonated more with the logic of New Institutional Economics (NIE), which shifted focus towards the role institutional-organizational interaction plays in reducing transaction costs and allocating property towards the most efficient users. Fundamentally, the question of water and water management was linked to the transformation of agricultural production in Mexico, especially irrigated production.

This essay will analyze the Mexico’s National Water Law through the lens of New Institutional Economics, and then interrogate two fundamental assumptions that underlie it through a Marxist Political Economy framework<sup>2</sup>. First, the specific understanding of ‘relative scarcity.’ Then, correspondingly, the conception of the distributive and allocative ‘efficiency’ of certain property rights and property ownership arrangements that, by NIE’s logic, can manage scarcity most ‘effectively.’ The essay’s main arguments are that 1) unlike NIE’s approach, water scarcity should be seen as the result of political-economic power arrangements, embedded in the broader dynamics of capital accumulation, that must take into consideration social relationships to the means of production and 2) basing the appraisal of ‘efficiency’ and ‘effectiveness’ of water use on the logic of maximizing accumulation conceals the multiple uses of water, the class dynamics of agricultural production, and naturalizes contested categories of social utility.

## **NIE and the Mexican Water Law**

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<sup>1</sup> See Wilder and Lankao (2006) for a more complete breakdown of the National Water Law’s prescriptions.

<sup>2</sup> It is not within the purview of this essay to assess or explain the effects of the Mexican water reforms and/or to propose an alternative solution based on Marxist political economy (nor to defend the pre-reform water management regime), rather it is to highlight the analytical weaknesses and blind spots of NIE in the context of its engagement with, and the extent to which it informs, the water reforms.

New Institutional Economics (NIE), modifying neo-classical thought that drove much of the free-market policies in the 1970s and 80s, posits that neither the 'state' nor the 'market' can effectively allocate resources (Harriss 1995: 1). Individuals are still ontologically considered economically rational agents, driven by a cost-benefit rationality based on marginal utility, that dictates their resource use. However, both market failures and state administrative failures, resulting from transaction costs (such as accessing 'perfect' information needed to rationally allocate a resource) and inefficient, rigid path dependence created by narrow state interests, can lead to irrational decisions (Bates 1995: 28, 29).

Particular focus, then, is placed on the role of institutions and organizations. Institutions are the "humanly devised constraints that structure human interaction" such as "formal rules (statute law, common law, regulations) and informal constraints (conventions, norms of behavior and self-imposed codes of conduct)" (North 1995: 23), and organizations are "the players" who are "groups of individuals bound by a common purpose to achieve objectives" (ibid.). Institutions arise in the face of 'market failures' and can either limit efficient economic performance and management of resources or assist in lowering transaction costs, allowing rational individuals to transcend these limitations and successfully allocate scarce resources towards the most efficient and productive use (North 1995: 25-26).

NIE, though departing from neoclassical orthodoxy, nevertheless builds upon its fundamental premise of *relative scarcity* (Scoones et al. 2018: 3). That is, rather than understanding natural resources as mechanistically limited to natural availability versus the Malthusian ratio of population growth, or understanding scarcity as the result of historical socioeconomic inequality that impacts distribution, scarcity of resources is viewed as something relative to how they are used and are limited "in relation to demand" within an arena of competition (Scoones et al. 2018: 3; North 1995: 22). While technology can be important, for NIE it is tangential to the existence or absence of institutional and organizational arrangements that can effectively apply technology and ensure resources are allocated to users that can most effectively and productively take advantage of them within a market setting (Saleth and Dinar 2004: 77). The state, rather than being irrelevant, is then seen as effective when it can be a facilitator of these arrangements (Harriss 1995: 9).

In responding both to the perceived inadequacy of state-heavy water administrative schemes and simple marketization of water, international development organizations such as the World Bank began to rethink policies that would, in their view, more efficiently govern water in nations that are transitioning from a "state of water abundance to that of water scarcity," with scarcity perceived as stated above (World Bank 1993: 4). Importantly, focus was aimed at developing countries which had extensive agricultural production, especially in Latin America, where national water resources were considered a public good owned and administered by the state or in some local cases governed by informal customary practice (Thobani 1997: 161-163).

According to NIE logic, however, water being a public good necessarily creates a ‘market imperfection’ as individuals are not incentivized to contribute to the costs (monetary, social, and ecological) associated with water-- costs which they are imperfectly informed about in the first place (Bates 1995: 31). Water, therefore, becomes scarce due to both the ‘free rider’ effect and the distorted allocation of water towards users that may not be using it efficiently or in a way that generates insufficient utility (ibid.). The presence of market imperfections associated with water, demands, in the NIE perspective, institutional fixes. The 1990s witnessed a rapid proliferation of both literature, projects, and policies that implemented ‘tradable water rights’ (TWR), coupled with a decentralization of irrigation management (Holden and Thobani 1996; Lee and Jouralev 1998; Rosegrant and Binswanger 1994; Thobani 1997; World Bank 1993; World Bank 1996). This new rush of literature, based on NIE principles, were crucial in laying the foundation for projecting a ‘new’ development discourse and practice to nations in the Global South, especially in Mexico.

By the end of the 1980s, the Mexican government began a series of far-reaching ‘structural adjustment programs’ (SAPs) that ‘re-regulated’ Mexico’s economy, orienting it towards a neoliberal framework that altered the role of the state and with it the role of natural resources and agriculture in national development strategies (Otero 2004: 10). As this transition evolved, two key reforms took place, both bankrolled and heavily influenced by the World Bank, International Monetary Fund, and the US government, along with an array of international institutions dedicated to the new paradigm of ‘Integrated Water Resource Management’ (Franco et al. 2013: 1661). The first was the repeal of Article 27 and the New Agrarian Law, a land reform measure that paved the way for privatizing the *ejidal* tenure system, a system of ‘social property’ built from redistributed agricultural land that was officially owned by the state, but its possession and use, along with water access, was guaranteed as a right to *campesino* (peasant) communities.

With the Agrarian Law, subsidies and marketing support were dramatically cut. The second, was the National Waters Law (Ley de Aguas Nacionales). Prior to both of these laws, water rights and water allocations for irrigation in *ejidal* districts were directly linked to the social property rights of the land. Water could not be sold, transferred to other property, rented out, or used on large-scale agriculture larger than 20 hectares (Rosegrant and Schleyer 1996: 266). After the reforms, *ejidal* plots could be individually titled, as well as the right to rent or sell them. Concurrently, water allocation was de-linked from the previous system of land tenure, and “water rights were given by means of ‘concessions’ to individuals, or legally defined groups of individuals, and by ‘assignments’ or ‘grants’ to federal, state, and municipal departments or agencies” (Rosegrant and Schleyer 1996: 269). Water, then, became allocated through tradable water rights, which were transferred to individual agricultural producers, who in turn were organized into water user associations, who were tasked to run and manage the irrigation of their area.

Tradable water rights entails transforming the water from a public or usufruct good into a private property title that can be transferred to already existing water users of a certain source of water or sold to new users through a formal market process (Thobani 1997: 163-164). The price of water use is set then to “reflect its true scarcity, or opportunity cost, that is, the price the marginal user is willing to pay” (ibid.). They are tradeable in that users are able to sell their rights of water use to other actors. Additionally, by decentralizing management and maintenance of irrigation and provisioning systems to water user associations (WUAs) and forcing them to recover the full costs needed for operation, ‘free rider’ issues are minimized. The fundamental assumptions used by the Mexican government to justify both the water and *ejidal* reforms was that “entrepreneurial producers could take advantage of the market opportunities opening to them-- the country’s most efficient producers would advance and progress under the modernization strategy” (Wilder and Whiteford 2006: 347). The ‘wasting’ of water was seen as the result of “top heavy” state-run management systems, and a devolution of water management in irrigation districts to WUAs was touted as a solution to more efficiently operate them (Whiteford and Bernal 1996: 228).

Tradable water rights and decentralization through WUAs reflect NIE’s prescriptive logic in the following way. First, by equating scarcity with relative use and opportunity costs, a transition to TWRs can be seen as an institutional arrangement that solves the issues NIE associates with a public good. Through this pricing mechanism, and by forming more localized organizations to administer water, gaps in information as to the ‘true’ opportunity cost of water can be bridged. As NIE classifies imperfect information as one of the key ‘transaction costs,’ these arrangements serve the ideal goal of limiting these costs so that rational agents, grouped in organizations, are able to overcome the dilemmas associated with relative water scarcity, and “[strengthen] the role of economic incentives... making it in the private interests of maximizing individuals to make socially appropriate production decisions” (Bates 1995: 30). Water for agricultural use may then also be transferred to other uses if agricultural producers decide the costs are too high for them to continue production. Resources then fulfill not just an allocative efficiency, but an *adaptive* efficiency—a flexibility that allows water to ‘flow’ to the most ‘socially appropriate’ places no matter what the context (North 1995: 26).

### **Marxist Political Economy Rebuttal**

As seen through the Mexican water reforms, and the broader discourse on tradable water rights in general, NIE presents a more nuanced approach than neoclassical economics to the question of water. Instead of a one-dimensional application of completely market-driven privatization, it offers some nuance in acknowledging a larger complexity of societal factors that must be accounted for when analyzing water’s role in agrarian change. However, from a Marxist political economy lens<sup>3</sup>,

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<sup>3</sup> For the sake of this short essay, Marxist Political Economy will be adapted from Bernstein’s (2010) framework. The author recognizes the multiple competing tendencies within Marxism, however this essay will only explore concepts fundamental to orthodox Marxism in general.

the assumptions that frame the ‘water issue’ in Mexico and inform the prescriptions of the water reforms demand scrutiny.

The first area of contention is the conception of ‘water scarcity,’ which, stems from a broader position on resource scarcity in general. For example, Douglass North’s (1995) formulation, begins with the “ubiquitous economic setting of scarcity” as the starting point of analysis, producing competition, and thus institutional change, combined with technology, to ensure successful allocations and overcome issues of scarcity in a society (22, 23). A Marxist Political Economy lens questions this naturalized view of scarcity, competition, and instrumental rationality, and examines how scarcity is actually “constructed in relation to historically-specific patterns and forces of production, distribution and consumption” (Perelman 1979 in Scoones 2018: 4).

While Marx himself did not doubt the existence of objective, material limits to natural resources, a Marxist understanding of how a natural resource (or the non-human natural world in general) comes to be used, and how, is dialectically related to the social conditions of production, which are “all the relations between people that shape how production is organized, including its technical conditions” (Bernstein 2010: 16). Therefore, water is not merely a discrete, natural object, but when circulated within the capitalist mode of production, its existence becomes intimately bound with the dynamics of capital accumulation. It takes on a different function and modality as a specific factor in the social relations of capitalist production and circulated as a commodity valued on exchange. Rather than the National Water Law’s push to ‘recognize’ the inherent economic value of water, which is to be guaranteed through private property rights, this type of water-value has to be *produced* by inserting it into the logic of capitalist accumulation.

Bernstein’s (2010) formulation of “Four Key Questions” of Marxist political economy further helps elucidate these social conditions of production within the context of irrigated, capitalist agricultural production in Mexico, by determining how water resources are distributed (and under what system of property); who performs what activities related to irrigated agricultural production (and what kind of production); who not only gets access to water, but also who benefits from production; and how water is used and for what ends (22, 23). Given this, the taken for granted category of ‘scarce’ must be interrogated further: what *kind* of water is scarce, for whom and for what purposes? As such, ‘scarcity’ then becomes a specific type of scarcity, one defined by its distribution within capitalist production. It is initially framed, in the context of the *ejidal* system, as scarce because it is a public good and does not, for the owners of private capital, benefit expanded production, especially in export enclaves. Through abolishing guarantees to water use, that is, through subsidized administration of the public good, ‘scarcity,’ as a socioeconomic relation to resource, changes its nature for different people: those who have the means to pay for water and its management (through extracting surplus-value in agricultural or other water-intensive production) become water-abundant, and those that do not are dispossessed of water, experiencing their own ‘scarcity.’

The terms of competition for this politically produced scarcity water, that NIE sees as natural and the Water Law tries to foster, is shaped by socioeconomic power struggles (which derives from a specific group relationships to the means of production, or class), which span both local and global scales. Furthermore, the creation of WUAs, while aiming to be more ‘democratic,’ does not pay attention to the power imbalances within irrigation districts that could skew outcomes.

The question of scarcity elaborated by a Marxist position above, then, is necessarily linked with the questions of ‘efficiency’ and ‘effectiveness’ of water use. Again, the main justifications for the water law are based in a critique of the allocative inefficiency of the previous use of ‘increasingly scarce’ water and the ‘tragedy of the commons’ that arises with the ‘free-rider’ effects of public goods. In this, there are several assumptions, which a Marxist political economy lens would problematize.

The first, as enumerated above, is the issue of allocative efficiency, which as seen as determining the most ‘socially appropriate’ places for water to be used (North 1995: 26). However, it takes for granted that wherever it can generate the largest profit and productivity is the most appropriate. In the case of irrigated agriculture, while per-hectare crop productivity may generate the most profit, this limited view does not take into consideration the class dynamics involved in the production. While a specific producer or owner of capital may benefit from water used for a certain agricultural commodity, a Marxist analysis forces us to understand the constellation of social relations around that production. For example, the labor relations that underlie the production, where waged agricultural workers on capitalist farms do not reap the benefits of increased production and ‘efficiency.’ Efficiency, for them, often means increased exploitation, that is, increased appropriation of surplus product that becomes profit for the producing class. Within the producing classes as well, the NIE approach to water does not consider the complexity within the agricultural producing classes, and the effects of differential access to water has on class differentiation, when, due to, “those struggling to reproduce themselves as capital, hence struggling to reproduce themselves as labor from their own farming” are subject to “a simple reproduction squeeze” (Bernstein 2010: 104, 105). Tradable property rights, therefore, facilitate the process by which water, as an input to production, can be transferred to larger agricultural capital in times of outright crisis, or through the “dull compulsion of economic forces” (ibid.).

Furthermore, capitalist production is not orientated towards products that benefit communities nor societies the most, towards values associated with use, but rather, is orientated towards where it will generate the most exchange value. Efficiency, then, in a price governed system of allocation, should not be inherently seen as ‘socially appropriate,’ but should be examined within the context of wider socioeconomic dynamics. For example, a Mexican commodity, such as a cotton, could garner more exchange by being exported to the United States *and* require more water for its production. Conversely, a crucial subsistence crop, such as maize, would not receive as much water due to its comparative low-profitability.

Additionally, due to the law of diminishing returns in capitalist accumulation and production dynamics, there is an imperative to expand or intensify production in order to maintain the same amount of profit, which has the effect of increasing resource use, again, oriented towards exchange and not social use (Perelman 1979: 84). Therefore, the ideas of ‘waste,’ scarcity, and efficiency, are politically constructed categories. This is not to engage with debates within Marxist political economy’s normative position vis-a-vis production and expansion of productive forces, but rather this is meant to demonstrate some of the pitfalls and blind spots in the theoretical assumptions that underlay the Mexican water reforms.

This essay has attempted to trace the underlying logic surrounding the Mexican water reforms, paying special note to its implication for the *ejido* system and irrigated agricultural production in general. The justification, contextualization, and deployment of the various prescriptions in the new water regime—tradeable water rights, decentralization, price-based allocation of water—all follow underlying assumptions set about by New Institutional Economics thinking. Through a Marxist political economy lens, specifically following Bernstein’s (2010) interpretations, this essay has scrutinized NIE’s conceptualization of scarcity and what merits efficiency. NIE’s theoretical lens falls short due to its inability to examine how water, being commodified within capitalist agricultural production and the accumulation dynamics which informs it, takes on a historically and socially specific form. Scarcity, by being naturalized and unquestioned in NIE discourse, does not take into consideration fundamental relational questions of power between different agrarian classes, and what scarcity means for who and under what mode of production. Moreover, NIE fails to interrogate how framing efficiency merely in terms of its relation to price and accumulation misses key aspects in the distribution and use of water. In this way, a Marxist Political Economy analysis helps to draw out a better understanding of the historical socioeconomic power relations involved in the politics of water in agrarian Mexico.

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## **Global Inequality and Development**

*Gabriela Alexandra Izurieta (ECD), Ecuador*

### **I. Introduction**

The study of inequality is important for development from several points of view. One aspect is inequality in the context of welfare: how well are resources (like incomes and wealth) are being distributed and invested across society members. Another aspect is inequality evaluated for the analysis of social justice within the framework of political and social ethics; theory developed by John Rawls (1971). Both reasons give relevance to the exam of what causes inequality within a society and how it influences its development. In a macro level, the analysis of inequality between citizens of the world (global inequality) is taking place as a topic that development economists should consider. But, how important is global inequality for the ones proposing development policies?

Global inequality provides a notion of the living standards around the world and its tendency is useful to understand the evolution of economy in time. Although global inequality cannot motivate a common policy since there is no global government or global society (Bhagwati 2004), development economists must consider that countries are not closed economies: they interact with each other in several channels like trade, capital mobility or migration. These relations connect economies and they may alter processes of convergence or divergence between them (Milanovic 2006). Therefore, the analysis of inequality implies the examination of underlying distributional mechanisms that go from the local to the global level (and vice versa) what leads development economists to be concerned about global inequality.

Given this importance, it is necessary to have strong tools to measure inequality and consider the technical aspects as alternatives of measurement, which variables should be measured and issues that arise when collecting data.

The main objective of this paper is to expose the main channels that establish a relationship between global inequality and development and what problems appear from a theoretical and empirical view.

### **II. Theoretical Aspects**

Global inequality is something that matters to development economists because it is an evidence of how incomes are “fairly” distributed across countries. The distribution of income and/or wealth has effects on resources assignment and capital/human investment within a country, therefore, it has an impact over growth (Gasparini et. al 2012), poverty and inequality. When thinking about global inequality, it is necessary to understand where the concept comes from and how it can be measured. According to Milanovic (2005) there are two scopes: inequality between countries and inequality between citizens of the world. The first concept is “unweighted international inequality”. It considers that countries

are the units of observation and measures the inequality in the distribution of their respective incomes from the poorest country to the richest. This concept is useful to understand processes of convergence or divergence between countries and is commonly measured with the average GDP per capita in each country. Nevertheless, this inequality measure does not consider the size of the population.

This issue is well thought in the second concept of inequality: “population weighted international inequality” which is the same as the first concept, but it considers the population number in each country and uses it as a weight. This concept considers that all citizens within a country have the same level of per capita income meaning that it does not enclose the inequality within the country. These two concepts are part of the international inequality framework.

The third concept is considered as a true world income distribution: global inequality. In this case inequality is measured across all individuals regardless of the country where they come from: they are ranked by their incomes. Milanovic (2005) structured this concept as a composition of population-weighted international inequality (between-inequality) and inequality due to income differences within countries. For the measurement of global inequality, it is necessary to access national income distributions or per capita consumption in each country. In practice, this information is obtained through household surveys.

### *II.1. Common variables that are used for the analysis*

The criteria of using any variable depends on what is considered as the best approximation for living standards. For example, in most of Latin American and European countries the income per capita variable is used. In African and Asian countries, the consumption variable is used as a proxy of household's expenditure. As Milanovic (2006) states, there is no agreement on which variable should be used for measuring inequality (incomes or consumption or expenditures). Nevertheless, both approaches only reflect economic aspects and no other factors that may reflect living conditions such as habits of consumption, social networks or lifestyles (Lenger 2015). Other issue that arises is that the richest households tend to save large proportions of their incomes what causes a lost in accuracy in the inequality measurement when using the consumption approach. Data collection problems are also a factor that might change the inequality statistics trend, this will be discussed ahead.

### *II.2. Tools for measuring inequality*

Given the previous notions to conceptualize inequality, it is necessary to examine the possible tools that can be used to measure it. Possible tools are the indexes that can be expressed as a function of the mean value of the variable analyzed. The Theil index, Atkinson index and square variation coefficient belong to this type of measurement. Other tools that are commonly used are the ones that require previous data ordering to express how each observation or groups of observations are placed in the distribution. For this category the Gini coefficient and the Lorenz curve are the measurement tools used. The most common tool used, because of easiness of computation and interpretation, is the Gini coefficient. The Gini

coefficient is a statistical measure for the analysis of the income distribution obtained from the Lorenz curve, which allows quantifying its distance from the line of perfect equality. The coefficient varies between 0 (total equality) and 1 (total inequality), therefore, the greater the value of the coefficient, the less equitable is the distribution of the income variable.

### *II.3. Underestimation issues*

The information availability plays a fundamental role when measuring inequality. National accounts like Gross Domestic Product include components that are not necessarily part of household's disposable incomes like governmental spending. Therefore, it is better to have a closer approximation of this income by using household surveys (particularly for the third concept). Nonetheless, household surveys are characterized for underestimating incomes because of the inadequate coverage of the top highest incomes. The fail to include the high incomes in the overall distribution causes an underestimated Gini. Even though these households represent a small share of the population, their incomes are large enough to change the whole incomes distribution. Inequality indexes like the Gini are highly sensitive to these problems (Atkinson, Piketty, and Saez 2011).

As stated by Mistiaen and Ravallion (2003), high income households are less likely to give information or participate in household surveys because they have concerns about intrusion in their affairs. This is the so-called "item non-response" problem and occurs when sampled households that participate in the survey do not provide information about their incomes. Other households refuse to participate because of a high opportunity cost of time, among other reasons. It is also important to consider that not only incomes are causing the inequality gap between rich and poor people but also wealth in the form of capital like rents, interest or returns to capital invested. This type of incomes (which is taxed in most of the cases) is undervalued in household surveys and a solution for this issue is the inclusion of questions on businesses, micro enterprises, the value of the assets, and the returns to assets (Székely and Hilgert 1999). Atkinson, Piketty and Saez (2011) propose the use of tax data obtained through administrative records, which are based on larger samples. Other problem that household surveys present is the miss report or nonresponse problem mentioned before. These issues limit the accuracy of inequality measurement.

The Global Inequality Lab commission manages the underestimation of the highest incomes by combining data sources of national income and wealth accounts, household income and wealth surveys, inheritance and wealth data and wealth rankings to measure global inequality (World Inequality Lab 2018).

### **III. Global inequality: a close look to Latin America**

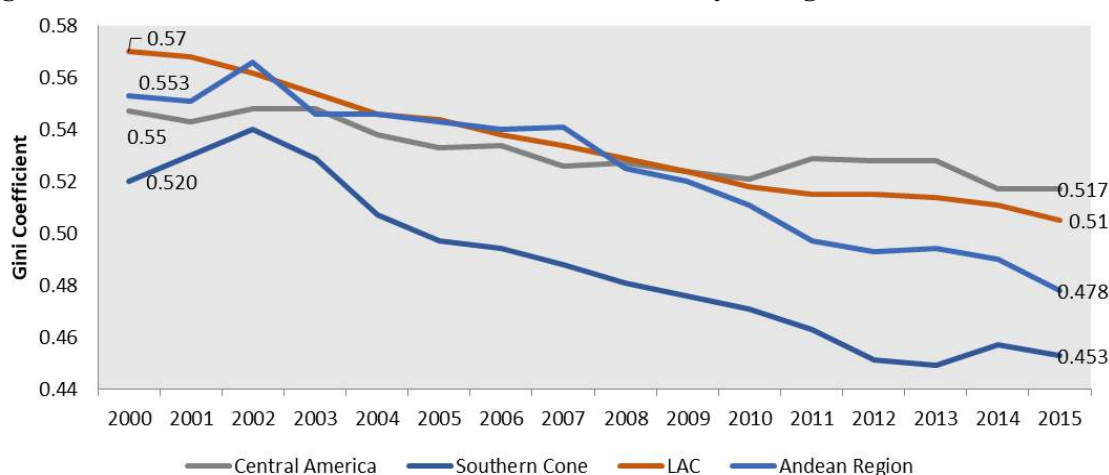
Among the first studies, in which development and inequality are related is that of Kuznets (1955) who analyzes the distribution of income by quintiles between India, Sri Lanka, Puerto Rico, the United States and the United Kingdom in the years of 1948, 1949 and 1950. The author finds that the participation with respect to the income of the three lowest quintiles was 28% in India, 30% in Sri Lanka,

and 24% in Puerto Rico, compared to 34% in the United States and 36% in the United Kingdom. As for the richest quintile, the share was 55% in India, 50% in Sri Lanka, and 56% in Puerto Rico, compared to 44% in the United States and 45% in the United Kingdom. The data show that the distribution of income in these developing countries was more unequal than in the developed countries.

One of the regions where most of developing countries are located is Latin America. Studies such as UN (2013) and Gasparini et al (2012) show that this is the region with the greatest inequality in terms of income distribution, after Sub-Saharan Africa, in addition to presenting one of the highest levels of poverty and insufficiency in basic services. In the fifties, the Latin American region went through a process of industrialization. Many countries could not assume these costs because their ability to export did not generate enough foreign currency to cover them. For this reason, there was an unequal growth among countries, no jobs were created and the process of industrialization stagnated, causing the competitiveness of many Latin American countries to be affected with respect to the international market (Pérez Caldentey, Sunkel, & Torres Olivós, sf). During the 1980s, the Latin American region went through a period of structural adjustment in order to overcome the deficit it was going through; weak macroeconomic activity, stagnation of production, high inflation rates and growing inequality in the region characterized this stage as the "lost decade" (Devlin 1986). For the 1990s, Latin America and the Caribbean showed an unfavorable outlook regarding the distribution of income. The Inter-American Development Bank (1999) made a diagnosis of the Latin American region, in which it shows that the poorest 30% of the population received only 7.5% of total income, while 40% was assigned to 10% richer. On the other hand, in the countries of Southeast Asia, the richest 5% received 16% of income and in the developed countries approximately 13%. These results showed the wide difference between regions, with Latin America presenting the greatest inequality problems.

These socioeconomic differences are mainly due to the high levels of heterogeneity in the change of inequality levels between countries (Gasparini et al. 2012). Milanovic and Yitzhaki (2002) find that in the year 2000 only 7% of the total inequality in Latin America corresponds to the inequality that results from the heterogeneity existing between countries, while the rest is due to internal disparities in each country. On the contrary, in Asia, inequality is explained by disparities between countries, which is approximately 72%. For the year 2005, Latin America continues to be the most unequal region after Sub-Saharan Africa, with a Gini coefficient of income 20 points, higher than that of developed countries and Eastern Europe, 6 points higher than that of Asia and 5 points below the average of some African countries (Gasparini et al. 2012). Among the most unequal countries based on the Gini of income is Haiti, which ranks first followed by 11 countries of Continental Latin America within a ranking of inequality consisting of 82 economies (World Bank 2006).

**Figure 1: Gini coefficient for Latin America and the Caribbean, by sub regions, 2000-2013.**

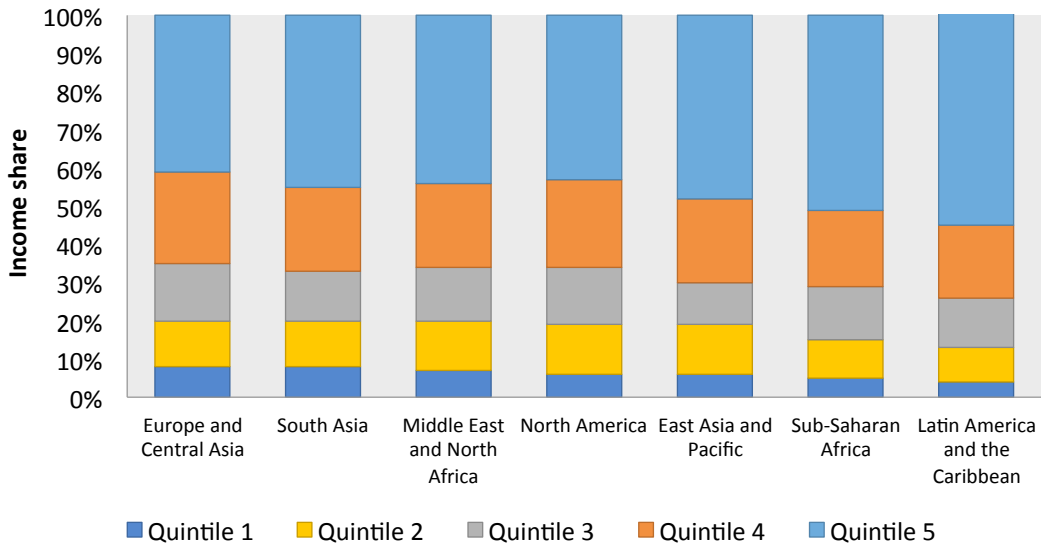


Source: Socioeconomic Database for Latin America and the Caribbean (CEDLA and World Bank) (2015).

By the year 2000, the Latin American region and the Caribbean countries had a Gini coefficient of 0.57, changing to 0.51 in 2015. The dynamics of each sub-region (Figure 1) reflects a decrease in inequality, mainly in the cone countries. South (Argentina, Brazil, Chile, Paraguay and Uruguay) which had an average decrease of 12.8%, followed by the countries of the Andean region (Bolivia, Colombia, Ecuador, Peru, Venezuela) with 13.6%. The sub-region that has not experienced the same trend is Central America (Costa Rica, El Salvador, Honduras, Guatemala, Mexico, Nicaragua, Panama and the Dominican Republic), which reduced inequality by an average of 5.5%, surpassing the regional average.

Between 2004 and 2014 (data available for these years) all the countries of Latin America and the Caribbean reduced the inequality in the distribution of income. The countries that have shown the greatest reduction are Bolivia, Ecuador and Argentina with a reduction of 10.1, 8.7 and 7.5 percentage points respectively. The country that experienced the smallest reduction is Colombia with 2.6 percentage points followed by El Salvador with 3.9 points. Likewise, the relationship between the income of the richest and the poorest, despite showing improvements compared to the previous decade, still shows an unfavorable situation. For the year 2009 (Figure 2) the ratio between the richest income quintile and the poorest income quintile is on average 14.5 times in Latin America and the Caribbean. Inequality is higher than that of the other regions such as Sub-Saharan Africa (9.1), East Asia and Pacific (7.7), Middle East and North Africa (6.4) and South Asia (6.1) (Jiménez and López Azcúnaga 2012).

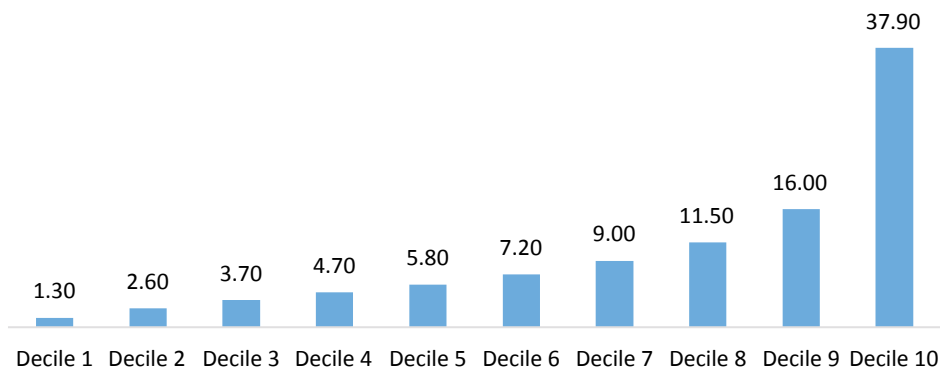
**Figure 2: Quintiles of per capita income by regions, 2009.**



**Source:** Jiménez & Lopez (2012): development indicators (World Bank, 2012).

When analyzing the ratio of income deciles for the entire region for 2015, the richest decile exceeds by 29 times the income of the poorest decile and by 8 times the fourth decile. This indicates a greater concentration of income in the highest strata (Figure 3).

**Figure 3: Distribution of national income by deciles in Latin America, 2014**



**Source:** CEPALSTAT (2018)

#### **IV. Case study: Ecuador**

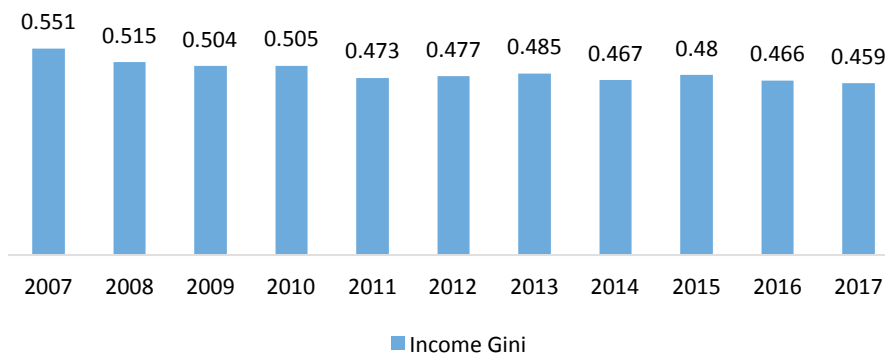
The source of information used for this analysis is the National Survey of Employment, Unemployment and Underemployment (ENEMDU) for the period 2007-2017. This survey is carried out quarterly by the National Institute of Statistics and Census, INEC, at the national level. The survey is directed to households and people residing in them in the national territory.

##### *IV.1. Income inequality in Ecuador*

In the period analyzed, from 2007 to 2017, the Gini coefficient decreased by 9 percentage points with a maximum inequality of 0.55 in 2007 and a minimum inequality of 0.466 in 2007 (Figure 4). The decreasing trend of inequality with an increase in spending in social sectors (education, health); the coverage of the conditional cash transfer Human Development Bonus was extended as well as the

pension for elderly people. Other influential factor was the effect of the entry of remittances from migrants who left the country during the crisis in 1999, which basically helped the unemployed population and housewives. Also, from 2007 a policy was implemented to recover the real value of the minimum wage to bring it closer and equal to a "living wage" allowing the minimum wage to increase steadily by 40% between 2005 and 2012. There was a process of formalization of work allowing this new composition of employment to be the most influential factor in reducing the Gini coefficient between 2005 and 2012 (Amarante and Arim 2015).

**Figure 4: Ecuador Gini coefficient, 2000-2014**

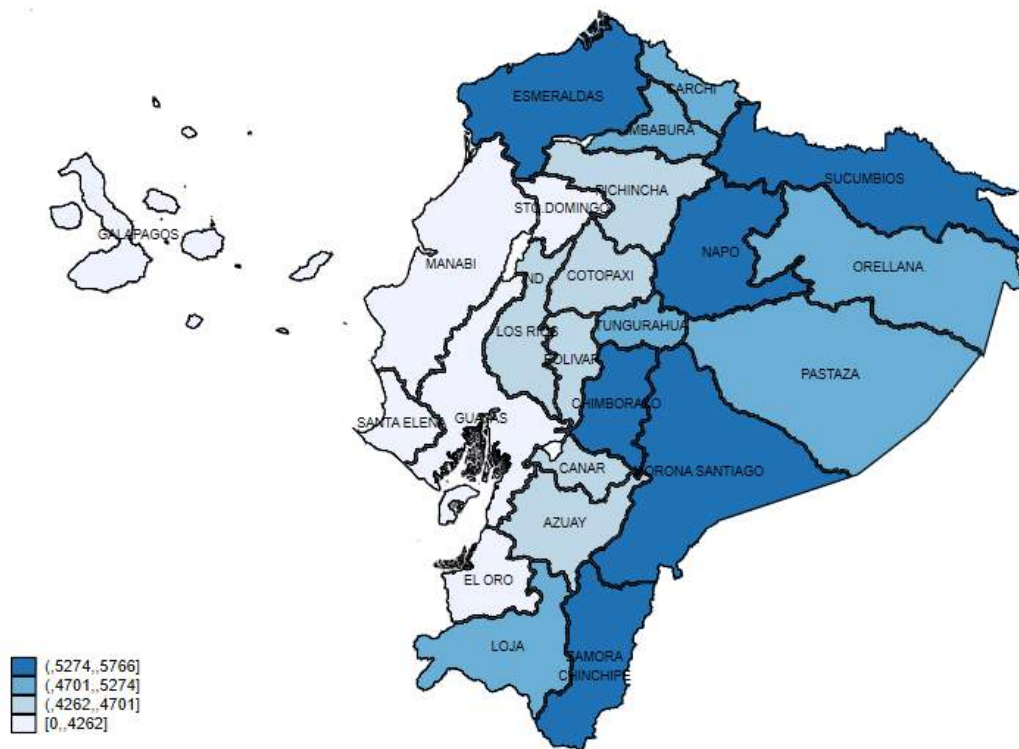


**Source:** ENEMDU (INEC).

#### *IV.2. Inequality at the provincial level in Ecuador, 2017*

This analysis focuses on comparing inequality in the geographical context. Figure 5 shows that income inequality is concentrated in the provinces of the Amazon region. The provinces that present lower levels of inequality belong to the Costa region and are Guayas (0,41), El Oro (0,41), Santa Elena (0,41) and Manabi (0,42). It is important to note that inequality follows a regionalist dynamic: inequality increases as it moves from the Costa region (west) to the Amazon region (east). The provinces with the highest values of income inequality are: Morona Santiago (0.56), Napo (0.55) and Pastaza (0.55).

**Figure 5: Income inequality according to provinces, 2017.**



**Source:** ENEMDU (INEC).

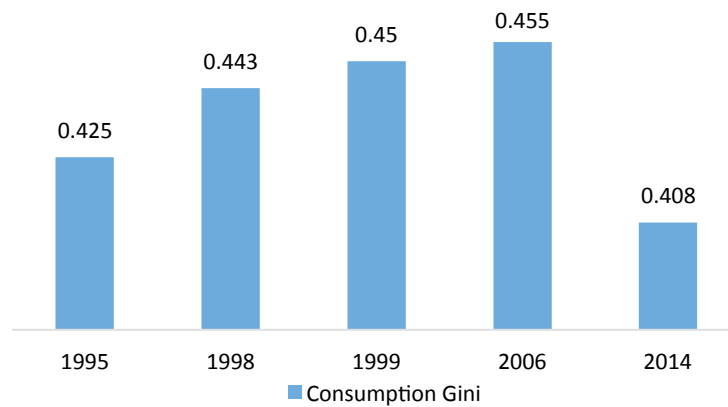
This map shows that income inequality in Ecuador is given mainly from a local component (where people live) rather than a class component (social class). However, the trend is a reduction in inequality in recent years. In the rural areas, the reduction of inequality can be argued because small producers benefited from greater domestic demand for food and improved terms of trade, while in the urban areas the increase in the formality of work is the determining factor (Amarante and Arim 2015).

#### *IV.3. Inequality by consumption level*

Another household survey carried out by INEC is the Survey of life conditions (ECV). This survey has been done in five occasions and it allows to have information on population's well-being in terms of education, health, poverty and inequality. In this case, the variable of consumption is used to measure inequality. As Figure 6 shows, the consumption Gini has decreased between 2006 and 2014 in 4 percentage points.



**Figure 6: Consumo Gini in Ecuador, 1995-2014.**



Source: ECV (INEC).

If we compare the inequality level according to incomes and consumption in year 2014 (0,47 and 0,41 respectively) they are not the same for several reasons. The main one is that the surveyed samples are not the same: the ENEMDU survey covers 116.505 individuals and the ECV survey covers 28.970 individuals. Other reason is that both surveys are directed for different purposes. The ENEMDU household survey is carried out to have information about employment and labor statistics whereas the ECV survey is done for knowing well-being standards however, it is not carried out periodically.

## V. Final remarks

This topic is highly important for development to have a notion of how economy has evolved across time, to realize, which lessons it left and what type of improvements can be made for the development of each country. Even though there are several problems when measuring global inequality, efforts are made to overcome these obstacles and have a clearer perspective of global trends. The importance of global inequality analysis for development, essentially in Latin America, is that it helps to the design of well-oriented policies towards sectors that determine equality. For instance, in Ecuador income and consumption inequality has decreased. Income inequality trends are determined by the location where people live, which should be considered when formulating public policy.

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# **Global Inequality: A Great Concern to Development Economists**

*By Paula Elisa Jaramillo (ECD), Ecuador*

## **Introduction**

One of the main concerns for the world today is how the rapid growth caused by globalization during the last decades has been very unequally distributed. For this reason, inequality has been considered one of the biggest challenges of this generation. During the World Economic Forum that took place in Davos in 2012, “severe income disparity” was singled out as the greatest risk that could have high impacts globally. But, what is inequality and why exactly is it important? I will address those two questions throughout the essay, as well as discuss the difficulty of measuring it. The last two sections will provide a summary of the recent worldwide trend and present the changes of inequality in Argentina during the last five decades.

## **Concepts**

In order to talk about inequality, it is important to know what we mean by that. According to B. Milanovic (2005:7-8; 2013:198-199), when discussing global inequality, we are in fact talking about three concepts whose differences should be understood by the reader since they answer different questions. These are, concept 1: “unweighted international inequality”, concept 2: “population weighted international inequality” and concept 3: individual based global inequality. A. Sudhir and P. Segal (2015:942) add a fourth concept, “distribution of global income by country” which they call concept 0.

Because all four concepts require real incomes to be comparable, local currencies are converted to US dollars using purchasing power parity (PPP) instead of normal market exchange rates. The PPP exchange rates are calculated according to the price surveys which the International Comparison Program (ICP) conduct (Anand and Segal 2015:939).

Concept 0, the “distribution of global income by country” doesn’t consider population at all and measures only GDP. According to this, we would say that France and India are very similar in terms of income as their GDP in 2016 was 2.5 and 2.3 trillion US dollars respectively without taking into consideration the great difference in their population (The World Bank 2018a). This concept is relevant for answering questions related to access to markets as well as for geopolitics, the reason being that usually it is a country’s economic and market size which will grant it more bargaining power internationally (Anand and Segal 2015:942).

The first concept, unweighted international inequality, ranks countries according to their GDP or income level without taking into consideration their population (e.g. GDP per capita in Peru and in Canada). Hence, it is not a measure for inequality among individuals; instead, it is broadly used in order to study economic growth and rate of convergence, or divergence, among countries (Milanovic 2005:10; Anand and Segal 2015:942).

The second concept, “population weighted international inequality”, weights inequality according to the population of each nation and makes the assumption

that within a country's borders income distribution is equal for all. In other words, it is concept 1 weighted for the population of a country (Milanovic 2005:11).

The third concept, ignores country separations and focuses on individuals; each person is ranked according to his own income (e.g. low-income Chileans would be in the same rank as low-income Indians). Out of the four concepts it is the only one that actually allows for the analysis of welfare (Milanovic 2005:11). As a way of summary, we can say that the first and third concepts are the most important. This is because comparing countries' GDP per capita allows us to check if they are converging or diverging whereas comparing individuals only, gives the true view of inequality (Milanovic 2005:10-11). Concept 2 is only useful as a link between the first and third concept and as a substitute for analysis of concept three whenever it is not available due to the difficulty of calculating it (Milanovic 2013:199).

### **Missing income of the richest**

As just mentioned, individual inequality is extremely difficult to compute for the world as a whole because it requires household surveys in as many countries as possible, with similar or equal methodology<sup>4</sup>, that provides information on individual income (Alvaredo and Gasparini 2013:17). These surveys can be biased due to under-sampling in different socioeconomic levels and also due to the missing income of the richest; the latter being very problematic and harder to solve (Anand and Segal 2015: 945).

Top incomes are usually missing from household surveys for three reasons. First, due to sampling design they may be excluded, sometimes because they are considered outliers that 'contaminate' the data. Second, they might not be reachable or may not want to cooperate with answering the survey due to the time it consumes. Third, they might not want to reveal their income and underestimate it or could not easily summarize the income flows that come from their diversified portfolios. Because the missing values of the richest highly distort the real level of inequality, which is probably much deeper than what is estimated through household surveys, other methods have been tried in order to improve the quality of the estimates (Alvaredo and Gasparini, 2013:17).

One alternative is the use of tax records. For example, through the use of household surveys, it was estimated that in the United States in 2006 the GINI coefficient was 0.47; however, after correcting for the income of the top percentile using tax data, the GINI coefficient rose to 0.519 (Anand and Segal 2015: 948). Even though this method presents an improvement, it has weaknesses as well. Because tax data is not collected for the purpose of research, tax laws may cause reports to vary according to time and country. Another issue, and probably the greatest one, is the distortion of the data due to tax evasion and tax avoidance. The richest percentile has an incentive to underreport their earnings in order to decrease their tax burden. This becomes problematic in countries where the soft tax system and legal enforcement provide several ways to avoid taxes (Alvaredo and Gasparini 2013:18).

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<sup>4</sup> One difference according to Alvaredo and Gasparini (2013:8), is that national household surveys register expenditures in consumption in developing countries and income in developed countries.

## **The Importance of Inequality**

The consequences of inequality are not only economic but also social, with impact on social cohesion, health, and crime rates, among others (Anand and Segal 2015: 940). It is of particular interest for development economists to answer questions on so many subtopics; being convergence and economic growth only two of them. Looking at inequality from a global perspective is more relevant each day as the world becomes more interconnected. Globalization has augmented the movement of factors of production across the world and the way individuals perceive their income and set their goals is influenced by the standard of living of people outside their homeland (Milanovic, 2013:198).

Martin Ravallion (2005:2-3) argues that inequality cannot be ignored when tackling poverty since it does influence its current level as well the rate at which poverty can be reduced in the future. Growth can reduce absolute poverty; however, its benefits are not usually distributed equally, with the rich benefiting more than the poor. In some countries poverty reduction is more elastic than in others, depending on the level of inequality initially as well as the changes it presents over time. The author emphasizes the impact of inequality by stating that ‘unless there is sufficient change in distribution, a larger initial share of the pie will tend to come with a larger share in the pie’s expansions’ (2005: 7). Because of this, unless inequality diminished over time, poverty would only decrease rapidly with very high levels of growth: growing economies with inequality reducing policies have been able to decrease the headcount index of \$1 a day by 10% per year while those without these policies only reduced it by 1% (2005:7,11-14).

A. Alesina and R. Perotti (1996: 1023) point out two ways in which income inequality indirectly harms growth: through political unrest and through fiscal redistribution. In reference to the first point, after analyzing data for 71 countries between 1960 and 1985, the authors concluded that income inequality leads to political instability because of the discontent it causes to those affected. The lack of political stability in turn decreases investment by increasing taxation to the accumulation of capital, by diminishing productivity whenever there is a disruption of productive activities, and finally, by rising the uncertainty of the returns to a project causing it to be postponed or canceled.

The authors state that fiscal redistribution impacts growth as well because it requires higher taxes for its funding. A higher tax burden, especially on capital, makes investment less attractive and lowers the incentive for its accumulation while income is transferred to “unskilled individuals”. However, they do also assert that redistribution can be good because it could decrease the discontent of the population (Alesina and Rodrik 1994: 466). In this manner, benefits from a reduction in political instability would outweigh the impact higher taxes have on investment (Alesina and Perotti 1996: 1266).

The previous point is highly controversial with economists and politicians either supporting or opposing it. Those who support it believe it is extremely necessary in order to end the power trap caused by lack of education, access to infrastructure

and health services (Ravallion 2005: 30). In time of crisis, this debate heats up the most, as many social programs get reduced to food provisions while many others lose funds; institutions such as the World Bank focus more on financial reforms than on programs targeted to the poor (McCord 2010: 39,43).

High inequality also affects growth through credit markets; it can prevent the poor from accessing credit to finance their current businesses or to start a new project. Consequently, they cannot increase their income and remain in a poverty trap (Ravallion 2005:15).

### **Recent trends in data**

According to the World Inequality Report of 2018 (Alvaredo *et al.* 2018a: 11), although at different rates, inequality has increased in almost all regions of the world in the last decades. Starting in the 1980s, income inequality has been growing rapidly in China, India, Russia and in North America and at a moderate pace in Europe. In 1980, in both Western Europe and The United States, the top 1% of the population had 10% of the income share; by 2016, the share had increased by two percentage points in the former and doubled in the latter. The raising inequality in The United States is also visible when comparing the income share of the bottom 50% in 1980 and 2016 as it went down from 20% to 13%<sup>5</sup>.

The growth of global income since 1980 has been captured very disproportionately with the bottom 50% of the population taking half as much as the top 1%. This has had consequences for 'the middle', that is, those between the top 1% and the bottom 50%, which includes the entirety of the middle and lower incomes in Europe and North America. This group shrank in that period due to the low, or even zero, growth (Alvaredo *et al.* 2018a: 11).

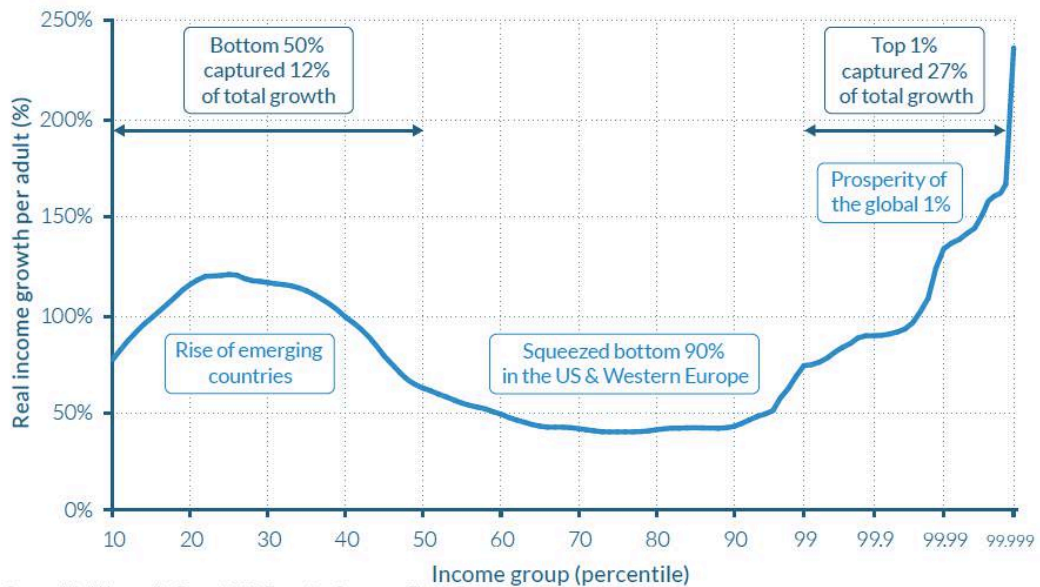
Since 2000 inequality between countries has decreased, especially due to the rapid growth of Asia, particularly China and the slow growth of Western Europe. The real national income growth rate per adult in China from 1980 to 2016 was 831% while it was only 45% in Western Europe where the income per adult in 2016 was the same as in 2006, preceding the start of the financial crisis. The global 10% had about 50% of income in 1980, 55% from 2000 to 2007 and 52% in 2016. Unfortunately, Africa and Latin America are falling behind; during the same time period, per adult income growth rate was only 18% in the former and 12% in the latter (Alvaredo *et al.* 2018: 65).

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<sup>5</sup> Mainly caused by the high education inequality in the country and the tax system which is not very progressive despite the large labour compensation at top management positions and high capital gains starting in the 1980s (Alvaredo *et al.*, 2018:11).



### Global Inequality and Growth, 1980-2016



Source: World Inequality Report 2018 Executive Summary, Figure E4  
<http://wir2018.wid.world/>

However, the opposite is occurring within countries, that is, while countries are converging there is divergence within them. From 1980 to 2016, the cumulative real income growth rate per adult in India was 223% but the percentages are very different by group: 107% for the bottom 50% and 469% for the top 10%. In the case of China, the numbers are more striking, with an 831% for the country, in the case of the bottom 50% there was a cumulative growth rate of 417% and for the top 10 it was 1316%. This can also be seen differently, out of the total growth in India and China the top 1% captured 66% and 43% respectively, while the share of growth for the bottom 50% was 11% and 13% (Alvaredo *et al.* 2018a: 45-46).

In 2016, the income captured by the top 10% of the population was the lowest in Europe with 36% of total income share and the highest in the Middle East where it was 61%. While this last is the most important it has remained stable, as has also occurred in Brazil and Sub-Saharan Africa, all three being regions of very high levels of inequality (Alvaredo *et al.* 2018a: 9).

When only household surveys are used to calculate income inequality in Latin America, the gap seems to be decreasing. However, when tax data is used to complement information of the top 10%, inequality remains high. In the case of Brazil, the top 10% holds 55% of income, a one percentage point increase since 2001, while the bottom 50% holds 12%, also with an increase of one percentage point in the same time frame, showing a shrinking middle. Data from household surveys had previously shown that from 2001 to 2015 the top 10% had their share of income reduced from 47% to 40% and that for the bottom 50% it had increased from 12% to 16% (Alvaredo *et al.* 2018a: 141).

### Case study: Argentina

I will try to summarize the evolution of poverty and inequality in Argentina, especially from the 1970s onwards.

The history of this country interests me not only because it went from being one of the richest in the world during the early 1900s to becoming a developing country, but also because as a South American myself, I have constantly been informed through the media about its ups and downs, its great increases in



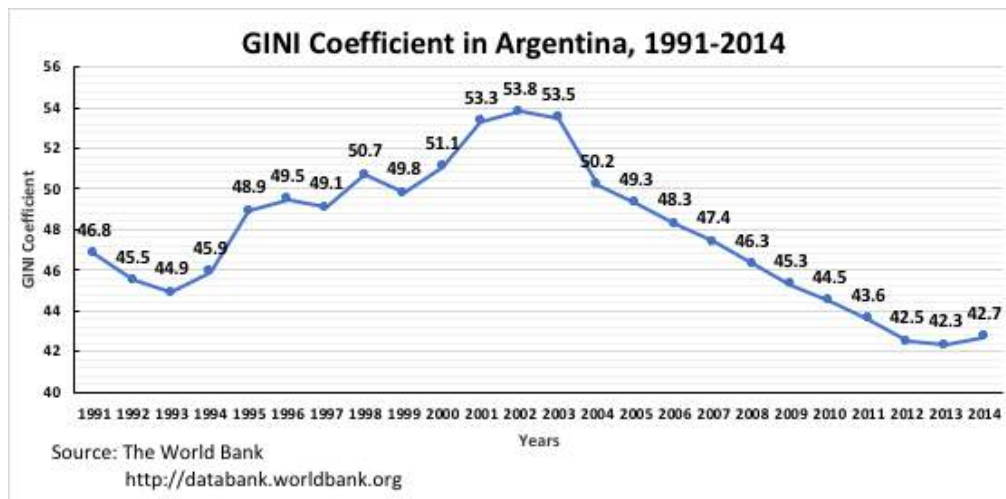
inequality and poverty, the calm and all the erratic movements and great changes in between.

In March 1976 there was a coup d'état that established a military dictatorship, which remained in power until December 1983. The period of the military regime was characterized by very weak labour institutions, persecution of labour union members, trade liberalization and a cutback of social programs. While the growth rate of the economy was 1.3% from 1976 to 1981, the GINI coefficient for this period increased from 0.345 to 0.430. In 1981 the managed exchange rate collapsed causing a deep devaluation which was followed the year after by difficulties in liquidity worsen by the Malvinas War. Consequently, between 1981 and 1982 output fell by 5%. From 1980 to 1982 the GINI coefficient increased by 2% points, causing a 3% points increase in poverty, making it surpass the 10 percent level. The crisis induced the closeness of the economy and imports diminished by 50% (Alvaredo *et al.* 2018b: 17-18).

With the fall of the military government and the return of democracy, the economy became much closer, while labour institutions became stronger, and a minimum wage was established. In 1985 there was a recession, causing output to fall 9%, and poverty to increase by 2% points. Nonetheless, inequality decreased by 3 points with respect to the previous year. Despite the plan to stabilize the economy, inflation sped up causing hyperinflation in 1989 (3080%) and in 1990 (2314%). This had a huge impact in the population, as poverty grew by 25% points and the GINI coefficient increased by 6.3 points (Alvaredo *et al.* 2018b: 19).

In 1991, the Argentinian government adopted a fixed exchange rate to the US dollar with the purpose of reducing the high levels of inflation. The implementation was successful and by 1992 inflation had gone down to 25% and remained at less than 10% until 2001. However, the reforms, characterized by weaker labour institutions (including only a recommended minimum wage) and a substantially more open economy brought about higher levels of inequality with an increase in the GINI coefficient from 0.450 to 0.504 between 1992 and 2000. The surge was also due to the financial crisis denominated 'Tequila crisis' which began in Mexico and affected many Latin American in December 1994. This episode caused a 4% fall in GDP in 1995 and unemployment reached 18.4% in May 1995 from 10.7% on May of the previous year. While the economy recovered quickly that year and growth resumed until 1998, the GINI coefficient increased 2.7 points and poverty grew by 5% points and did not go back to previous levels (Alvaredo *et al.* 2018b: 20).

The financial crises affecting South-East Asia and Russia at the time impacted the Argentinian economy, causing the fall of the fix exchange rate and by December 2001 the situation was so bad that the government decided to impose restrictions on the withdrawal of money by the population. From 2000 to 2002 GDP fell 17% and unemployment went up to 19%. Due to the increase in prices and a decrease in nominal income, there was a great increase in poverty and inequality: the poverty rate went up from 38.3% to 53% and the GINI coefficient climbed from 0.498 to 0.538 (Alvaredo *et al.* 2018b: 20-21).



Fiscal stimulus and the low wages that made the local more competitive and discourage imports, helped the economy recover rather quickly. Due to the decrease of unemployment to 8% by 2007 and the large cash transfers for the poor, the inequality in the country did not stay at such high levels, with the GINI coefficient going down to 47.4 in 2007 (Alvaredo *et al.*, 2018b:22). Despite the financial crisis that hit the world in 2008, the inequality levels in Argentina kept decreasing during the following years and were 42.7 in 2014 (The World Bank, 2018b); according to Trujillo and Retamozo (2017:55), this decrease has been possible thanks to stronger labour institutions (labour unions, higher minimum wage and less informal workers) and stronger protection for senior citizens and children.

There is not data available for the last two years, leaving me wondering if the government of Mauricio Macri, in power since 2015, has caused inequality to increase given his policies of more open markets and less fiscal spending which led to frequent protests during his firm year in office.

## Conclusion

Poverty, economic growth and inequality are three very interconnected concepts: while economic growth is needed to reduce poverty, inequality is needed to increase growth. The world dynamics are constantly changing and while in the last decades countries seem to be less unequal among them the gap between rich and poor keeps widening inside many of them. About the statement of inequality being one of the biggest challenges of this generation, I do agree with the severity of it; however, I disagree of it belonging to this generation only. It has been a great problem in the past and there will be much to do in the future in order to reduce it.

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# **Why do many economic commentators deny Bitcoin and other crypto currencies are, or can become, world money? Do you agree?**

*By Han Nguyen (ECD), Vietnam*

## **Introduction**

Once simply considered as the first implementation derived from Wei Dai's proposal for a solution to electronic peer-to-peer payment without third-party involvements, Bitcoin has recently captured more and more attention as its value has accelerated and consecutively broken its records. In a publication (2012), European Central Bank (ECB) perceived that Bitcoin could compete with fiat currencies such as the euro or US dollar as it could be used as a medium of exchange for all kinds of online transactions thanks to its operating mechanism at the global scale. Furthermore, this advent of Bitcoin gave birth to a thriving era of crypto-currencies which are created and operated by cryptography other than by central authorities. The ideology of such decentralized currencies was not initially argued in 2009, but rather proposed earlier by the Austrian school of economics who critiques that the fiat money system centralized by governments and other agencies exacerbates business cycles and causes hyperinflation as well. Their followers believe that Bitcoin is a good starting point to end the ultimate authority of central banks on the issuance of money (ECB 2012). Against all expectations that Bitcoin and other cryptocurrencies can replace the most powerful fiat currencies to become the world money, many economic commentators proclaim that this supersession cannot become true, as such currencies cannot even satisfy the functions of money, and thus fail to ensure the conditions of a world currency. Drawing on the debate, this essay will clarify the justifications behind their disbelief and stratify them into three different functions, a medium of exchange, a store of value, and a unit of account, in parallel with the writer's personal viewpoints, during the course of the essay.

## **A medium of exchange**

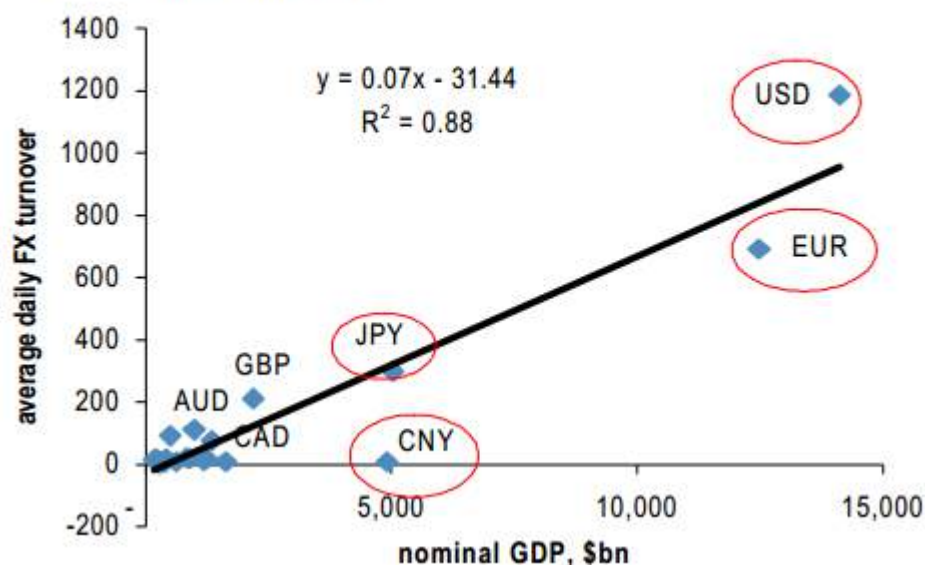
The decisive feature of a currency to become an internationally accepted money is its being a medium of exchange or a means of payment to facilitate economic transactions. According to the definition of ECB (2012), this function reflects that money can be used as "an intermediary in trade to avoid the inconveniences of a barter system, i.e. the need for a coincidence of wants between the two parties involved in the transaction". Different from fiat currencies generally accepted in exchange for goods and services due to the social trust in the central issuers' guarantees, either Bitcoin or other cryptocurrencies cannot become the world money as they are not in the control of these central institutions. It is of great importance to perceive that the degree of international acceptance of a currency is also determined by how large its national economy is in the world. From the estimate of Normand, J. (2014), there was evidence for a positive relationship between nominal GDP and FX turnover of each currency (see Figure 1).

John Normand, a J.P. Morgan Securities foreign-exchange strategist, emphasized that the triggers for currencies to be used as universally as fiat currencies in the function as a means of transactional payment are a governmental proclamation

accepting them as legal tender, and the significance of economic area with large, unrestricted capital markets they are involved in.

**Figure 1: Certain currencies are widely used internationally because a government compels their use in large, open economies**

Nominal GDP (x-axis) versus average daily FX turnover for reference currency versus all other currencies (y-axis)



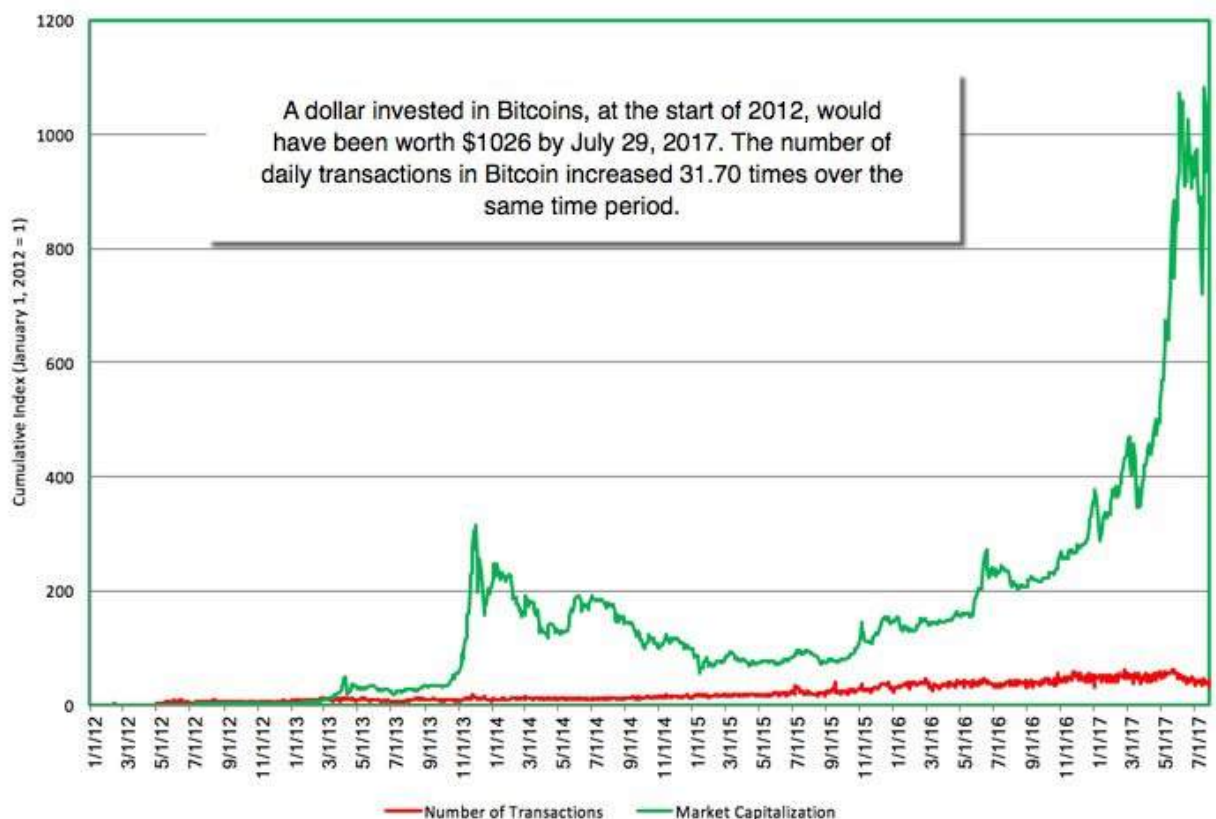
Source: J.P. Morgan, BIS

Additionally, if these cryptocurrencies fail to meet the standard of a commodity-backed money, there will be no chance for them to become a medium of exchange, at both the country and global levels. Indeed, the fact of having no use value of these cryptocurrency rendered them unable to be money under the “Misesian Regression Theorem”, which states that the feature making money accepted is “its roots in a commodity expressing a certain purchasing power” (ECB 2012). Hence, it seems reasonable to suggest that Bitcoin and its fellows cannot be classified as money in terms of both a legal tender and a commodity money, as they are not guaranteed by the central authority and have no intrinsic value.

Looking at practical reports regarding Bitcoin, it is undoubted that there is no likelihood for Bitcoin to be used as a medium of exchange. Although the largest upward trend in the price of Bitcoin was 2,500 per cent from 2016 to 2017, the number of top online merchants accepting this cryptocurrency to be a form of payment declined from five in 2016 to three in 2017, the decrease estimated by Morgan Stanley. According to Matt O'Brien, an economic reporter of Washington, D.C., the number of bitcoin transactions between these two years rose only by 33 per cent. Clearly, the rise in transactions is not appropriate to the four-digit-per-cent increase in the price of Bitcoin. It is inescapable to perceive that only when the conventional wisdom only focuses on how many goods and services Bitcoin can exchange for, rather than how much the price of Bitcoin is, can Bitcoin become the general money like fiat currencies.

What is more, it is reasonable to acknowledge that there are few general acceptances of Bitcoin and other cryptocurrencies as a payment, if any, not just because the value of this currency fluctuates wildly, but because the mechanism of Bitcoin payment process is inconvenient and time consuming, and the number of completed transactions per day is also constrained. The inefficiency in its transaction processing is another rationale of Jeffrey Dorfman (2017) to deny Bitcoin as a generally accepted money in interchange. One more reason for less preference for using Bitcoin in payment, contributed by Aswath Damodaran (2017), a professor of corporate finance and valuation at New York University's Stern School of Business, is the high transaction cost caused by the high competition of Bitcoin transactions related to both investment and trading activities for the limited processing power of the bitcoin network. According to BitInfoCharts, the average fee of a Bitcoin transaction climbed from 31 cents in 2016 to a peak of 5.5 US dollars in 2017 (updated at <https://bitinfocharts.com/comparison/bitcoin-transactionfees.html>)

**Figure 2: Changes in Bitcoin price versus number of transactions**  
*The Bitcoin Disconnect: Speculative Investment vs Budding Currency?*



Source: Aswath Damodaran,

Available at: <http://aswathdamodaran.blogspot.nl/2017/08/the-crypto-currency-debate-future-of.html>

### **A unit of account**

Another major function of money is a unit of account which is defined as ‘a standard numerical unit for the measurement of value and costs of goods, services, assets and liabilities’ (ECB 2012).



It is essential to notice that the role of a currency as an international intermediary can be restricted unless it satisfies the function of value measurement or is able to act as a unit of account in the global market.

The significance of this feature was explained in the work of Ludwig Von Mises (1953), which conveyed that in accordance with an objective concept of commodity values, the equivalent interchange necessitates a measurement of the value contained in each of the exchanged goods; thus, money is regarded as the measure of value. Therefore, it is sensible to suggest that a currency considered to be the world money must be capable of internationally denominating the prices of goods and services and valuing assets and liabilities, and thus providing a tool for comparing various products in different countries in terms of prices and estimating financial accounts of different investments in terms of value.

More importantly, a denominator must provide a well-measured and stable unit for economic transactions both non-financial and financial, in the global scale, thereby being credited as the world money. No merchants are willing to set public prices of their goods and services in terms of an unstable and highly volatile currency, which can change the value of their products in the time of processing transactions, because the downward movements of this currency can cause losses for the sellers in that window time, and vice versa for the purchasers. As would be the same case with these constituents in non-financial transactions, no investors or lenders want to make an investment or to give a loan denominated in a currency with unpredictable and intense movements since it is incapable of estimating their value of future income flows. The uncertainty from the currency volatility can cause disastrous losses in the future for lenders or investors, losses which cannot be compensated by the profit from the investment or the interest from the loan. After that, the losing group is decided by that the currency value in terms of purchasing power or other fiat currencies directly linking to goods and services goes down or up in the due date.

In line with the aforementioned condition, Bitcoin, the representative of cryptocurrencies, failed to satisfy the requirement of a unit of account, with an average volatility of 120 per cent from 2012 to 2014, and a range from 50 per cent to 400 per cent, these numbers reported by Normand (2014). Meanwhile, in the same period, the fiat currencies issued by G10 countries only experienced the volatility of 8 per cent on average, with a range from 7 per cent to 16 per cent; even the record volatility of fiat currencies was only about 120 per cent for Argentina in its default period (Normand 2014). According to Jeffrey Dorfman (2017), a professor of economics, while the exchange rate between US dollar and euro fluctuates in the range of 3% over a month, the value of Bitcoin can experience a change of 50% of its value in terms of US dollars, this instability making people less incentive toward investments or debts denominated in Bitcoin. Hence, it is impossible for Bitcoin and its fellows with the same characteristics to replace the most powerful fiat currencies, such as US dollar and euro, to be widely used as a denominator in commerce or financial contracts at the global scale.

Furthermore, with the asymptotically fixed supply designed to have only 21 million bitcoins, a worldwide acceptance of this cryptocurrency to be used as a world payment for goods and services would lead to a decrease in Bitcoin prices of goods and services. This would push the world economy into a permanent deflation which would in turn decline incentives toward investments and the level of output. In ECB (2010), a deflationary spiral when the world turns into Bitcoin was explained as a consequence of the raising incentive to hold Bitcoins and the delaying of the owners' consumption. It is reasonable to come to terms with the question of how extreme the deflation could be. The price changes in terms of Bitcoin experienced drastic amplitudes, which could be an increase by 200% or 300% over one month. From 2016 to 2017, the change in the price of Bitcoin was from \$775 to a peak of nearly \$20,000, which implicates that the purchasing power of one Bitcoin increased roughly by 26 times over one year.

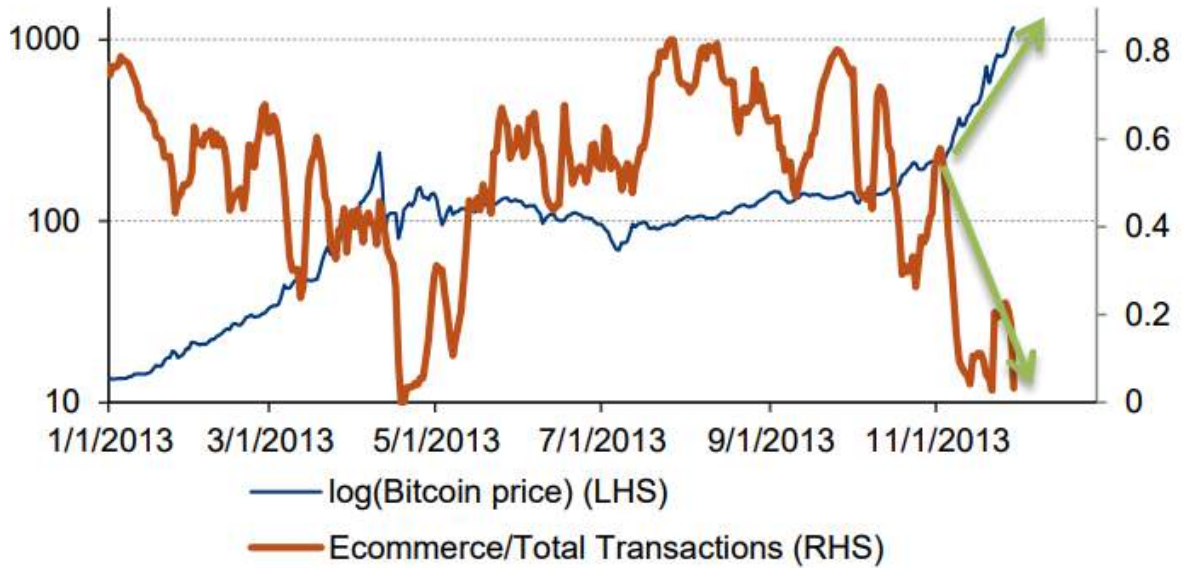
If Bitcoin had been considered as a unit of account, prices of all goods and services in the global market would have plunged in terms of Bitcoin. The magnitude of this fall completely outnumbers that of a decline in the price level in the United States (10% per annual) during the Great Depression. More seriously, Paul De Grauwe, a professor of European political economy, also affirmed that Bitcoin was not suitable to become a currency, and if the world generally accepted Bitcoins to denominate in financial contracts, there would eventually be no providers of liquidity to financial systems in crisis periods as the supply of Bitcoin is uncontrollable. As a matter of fact, the non-governability of Bitcoin or other cryptocurrencies is certainly dangerous because in case these cryptocurrencies replaced fiat currencies, monetary policy would become invalid to ameliorate credit crunches, support economic activities and stabilize economic growth.

### **A store of international value**

Finally, yet importantly, the last function a currency needs to meet to be considered as money is a store of value, which is a way of holding wealth by saving and retrieving money in the future (ECB 2012). The clarification of this function shows that a currency can be deemed the world's widely-used store of value if it can retain purchasing power into the future by a stability of its value and a safety of its storage. Unlike either precious metals or fiat currencies, Bitcoin and cryptocurrencies do not possess any intrinsic value stemming from how much their use value is, and also are not backed by the central authorities' guarantees. Nevertheless, the desire for holding such currencies has been rising around the world, leading to the upward surge in US dollar price of the cryptocurrencies; in other words, this system operates in the market-determined way. This brings into question that what is orienting the storing sentiment. Luther and White (2014) argued that the demand for Bitcoin is driven by "the eagerness of speculators to hold Bitcoin as an asset" and "the willingness of transactors to hold Bitcoin as a medium exchange", other than "the usefulness of some underlying commodity". In the document written by David Woo, et.al, the FX strategists at the Bank of America Merrill Lynch (2013), there was evidence that price appreciation led to the preference for Bitcoin to be a store of value or investment, rather than a medium of exchange (see Figure 3).



**Figure 3: Fewer transactions outside exchanges as prices rose**



*Source: Bank of America Merrill Lynch Global Research (2013)*

It would appear that there is a trade-off between the two money functions at any one time; however, it can be understood as a trade-off between less transactions today and greater transactions tomorrow. Standing at this point, there is no doubt that Bitcoin and its fellows cannot replace gold and US dollar to become the most internationally-used stores of value as they fail to ensure the wealth of their owners in the future due to the wild instability of their purchasing power. In the comparison with US dollar in respect to purchasing power for a typical basket of goods in the US, which was represented in a mini-talk for the Silicon Valley Ethereum Meetup (2017), it is undeniable that those holding US dollar were not prone to significant changes in their purchasing power, whereas those holding Bitcoin exposed themselves to the possibility of remarkable gains or losses, this contrast reflecting the stability level of US dollar is completely superior to that of Bitcoin.

**Figure 4: The United States CPI in terms of USD and Bitcoin**



*Source: Fiat money is very effective, a mini-talk for the Silicon Valley Ethereum Meetup.*

One more aspect needed to be taken into consideration is how safe in terms of a store of value cryptocurrencies are. It is of great importance to comprehend that cryptocurrencies like Bitcoin are uninsured because of the lack of regulation. Cryptocurrency owners have to accept a risk of being stolen from but can do nothing and receive no compensation. The crime is a common occurrence now. There have been four cases recorded since 2011, the Mt Gox (2011), Bitfinex (2016), NiceHash Mining (2017), Yobit (2017) hacks. These four events shared the same consequences, which were bankruptcies of the exchange agencies and permanent losses of the cryptocurrency owners. This security risk renders cryptocurrencies unable to be a safe store of value for anyone. That is not to mention the vulnerabilities by the nature of the block chain systems. The most troubling contingent risk is the supremacy control of the system if one Bitcoin miner or a group of miners owns 51% of the network's computing power. In case that dominating owner can manipulate transactions and gain the authority over the "mining" of bitcoins, the rest will succumb to the potential losses when they make Bitcoin trading transactions. As a result, Bitcoin will no longer be a decentralized system as what the advocates of cryptocurrencies expect when Bitcoin becomes the world money.

## **Conclusion**

This essay has covered the rationales behind the economic commentators' denial of Bitcoin and other cryptocurrencies' being, or their possibility of becoming, world money; each of these reasons is accompanied by the writer's consent and personal thoughts. The general argument against Bitcoin and other cryptocurrencies' capability as world money is that, to begin with, they simply do not hold up being proper money, which is required to have three basic functions. First of all, these currencies cannot provide the first monetary function of being a medium of exchange, as they are not controlled nor backed by any central institutions and do not have any intrinsic value. Also, in the case of Bitcoin, it suffers from being both resource and time-demanding to proceed transactions and statistics have proved that its growth in transactions is minimal compared to the growth in prices, which proves to be quite contrary to what money should be. Secondly, they basically fail in being units of account, i.e. measures of value, simply due to the fact that their prices fluctuate beyond the wildest imaginations and thus are rarely considered as the denominators for any financial or non-financial transactions. Additionally, due to the nature of its technical design, Bitcoin would have caused a serious trouble of deflation as its purchasing power increased incessantly, if it had been accepted as world money. The last function of money, being a store of value, is also not satisfied by Bitcoin and its fellow currencies. Although they are indeed being used as a kind of store of value by numerous investors all over the world, they in fact hold no promises of reasonable value or wealth in the future for the holders, because of the lack of intrinsic value, the price fluctuation, and also the potential safety risks.

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## *Governance and Development Policy Major*

### **Bogotá: From wastes to common assets**

*Karen Marriner (GDP), Colombia*

#### **Executive Summary**

Through this plan we will create a system in which shared responsibilities in waste management help to achieve social, economic and environmental transformations in the city of Bogotá. The idea is to develop 3 components: the first one is the pedagogical component to create a culture of recycle and reuse within the dwellers of Bogotá. The second component aims to create communal centres for recycling where the people can exchange clothes, old goods and waste for basic goods. The third one aims to create communal agro-ecological orchards to make use of the organic wastes.

The plan we propose is in line with the United Nations Sustainable Development Goals (SDG) as the SDG states different goals as no poverty, climate action and clean water and sanitation. In that sense, the goal is looking for the transformation of territories into sustainable entities. That means that the economic and social models need to be in balance between them as progress is no longer measured only in economic growth.

#### WASTES IN BOGOTÁ



*Source: (Semana, 2018)*

## Objectives

The main objective of the plan is to improve waste collection, management and the recycling process in Bogotá.

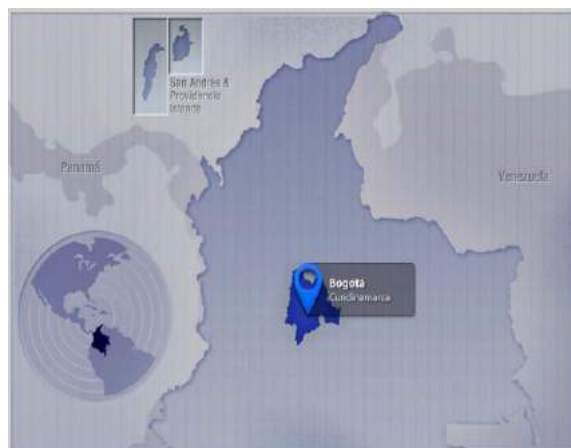
Our specific objectives are:

- Change dwellers' consuming behavior.
- Create a recycling and reuse culture in Bogotá.
- Improve household waste management

## Justification

The management of solid wastes (SWM) has become one of the major issues faced in most developing countries. “It is expected that in less than a decade, solid waste production (measured in tons/day) in Africa, Latin America and the Caribbean will have grown 160% and 66%, respectively” (Padilla and Trujillo, 2018, p. 16). According to UN-Habitat, “Cities in developing countries show increases in the amounts of waste produced due to a number of factors: (i) the increased number of people who live and work in cities; (ii) the increased waste quantities generated per capita due to increases in wealth; (iii) increases in the amount of waste produced by business and service activities; and (iv) increasing diversity and complexity of the materials in this waste” (Pardo Martínez and Piña, 2017, p. 1068).

This situation is not unconnected to Colombia, and Bogotá fulfils the four premises of UN-Habitat. But, despite Bogotá's high levels of waste the strategies designed to improve waste management have not been successful and are not in line with the increase of waste production. Furthermore, “generation and disposal of waste can be thought of as a public bad. While disposal of waste at the household level includes only their private cost in terms of the cost paid to the garbage collector, the social cost of waste disposed of (in landfills) also includes the cost of methane emissions to air and contamination of groundwater” (Wadehra and Mishra, 2017, p. 2). So, as this is a collective problem, we need to tackle it with collective solutions.



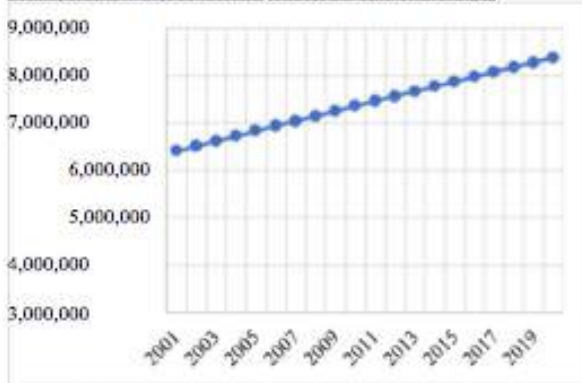
Source: Ministerio de Industria y Turismo, 2018

## Context and problem description

## LOCATION OF BOGOTÁ

Bogotá is the largest city of Colombia and it is located in the centre of the country. For 2018 the city has 8.181.047 inhabitants, according to the 2005 Census projection. As the capital of Colombia, Bogotá is the commercial, industrial and financial centre of the country. Its GDP represents 25% of Colombia's national GDP. Its economic growth is related to the growth of population of the city. Graphic No. 1 shows Bogotá's population growth. As we can see, in the last 20 years Bogotá's population has maintained a steady growth and according to the *Departamento Administrativo Nacional de Estadística- DANE*, it is expected that the population reach almost 9.000.000 inhabitants in 2020.

**BOGOTÁ'S POPULATION GROWTH PROJECTION**



Source: Author's elaboration based in (DANE, 2018)

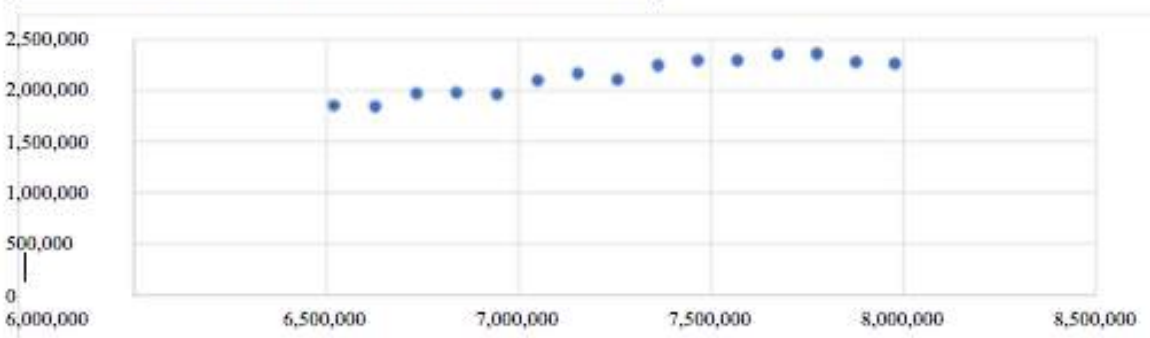
**BOGOTÁ'S WASTES DISPOSALS/ TON**



Source: Author's elaboration based in (Bogotá *CÓMO VAMOS*, 2017)

In this point, it is important to stated that population growth is correlated to the amount of wastes that the city produces daily (see graphic).

**CORRELATION BETWEEN POPULATION AND WASTES GROWTH**



Source: Author's elaboration based in (DANE, 2018) and (Bogotá *CÓMO VAMOS*, 2017)



According to the *Departamento Nacional de Planeación -DNP*, Bogotá is the city with the largest solid wastes production in the country. In Colombia, “more than 25,000 tons/day of MSW are generated, of this amount Bogotá contributes 26%” (Sepúlveda, 2016, p. 478). Table shows the waste production according to sectors.

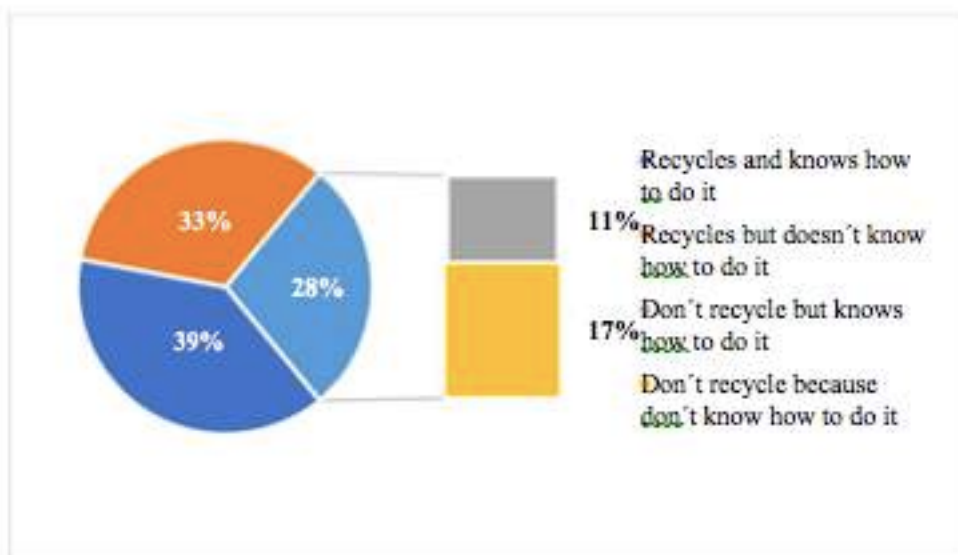
*Waste production in Bogotá per sector*

SECTOR	WASTE PRODUCTION
Generation per inhabitant	0.32 Kg/person/day
Generation per household	1.66 Kg/person/day
Generation per commercial sector	1.36 Kg/establishment/day
Generation per institutional sector	0.604 Kg/establishment/day

Source: Author's elaboration based in *UAESP*, 2015

As we can see, households generate the highest percentage of waste production per day. However, the recycling culture in Bogotá is almost inexistent, “the recycling rate is unsurprisingly very low at less than one ton per inhabitant per day” (Padilla and Trujillo, 2018, p. 17). This situation reduces the potential for reuse and could lead to environmental, health and social problems.

BOGOTÁ'S RECYCLING CULTURE



Source: Author's elaboration based in *Bogotá cómo vamos*, 2017

As the graphic above shows, only 39% of the population recycles and knows how to do it properly. Hence, the other 60% do not recycle because they do not know how or because they do not want to. Moreover, according to UAESP, Bogotá recycles less than 14% of the disposals.

Additionally, another important aspect to take into account for this case, is that most of the wastes are disposed of in the “*Doña Juana*” landfill. Nevertheless, several reports stated that this landfill does not have the capacity to process all the wastes that Bogotá produces, so the city is in danger of having a public health crisis. In fact, Néstor Franco, the head of the *Corporación Autónoma Regional de Cundinamarca-CAR*, said that “Bogotá’s dependence on Doña Juana could make any contingency a sanitary emergency in less than 72 hours. So in 3 days the city could be flooding in garbage” (Semana, 2018). In that sense, it is true to say that SWM is one of the most important challenges for the local government of Bogotá.

The lack of environmental consciousness and recycling culture can be attributed to the weakness of the social norms (shared perceptions and ideas) related. As Fornara stated “social norms can play an important role in orienting people’s behavioral decisions in everyday life” (Fornara et al., 2011: 623). Moreover, institutions, understood as “systems of established and embedded social rules that structure social interactions” (Hodgson, 2007: 96) have a key role in the establishment of societal behavior.

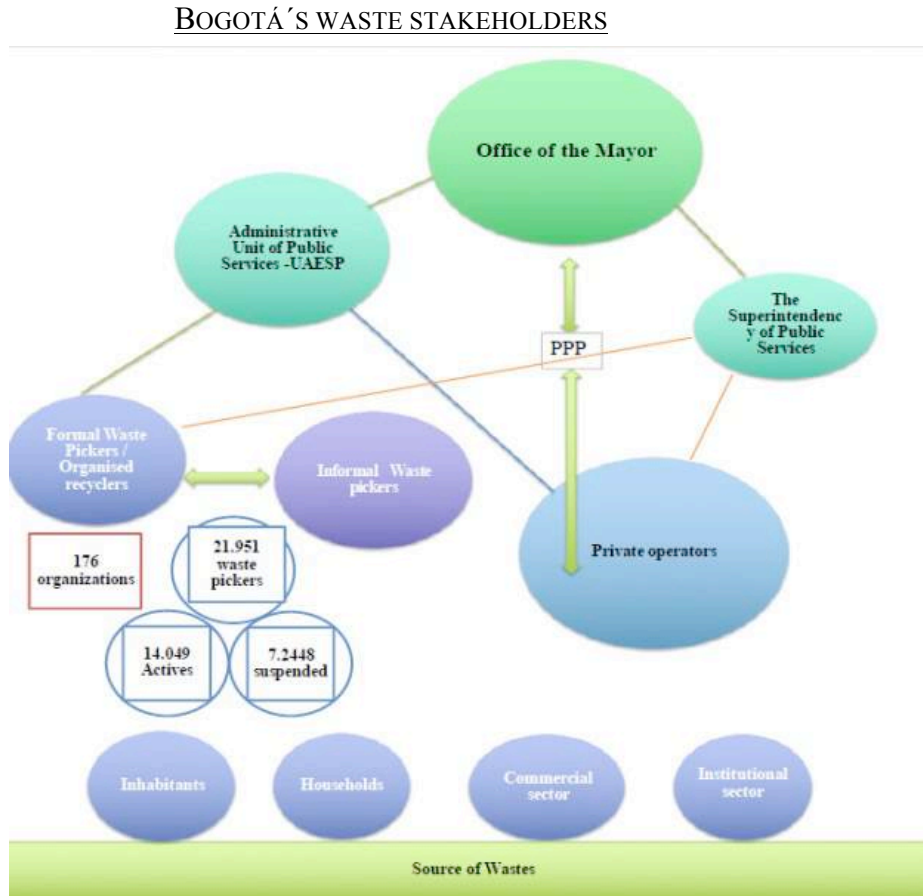
In that sense, it is possible to say that in Bogotá’s social structure and the institutions related to recycling are shaped by a long tradition of irresponsible waste management, hence, recycling is not an important institution for Bogotá’s society. The individual habit of no recycling sustains the societal routine, reproducing and validating it throughout the reciprocating individual behaviors. “A sequence of repeated behaviors creates in each agent a habitual predilection, which can stimulate a ‘belief’ or ‘conviction’ that a particular behavior is appropriate.” (Fligstein and McAdam, 2011, p. 3). For example, if someone noticed that his neighbors are not separating wastes and that it is an acceptable behavior, his incentives for recycling will be low. Hereafter, they are validating that behavior and will create an informal institution and injunctive norms of no recycling.

Moreover, the culture towards recycling can be understood as a strategic action field, “a meso-level social order where actors (who can be individual or collective) interact with knowledge of one another under a set of common understandings about the purposes of the field, the relationships in the field (including who has power and why), and the field’s rules” (Fligstein and McAdam, 2011, p. 3) In that sense, the aim of the project is to restructure the SAF of the SWM in Bogotá.



## Actors

Graphic presents the stakeholders related to SWM in Bogotá.



*Source: Author's elaboration*

One of the causes of the waste problem in Bogotá is the lack of coordination between the main stakeholders such as the local administration, the waste pickers, the private operators, the source of waste (inhabitants, households, commercial and institutional sector) and the different entities, who understand their roles and responsibilities as isolated issues and forget the importance of local dynamics and their impact at the global level and vice versa. Hereunder, I will present the main stakeholders and their roles.

### Office of the mayor:

Has the responsibility to execute and invigilate the SWM; is the main coordinator.

### Waste pickers:

They are important actors in the waste management chain as their work impacts in a positive way the urban space. However, in Colombia their work has been under-appreciated among citizens, who called them *desechables* ‘disposable people’. “Despite their significant contributions, waste pickers often face deplorable living and working conditions and have low social status. They are the lowest paid in the recycling chain, face intimidation and exploitation by middlemen, and rather than receiving support from local authorities are often harassed” (Dias, 2012).

According to the UAESP, there are 21.297 waste pickers in Bogotá. From that number, only 14.049 are register in the waste pickers census and are classified as active, while 7.248 are suspended. Most of the waste pickers are not organized and preferred to work alone. It is true that there are more than 176 waste pickers organizations, however, 61 consist in only 1 waste picker, 22 with two waste pickers, 14 with three waste pickers and, only 5 organizations have more than 80 waste pickers associated. Moreover, only 15% of the waste pickers are organized, therefore 85% are not members of any association. (*Draft agreement 252 of 2016*, 2016)

In this point, it is important to say that within the waste management problem that Bogotá is facing, the role and the socio-economic conditions of the waste pickers are important dimensions. However, the Office of the Mayor is implementing a new strategy to promote collective organization and to link them in a more formal way to the waste management system of the city. Therefore, the aim of this plan leaves behind their issues and is focused only on the recycling culture of Bogotá’s households.

### Superintendence of Public services:

In charge of all regulatory issues related to public services and is the one responsible to invigilate services provision, and in this case, to monitor the collective organization process of the waste pickers.

### Private operators:

The Office of the Mayor outsourced part of the SWM to private operators. In most of the cases this was to large firms rather than to groups of organized waste pickers. However, in march of 2018, a new system started and the private sector is called to create networks with the waste pickers associations as a response of the disarticulation of waste pickers and the private actors.

### Administrative Unit of Public Services:

This entity is in charge of the implementation of the recycling system in Bogotá. It has the responsibility to coordinate, supervise and control the recollection, disposition, recycling and productive utilization of waste materials.

### Sources of waste:

In this scheme, the sources of waste are the consumers. They are the ones who need to change their consumption and waste management practices. In this point, it is important to state that households, individuals and the different sectors are not seen as part of a collective solution, but only as main sources of the problem

### **Project**

The most common practice to achieve desirable behavior is to give monetary rewards or punishments. However, “there is increasing recognition that individuals are not solely concerned with monetary pay-offs, and non-monetary levers may be used to induce desirable actions” (Abbott, Nandeibam and O’Shea, 2013: 10). As in Bogotá the environmental tax was far from reducing irresponsible waste disposal. We believe that non-monetary nudges will be more efficient determinants to create a recycling culture in Bogotá’s households.

Beyond creating another waste management system, we want to promote a cultural transformation, creating awareness of the environmental issues, and generating solutions from individual attitudes and social behavior. As “the formation of habits requires repeated behaviors, which sometimes are triggered by innate dispositions, and often result from the propensity to imitate others in social conditions with guiding constraints. Repetition in behavior leads to the formation of habits of thought or action” (Hodgson, 2007: 108). In this respect, the project aims to establish the recycling habit through the expansion of the recycling culture.

We will promote a discourse of environmental individual responsiveness with a scope of collective and social norms associated to recycling behaviors, encouraging community involvement. The project will focus on associative actions, taking into account that “economic action is constrained and shaped by the structures of social relations in which all real economic actors are embedded” (Granovetter in Turcotte and Gomez, 2012, p. 4). If more and more people started recycling, more and more people will follow their behavior.

### *Components:*

The project comprises the following components:

## COMPONENTS OF THE PROJECT



Source: Author's elaboration

### 1. Component I: Prevention and Awareness

Through this component we will promote and coordinate with different organizations and entities pedagogic campaigns and initiatives to change the perception of recycling in Bogotá. The idea is that the citizens take charge of the separation process in their households and start consuming and managing wastes in a more sustainable way. Our goal is through communication and educational strategies to achieve a “successful ecological norm-activation that leads to individual rational choices in favor of environmentally protective behavior and, thus, to a sustainable society in the aggregate” (Liedtke *et al.*, 2013, p. 9). In order to accomplish that, we are going to promote a sustainable urban environment, in which all the common goods need to be maintained collectively.

The main activities for this component are:

- a. Pedagogic initiatives to change consumption practices (energy and water saving, use of cars, buying only the necessary, sustainable consumption lifestyle).
- b. Pedagogic initiatives to incentive appropriate waste separation.

c. Pedagogic initiatives to create a reuse culture.

d. Pedagogic campaign in schools. As we are focusing in changing habits, we need to emphasize the role of the youth and to promote a recycling culture from early ages.

## 2. Component II: Reuse and Recycle Communal Centre

We believe that “the individual choice of behaving pro-environmentally is also affected by the perception that such behavior is widespread among those who share a given every day spatial-physical setting” (Fornara *et al.*, 2011, p. 625). So, we are going to provide that common space. Through this component we will create communal centres in each locality of Bogotá<sup>1</sup> as spaces of learning, appropriation and exchange. In these centres, citizens will have access to different services, mainly

*a. Clothes exchange and donations:* Citizens of each locality will get together to exchange clothing. Moreover, we will deploy containers in each neighborhood to collect clothes and to take it to the centres. Instead of getting rid of the clothes and accessories that they won't use anymore, community members can extend the utility life of the clothes and help people who do not have the resources to buy clothes.

*b. Recycling point and communal market:* Community members will be compensated for recycling. In that sense, we will create an incentive for recycling as people will have the possibility to choose between exchanging their old goods for another goods, or to receive vouchers to buy in the communal market where they will have access to basic products (basic market basket).

*c. Workshop and recyclable goods:* the centres will have work spaces where the community members can make new products from the old ones. The profit from the sales of the products will be divided between the ones who made the product and the rest is going to contribute to administrative expenses of the centre. This activity is one of the most important as we want to identify potential entrepreneurs, especially women from the vulnerable neighborhoods, and train them in the workshops as an additional income source.

## 3. Component III: Communal agro-ecological orchards:

With this component, we will transform the structure of production and consumption patterns promoting "the interdependence between people and the natural surroundings from which they derive their material being" (Laville, 2013, p. 6).

These orchards are going to function through two main activities:

*a. Compost from organic materials:* We will promote sorting and recycling materials and composting the organic materials. The centre will have an adapted space for the treatment and transformation of organic materials.

*b. Cultivation of fruits and vegetables:* the fertilizer produced in the composting phase will be used in the production of vegetables and fruits. The products of this orchard will be offered in the communal market.

To sum up, the main purpose of the centre is to reduce the amount of waste generated in the communities. Instead of producing and living flooding in waste, now the community members will have an extra income source (in the case of production of goods) and will benefit from this scheme, while helping the transformation of Bogotá into a more sustainable city.

Table summarizes the objectives and the main components of the plan.

### *Project Approach*

<b>Name of the project</b>	BOGOTÁ: FROM WASTES TO COMMON ASSETS
<b>Program period</b>	2019-2024
<b>SDG</b>	1. No poverty 6. Clean Water and Sanitation 11. Sustainable cities and communities 12. Responsible consumption and production 13. Climate action
<b>Objectives</b>	The main objective of the plan is to improve waste collection, management and recycling process in Bogotá. Specific objectives: <ul style="list-style-type: none"> <li>• Change dwellers' consuming behavior.</li> <li>• Create a recycling and reuse culture in Bogotá.</li> <li>• Improve household waste management</li> </ul>
<b>Government counterparts</b>	Office of the Mayor of Bogotá
<b>Location</b>	Bogotá, Colombia
<b>Components</b>	1. Component I: Prevention and Awareness. 2. Component II: Reuse and Recycle Communal Centre. 3. Component III: Communal agro-ecological orchards.

*Source: Author's elaboration*

The following table presents the main indicators for the plan.

### Project's Indicators

Indicator	Description
Increase in 16 percentage points the recycling of <u>disposals</u> in Bogotá.	Increase in the Bogotá's disposal indicator from 14% to 30%.
Increase in 21 percentage points the percentage of <u>population</u> recycling properly.	Increase in the percentage of population recycling indicator from 39% to 60%.
Decrease the households waste generation	Decrease households waste generation from 1.66 Kg/person/day to 1.00 Kg/person/day

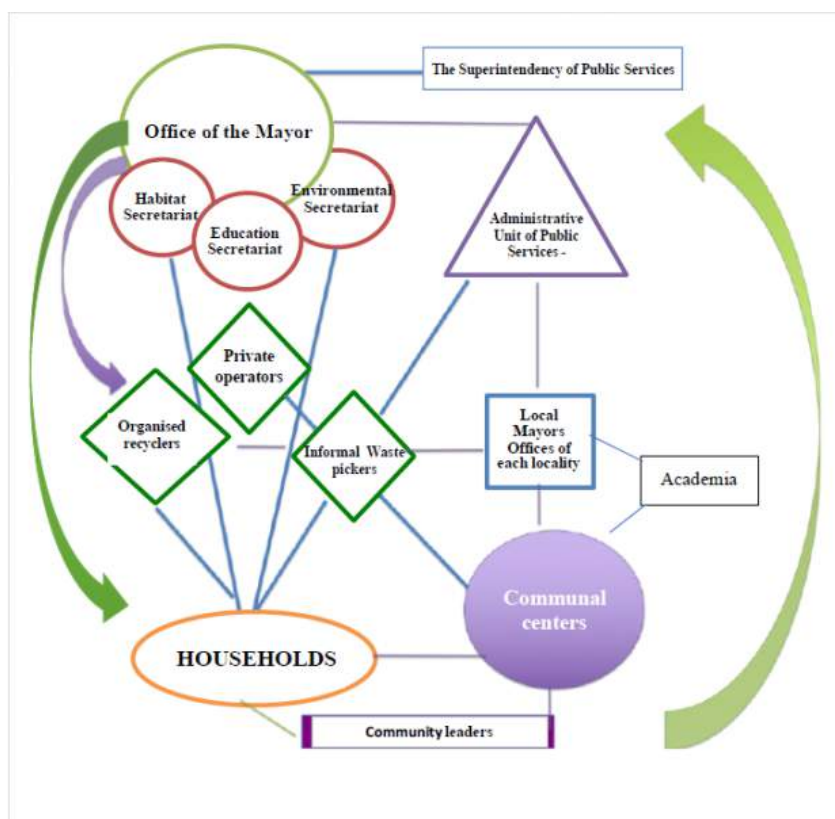
Source: Author's elaboration

It is important to consider that “new recycling and waste management systems as well as public services provision have better chances of being effectively implemented if they entail a behavioral transformation in citizens and a re-codification of social norms” (Turcotte and Gomez, 2012, p. 11) In that sense, we identify that the most important aspects for the success of the project are the appropriation of new social norms and institutions around recycling, and the collaboration between the different stakeholders involved (private, public and third forces).

We want to transform the waste management field in Bogotá, and as we know, “fields are constructed on a situational basis, as shifting collections of actors come to define new issues and concerns as salient” (Fligstein and McAdam, 2011, p. 6). In that sense, we propose a new map of actors which includes new stakeholders and different types of interrelation in order to disrupt the old field of SWM in Bogotá.

### STAKEHOLDERS INVOLVED IN THE INTERVENTION

Source: Author's elaboration



In the new scheme, we want all stakeholders to act collectively to achieve the goals. In that sense, some of the actors will change their roles such as the sources of waste, who are going to be treated as right and duty holders instead of simply consumers or waste producers.

We are going to involve the community leaders in each locality to mobilize the community and promote the participation in the centres. The project will promote and work with grassroots networks to inspire communities and citizens to take part of the plan. Also, it is relevant to take into account that the administration of the centres will be in charge of the community through the support of the Offices of Local Majors as we want to promote self-organization in civil society.

The Office of the Mayor, in coordination with the office of local mayors will coordinate the project. Their role in the new scheme is more active as the intervention requires the participation of different secretariats and entities within the local administration, such as the Education, Habitat and Environmental Secretariats. The Education Secretariat will have a special role, as part of the component I is focused on Bogotá's child and youth.

The role of the academia will be important too, as they will offer capacity development and research of SWM alternatives. Moreover, the *Universidad Jorge Tadeo Lozano* and the *Universidad Nacional de Colombia*, will coordinate the communal orchards and will support the community in a technical way. At the same time, they will be part of the workshops and will give training to the community.

### **Associated Risks**

Finally, it is important to consider different obstacles and circumstances that can prevent the success of this project. The table No. 4 shows the main risks associated with the project.



### Project's associated risks

Risk	Causes	Consequences	Probability	Impact
Possibility that households do not appropriate the waste separation behavior	Lack of interest and weak social structures	Waste reduction will not improve	High	5
Lack of partnership and collaboration between public and private stakeholders	Different interests and approaches	Failure of the communal recycling centres	Possible	4
Low participation in the communal market	Lack of interest and weak social structures	Waste reduction will not improve	Possible	5
Low interest in the orchard	Lack of interest and weak social structures	Waste reduction will not improve	Possible	5
Limited investment sources	Different interests and approaches	Failure of the project	Possible	5
Lack of interest in the services	Lack of interest and weak social structures	Waste reduction will not improve	Possible	3
Failure in the appropriation of the recycle and reuse culture	Lack of interest and weak social structures	Waste reduction will not improve	Possible	5

Source: Author's elaboration

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# **Women's Empowerment: Is It Achieving Its Goal?**

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## **Introduction**

Women's empowerment has become a magical word in resource mobilization and is being used in most developmental projects associated with women. However, the term itself means different things to different players depending on what they want to achieve. Some describe it as an end in itself while others look at it as a means to an end. Empowerment can be understood in three ways; 1) Economic Empowerment, which seeks to ensure that people are able to sustain themselves economically 2) Human and Social Empowerment meant to give power to the people for them to stand on their two feet and 3) Political Empowerment which aims to help people know their rights and use them to organize and push for collective action (Luttrell et al. 2009: 1, Chopra and Müller 2016: 2).

Therefore, I have chosen women's empowerment because I believe it is the next milestone in development that has potential towards women's equality and a stepping stone to change the way society looks at and treats women in different realms of development. Women should be given power to participate in development and to assume leadership positions in this globalized world. It is only through concerted efforts that poverty which is mainly affecting women and children can be reduced with the involvement of women as partners and not victims to be rescued. This essay will look at what women's empowerment entails and its origin, analyze strides that have been achieved and conclude with a way forward.

## **Women's Empowerment and Its Origin**

According to Chopra and Müller (2016: 8) Women's empowerment is about expanding opportunities and acquiring the power to make choices, both in terms of what women can do, the options available to them, and also about extending their imaginations about what they can do. Women's empowerment is that driving force which propels women of all types to aspire to move to another level. And because it has different interpretations, even the definitions differ. Chopra and Müller (2016: 2) look at it "as an instrument for challenging patriarchal norms and institutions" looking at it from a collective point of view. While the World Bank (WB) defines it as "the process of enhancing an individual's or group's capacity to make purposive choices and to transform those choices into desired actions and outcomes" (Alsop et al. 2006: 1). Despite the differences in the definitions and the process of delivery, women's empowerment is about elevating women from a disadvantaging situation to a better decision making, beneficial and empowering position not only for them but their families as well.

The origin of empowerment can be traced way back in history to the era of “Protestant Reformation in Europe” (Batliwala 2007: 556) but started appearing with the works of Paolo Freire in the 1960s and later 1970s. It was popularised by the interventions of the feminist movement in the south against the then unsatisfactory practice of top down development which did not critically consider the plight of women in its agenda. This led to the rejection and later modification of the first Women In Development then Women And Development and later Gender And Development (GAD) which highlighted that the way women were integrated in development was leading to gender blindness. Further, the 1987 women’s conference in Kenya with an audience of about 15, 000 women took a new step of collectivism and a more radical approach in women’ empowerment. Such a big gathering was key in disseminating the new ideas which would eventually reach many people (Sardenberg 2016: 20, Batliwala 2007: 558-559, Luttrell et al. 2007: 2-3).

Feminists continued “pushing consciousness-raising” for women to claim their place in society until the concept gained recognition in development. In the 1990s, other players had started using the concept in corporate management in order to push their own agendas which were more individualistic in nature. The concept gained world spotlight during the women’s conference in Beijing where GAD was given a seal of approval as it “emphasised power relations and structural inequalities a discourse on women’s empowerment” (Sardenberg 2016: 21). It was at this conference that many bilateral agencies adopted the term empowerment with critics arguing that the adoption took out the meaning of the term empowerment as they used it for their benefit and not its original purpose (Batliwala 2007: 558-559).

### **Analysing Achieved Strides**

Women’s empowerment has many dimensions and a number of strides have been achieved. After much advocacy by feminist groups, it is only recently that the main stream actors of development such as the International Monetary Fund and WB have gained interest in the matter. According to Cornwall et al. (2008: 2) the Department for International Development now looks at women as “a ‘weapon’ in the fight against poverty.” With this development, it means development actors are willing more than ever to pump resources in matters of women’s empowerment which is a major achievement as empowerment programmes require resources.

Yet this involvement is like a bitter sweet in that women’s empowerment does not mean much to these institutions as it means to the feminists. According to feminists, this is more like a picture on the wall, i.e. “changing ‘everything’ so as to change nothing” (Cornwall et al. 2008: 4). These development players misconstrued empowerment for silver bullet, assuming “one size fits all” when in actual sense, different regions require different ways of dealing with development and women’s empowerment. They also fail to understand that the goal of empowerment is to remove barriers that prevent women from full participation be it at the work place or the community in which they live (Cornwall and Anyidoho 2010: 147).

In what is seen as another achievement by women's empowerment is the revelation by the IMF Managing Director Lagarde (2016) that women have gained some empowerment in education and economic spheres with the highest improvements being in Latin America, Asia and the Pacific Regions respectively. Understanding why this milestone is in Latin America will help in spreading these gains to other parts of the world. UNICEF attributes this achievement to the commitment from Latin American governments and the active participation of well-grounded civil societies (Luttrell et al. 2009: 10).

When it comes to women getting paid jobs, an analysis must be taken to see what type of jobs they are getting, are they competing with men or they are service jobs depending on their womanly nature. In as much as women may find jobs, the salary scales are not balanced with the men and progression up the ladder is based on patriarchal structures. Apart from discrepancies in pay, most of these jobs have exploitative conditions which may not be suitable for most women (Kabeer 2005: 20).

On the political front following the introduction of the quota system in 1995 which called for 30% representation of women in decision making during the Fourth World Conference on Women in Beijing, women's empowerment has scored some successes (Cornwall and Edwards 2010: 6). Rwanda is currently the leading country with women's representation in parliament with a representation of 49 seats out of 80 translating to 61.3% after the 2013 elections (Interparliamentary Union 2017). Elsewhere, Kosovo with the current female President, boasts of a number of women in decision making positions (Fox 2017). Germany has Angela Merkel as Chancellor since 2005 with Africa having had a first female president in Liberia's Ellen Johnson Sirleaf. These are important steps in women's empowerment which must be celebrated.

In what others may call the latent outcomes of women's empowerment, women become pillars of strength for each other as the small groups they work in become comfort zones where they share stories of struggles and successes. This is the place where some women gain the courage to face their problems such as an abusive marriage or have gone collectively to the local leadership in their community to have their voices heard (Sardenberg 2016: 23, Cornwall and Edwards 2010: 5).

### **Unmaking Empowerment**

Despite these achievements, most countries are still behind in upholding and improving women representation. On average women representation is still on the low with Kabeer (2005: 21) indicating that women representation achievement remains low globally with an average of "13.8 per cent in 2000". With the growing number of countries trying to achieve the 30% women representation, questions have arisen as to whether these are based on merit or formality and

translates to nothing on the ground (Kabeer 2005: 21, Chopra and Müller 2016: 5). Moreover, there is no guarantee that this may improve the plight of ordinary women at the grassroots as women in these positions may not have the power to change oppressive systems dominated by patriarchal structures in their societies (Cornwall and Edwards 2010: 6).

This assertion is compounded by reports that despite the achievements highlighted above, women still deal with many patriarchal challenges in their countries with further accusations that these women are 'voiceless' despite being in these positions (Marima 2017, Fox 2017). Ironically, the political environment in most countries is not conducive for women to participate in politics. In some African countries, politics are characterised by intimidation, and character assassination which deter women from wanting to take part unless they are driven by a passion and agency to improve their status. Kabeer (2005: 14) notes that "Agency in relation to empowerment, implies not only actively exercising choice, but also doing this in ways that challenge power relations". This agency motivates women to want to fight for themselves even in the midst of intimidation and prosecution like is the case of Diane Shima Rwigara, a 35-year-old woman who wanted to stand for the presidency in Rwanda during the August 2017 elections. As Marima (2017) reports, Rwigara, her family and people around her are being intimidated just because she took a decision to challenge the status quo of Kagame being the president.

On the other hand, most women's empowerment initiatives are top down and targeted at "a poor, powerless and pregnant African woman", a picture representing an African woman needing development forgetting that women are not a homogeneous group. This portrayal of an African woman, leaves out a middle-class woman who is not catered for simply because she does not fit the above description (Win 2004: 62, Mohanty 1984: 62).

### **Remaking Empowerment**

In as much as development through women's empowerment may have achieved some gains, many of the achievements are happening away from the framework of the projects. In order to change this, it entails the remaking of development in relation to women's empowerment. The starting point will be to acknowledge the "narrowness of the economic and political empowerment agendas" (Cornwall and Anyidoho 2010: 147) and take the mantle and ensure governments are held accountable and policies of women's empowerment are implemented and fulfilled.

It is time to look at the beneficiaries of women's empowerment with a different lens and not that of "poor, powerless and pregnant African woman" (Win 2004: 61) because women's empowerment should cater for all women as they all face different problems in their communities. For solutions to be achieved, women must be given a voice to say what type of empowerment they would need (Cornwall and Edwards 2010: 8). There should also be

reconciliation on how according to Mohanty (1984: 334) white feminists look at their counterparts the African women.

Time is right to start implementing context based development projects and not assuming that one size fits all. What may work in one region may not work in another. This will help in getting rid of dominating structures which sometimes do not only affect women but men as well. Therefore, men must also be brought on board in order to understand the plight of women and why they are fighting to change the standing structures. The inclusion of men should point out that “Power with, stresses on the way in which gaining power actually strengthens the power of others rather than diminishing it” (Luttrell et al. 2009: 4).

Over the past few decades and with the adoption of women’s empowerment concept by key developmental actors, the ‘power’ has been removed out of empowerment and reduced to a shell of its old self. In remaking it, it is important that the “radical consciousness-raising approaches” that were intended for women’s empowerment be brought back for development in this field to come back to the women (Batliwala 2007: 562).

### **Conclusion**

This essay has highlighted that women’s empowerment entails overhauling restrictive barriers that prevent women from attaining their goals be it in their homes or the work place. It has also highlighted why it came into being and has analysed the strides that have taken place before giving contributions on the way forward.

Even though women’s empowerment has been in the development agenda for a long time, there has been minimal impact on reaching its goals due but not limited to the fact that the concept is interpreted and practiced differently by all players depending on what they want to achieve. As such instead on focussing of redefining restrictive systems, empowerment has been reduced to helping women meet their basic needs especially in the global south.

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# **Keeping unfit drivers off the road: Reforming driver's licensing in the Philippines**

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## **I. The Case: The Land Transportation Office and Driver's Licensing in the Philippines**

In the Philippines, more than 8,000 deaths due to road accidents have been reported every year since 2006, and it has been on an increasing trend for more than a decade (Sy 2017). Many factors contribute to the occurrence and frequency of such accidents, including poor quality of vehicles, roads, and traffic management. But investigations into these accidents also reveal that a lot of drivers on the road are unfit or insufficiently-skilled to drive. This, however, is not surprising as it is widely-known throughout the country that with a certain amount of money, one can get a license without even taking the required driving test and medical and written exams.

### A closer look at the major actors involved

*Land Transportation Office (LTO).* Issuing driver's licenses falls under the mandate of the LTO – a government agency basically tasked to implement transportation and traffic laws of the country. It has a central office and regional offices where new licenses must be applied for, and satellite offices throughout the country that serve as licensing centers (for license renewal). Giving out new licenses is administered by frontline staff who are employees of LTO, while renewals in satellite offices are administered by a third party service provider.

Getting a license in the Philippines usually takes either a lot of time or a lot of money – a lot of time because lines are long and there are various steps to undertake (e.g., physical/medical exam, drug test, written exam, driving test, and all the cashier payments in between), and a lot of money because it is an open secret that LTO staff allow you to bribe your way out of the process. In fact, there are even schemes that allow you to get a valid license without appearing at all at the LTO office, and it will cost you around PHP10,000 to PHP16,000 (roughly USD200-300) (Elemia 2015).

*Fixers.* Another way to get a driver's license in a speedier manner is through fixers. These are private citizens with connections to LTO staff and/or officers who hang around the LTO offices and offer their services to applicants as they come. Depending on negotiations with them, you will be able to skip the driving test and written exam for about PHP3,500 (roughly USD70) (Elemia 2015). Ordinarily, one will have to spend more than half a day in the LTO office going through the licensing process. But with fixers going straight to their connections within the LTO, the application will only last for about an hour (ibid.).

*Local Government Units (LGUs).* LGUs are not involved in the licensing process, but they are tasked to implement traffic rules in their respective cities and municipalities and this includes

apprehending violators and confiscating driver's licenses. LGU traffic enforcers are supposed to issue tickets to drivers who are caught violating traffic rules. A violator may only claim their confiscated license after paying a fine and attending a seminar on proper driving. In many instances, however, violators get to keep their licenses because traffic enforcers are also known to accept bribes. After all, the public would rather cough up some money than go to the trouble of attending a seminar and of not being able to drive for a couple of days. And it is also quick earning for the LGU.

*The Public.* Finally, it is the drivers themselves who are perpetuating the cycle of corruption and faulty licensing in the Philippines. As going through driving school is not required by the LTO, many drivers would choose not to spend on private classes (which are expensive), and would instead pay the bribe and just learn to drive when they're already on the road. This is even more rampant in the public utility vehicle industry, where boys younger than 18 years of age find a way to get a professional driver's license so they can drive trucks and jeepneys to earn an income for their families.

## **II. Analysing the Problem from an Organizational Perspective**

This paper takes an organizational perspective in analysing the issues plaguing driver's licensing in the Philippines. Specifically, it looks at the factors within the concerned organizations that allow rampant corruption to take place in the process, and the challenges with regard to addressing them.

*Information asymmetry and the principal-agent theory.* With the rationalization (read: downsizing) of the government service which was implemented from 2004 until around five years ago, many government positions, including supervisory positions were removed from organizational plantilla. As such, the span of control of remaining supervisors has become larger. This may be effective for smaller organizations, but for regulatory and enforcement agencies where many frontline and enforcing staff are deployed to interact with the public, more middle managers would be required to effectively supervise employees (Mintzberg 1979: 27-28). In the case of both the LTO and the LGUs that enforce traffic rules, supervisors have no direct information on how the frontline staff are administering services, nor perhaps do they care as much (especially as some of them even get a share of bribes). Instead, managers would be more interested in outputs and whether the organization has reached performance targets (e.g., license applications processed out of the total number of applications received) that would merit the granting of a performance-based bonus.

There is also information asymmetry between the government and citizens due to lack of transparency in the licensing process. Citizens and policymakers are unaware of which frontline staff or LTO regional office to hold accountable for the issuance of licenses to drivers who are

found to be unfit or insufficiently-skilled to drive, especially public utility vehicles which are more commonly involved in major accidents than private vehicles.

*Lack of intrinsic and extrinsic motivation.* Beyond the principal-agent theory, however, behavioural economics also suggests that an individual's motivation may be a more significant factor than supervision in influencing their decision to carry out tasks well (Frey et al. 2013: 952-953). It is, however, difficult to motivate staff if their job is only administrative in nature, and issuing licenses following set rules is pretty much that. It is difficult because intrinsic motivation – which is “based on the satisfaction an individual derives from involvement in an activity without external rewards” (Frey et al. 2013: 953) – comes from enjoyment of the job, or from a sense of obligation to serve the public well in the case of civil servants. In terms of enjoyment, it is hard to find any pleasure in doing a set of tasks over and over again, the same way every time, so employees might as well earn something on the side. And in terms of serving the public well, it may also be difficult for frontline staff to see repetitive work as a form of service that contributes to the nation's wellbeing.

Even extrinsic motivation is lacking in this situation. Government employees' salaries are standardized, but not at high rates. While there is a performance-based bonus granted to government employees when their organizations' performance targets are met, these are not quite as high as their side earnings from bribes. Moreover, for revenue-generating agencies like the LTO, employees would not care much about how much revenue they collect (this is not a performance target) as they will not share in the profit anyway. On the other hand, LGU traffic enforcers also are not rewarded for remitting fines from traffic violations as their salaries are also standardized and the revenue is used for operations of the LGU, not for personnel services.

There are arguments that giving more autonomy and space for discretion would encourage employees to act appropriately because they will feel a sense of trust from the organization's top management. However, in a situation where corrupt practices are so deeply entrenched and there is no way to employ clean agents in the government (current employees have security of tenure as provided by the civil service code), giving more discretion may just exacerbate the situation. A different strategy must thus be pursued to address these problems.

### **III. Proposed Reform Strategy for Driver's Licensing in the Philippines**

The issue with driver's licensing in the Philippines is just one factor contributing to traffic and safety problems in the country, but it is, in itself, already a complex issue due to the characteristics and interests of the different actors involved. The reform strategy being proposed here thus also has multiple layers that are aimed at addressing the issue's different aspects which were discussed in the previous section.

*Expansion of outsourced functions to include issuance of new licenses.* One issue raised was information asymmetry between principals and agents within the LTO and the LGUs. In the private sector, principals have considerably more control over their agents because the stakes of performing well are higher – private sector firm owners derive profit if their firms perform well, and so they are more incentivized to invest on supervision to ensure that performance is good. One solution is therefore to outsource licensing to private service providers whose motivations are characteristically different from that of the public sector. After all, as previously mentioned, license renewal is already outsourced to a third party service provider. This paper is thus proposing to take this further to include the issuance of new licenses in the terms of reference of the service providers. This outsourcing of administrative tasks is a core tenet of the New Public Management (NPM) model.

Many countries and development practitioners are now disenchanted with the NPM approach because of its failure in many instances to deliver what it promised, but if we look at what we want to achieve in this situation – ensuring that drivers on the road are contributing to safety (function) – it is worth considering this way of license administration (form). After all, license administration itself is not the task that requires the LTO’s technical expertise, as personnel simply have to check whether a person is fit to drive following a set of requirements. What necessitates LTO’s expertise is the analysis of which criteria will be able to tell them whether a person is capable enough to drive safely on the road and what other regulatory measures they can take to ensure safety within the transportation sector. Refocusing LTO employees’ tasks towards this organizational mandate is a way to build up intrinsic motivation as this line of work is more meaningful and analytical than issuing driver’s licenses.

*Non-contact enforcement of traffic rules and regulations.* Another issue raised was the lack of supervision and transparency involved when LGU traffic enforcers apprehend traffic violators, which often result in them taking bribes. There is therefore a need to reform government-citizen interaction in this arena such that transparency and accountability are better ensured (Bhuiyan 2011: 54-55). In this case, reforming government-citizen interaction by removing the human element from traffic regulation enforcement may be achieved through the use of Information and Communications Technology (ICT) or e-governance.

Since late 2016, the national government started implementing non-contact enforcement of traffic regulations in select areas through the installation of closed-circuit television (CCTV) cameras along major roads and highways (Garcia 2016). This means traffic violations are caught on camera and drivers/registered owners of concerned vehicles will be sent a notice of the violation including steps to either protest the violation or to settle the corresponding fines and other requirements (ibid.). The protests/appeals are handled by office staff who do not have direct contact with the citizen either. As this is currently implemented only in a few select areas,

this paper proposes that implementation of this strategy be scaled up to include all roads, highways, and bridges that experience a traffic volume of at least 20,000 vehicles per day.

Non-contact enforcement also deters drivers from committing violations because fines charged for these violations are much higher than the bribes they pay enforcers on the road. Currently, LTO does not allow registration renewal of vehicles if owners have not settled fines from traffic violations caught on camera. Thus, drivers/owners will have no option but to pay the full amount of fines for their violations, without any enforcer to bribe. This is a more credible threat of enforcement that will influence the public to self-regulate. This is why LTO should realign their organic staff towards better delivery of their mandate as a credible threat of enforcement needs an institution with a strong enforcement capacity.

#### *Linking of violation data with issuing service providers.*

The last leg of the reform strategy being proposed here is on the use of violation data. There is currently an online database where details of traffic violators who are caught using CCTV cameras are uploaded. The data from this website may thus be linked to the third-party service provider that issued the licenses to drivers involved and this should be published on the website, as well. This serves two functions, namely: to increase transparency and accountability, and decrease information asymmetry. Currently, the accountability of LTO staff ends when they issue licenses to applying drivers. Transferring the administrative function to service providers (first leg of the reform) also transfers accountability to them. To ensure that they do their job well, part of their performance contract should be to ensure that driver's licenses are only provided to applicants who sufficiently meet the criteria set out by the LTO – and this can be determined partially through violation data. If it is found that providers operating in certain LTO administrative offices issue licenses linked with a number of violations, the service provider may be penalized or terminated. And there should not be any shortage of providers in the market who are able to fill this role since administering license issuance is not technical work that requires specific skill sets that have limited supply in the labour market. This will encourage the private service provider to meet their contract commitments and to ensure that their employees do their tasks well and do not succumb to bribery from applicants and fixers. In terms of information asymmetry between the government and the public, when citizens are able to access this information freely and publicly through the website, it will empower them to call on the government to make negligent service providers accountable.

#### **IV. Potential Risks to Implementation and Corresponding Strategies**

As with any reform, implementing the proposed strategies will not be without its challenges. First and foremost, outsourcing license administration may be opposed by current LTO staff for fear of losing their jobs (and their side earnings) to the private sector. Second, LGU traffic

enforcers who will no longer get to apprehend violators on the road will also lose the chance to earn quick money and may also fear losing their jobs. Finally, with many development issues hounding the country, it may be difficult to get this reform to be prioritized for the financing that it requires.

On the first point, it must be made clear to LTO and its staff that outsourcing license administration is being done to make way for a refocusing of their tasks to more technical aspects of the organization's mandate. This includes designing and conducting training modules for the service providers and refining the licensing criteria and requirements that will better ensure suitability of drivers who are issued licenses. In other words, they will not lose their jobs (they can't anyway, because of civil service rules), they will simply be given more technical and mentally stimulating tasks and also a somewhat supervisory role over service providers that will hopefully boost their motivation to perform better.

With regard to the LGUs and their traffic enforcers, their services will also remain necessary to catch violators through reviewing CCTV feeds. While some may see this as a more boring task compared to catching violators on the street, it also protects them from the elements when they are outdoors, especially as weather is extreme in the Philippines and pollution is very high. Implementing the second leg of the reform (non-contact enforcement) also means that fines charged from violations will automatically go to LTO (where the violators will have to settle the fines to get their vehicles registered) instead of in the LGUs' pockets. In order to incentivize the LGU to catch and report violations through CCTV, there must be a formal arrangement between LTO and the LGU wherein the fines corresponding to the violations that the latter catches and reports will be remitted to them on a monthly basis for use in operations and services.

Finally, there is a considerable amount of budget required to implement these reforms – from payment of contracts with service providers to procurement and installation of CCTV equipment. But with better revenue collection (through collection of traffic violation fines instead of losing potential earnings to bribes), and with committed lobbying and negotiation of top management, the required budget could be allocated. After all, LTO is one of the most infamously corrupt government agencies and, for years, there has been clamour from the public and from policymakers to reform the agency. The need for change is already established. While there have been initiatives such as setting up signs outside LTO offices warning the public of fixers, there have not been much other changes introduced to really address the agency's corruption problem. With the public getting more and more frustrated, it is in the LTO management's interest to do what they can to change their organization's image. With policymakers themselves complaining of inefficiency and corruption within the agency, LTO top management could find external allies or champions in Congress to secure the required budget for these reforms.

## **V. Conclusion**



It is fortunate that the building blocks for the reforms proposed by this paper are already in place, i.e., some administrative tasks have already been outsourced to service providers and CCTV equipment have been set up in major roads to implement non-contact enforcement of traffic violations. In order to address the organizational issues within units involved in the driver's licensing sector such as information asymmetry between managers and frontline staff, and between the government and the public, and the lack of motivation for attitude change of the actors involved, the proposed reform strategy put forward in this paper has three tiers: (1) outsourcing of issuance of new licenses to third party service providers where it is assumed that principals are better able and incentivized to supervise agents; (2) removing the human element in apprehension by scaling up of non-contact enforcement of traffic violations through ICT or e-governance; and (3) linking violation data with issuing service providers and making this information available online to increase transparency and accountability.

In the end, it must be acknowledged that no reform strategy is perfect and that the only way to find out if a plan of reform will work is to try and implement it. Keeping unfit drivers off the road is but one piece of the puzzle to improve road safety in the Philippines. But it is a required piece of the puzzle, nonetheless. While the reform strategy proposed here aims to address certain organizational issues within the government units involved in driver's licensing, there may be other problems that arise when it is implemented. Any issues arising from or encountered during implementation of a reform must be taken note of and learned from, especially towards adjusting the reform to address such issues and to better fit the context in which it is implemented. This goes for all reform initiatives, and hopefully taking such an iterative approach will make a difference in improving road safety in the Philippines.

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## **The Making of Development: Histories, Theories, and Practices**

*By Design Chimwaradze (SJP), Zimbabwe*

### **Introduction**

Human rights is a concept with a lot of prominence in contemporary development related-discussions. Its definition is a subject of long debate, mainly owing to the many aspects of life to which it is applied and the corresponding interpretations. The definition depends on multiple circumstances ranging from perspectives, (e.g. legal feminist), positionality (e.g. perpetrator/victim, powerful or marginalized) as well as context and time. Neither are its origins tied to a single source or story. ‘The concept of human rights is the result of the long evolution of philosophical, political, legal and social reflection, inseparably connected to the social-democratic traditions’ (Steiner et al. 2008: 1.). There is, however, some kind of a common conviction among scholars (Bantekas and Oette 2016; Coomans et al. 2010 and Steiner 2008), that human rights come with an advanced advancement of human well-being. In the same breadth, Parekh (2005) and Gauri and Gloppen (2012) discuss and present human rights as engines of inclusive development. They have just evolved to occupy a leading role in the subject matter.

It is in light of the aforesaid frame that this paper intends to explore the significance and source of the concept of human rights and how it has evolved over time to become an authentication mark within the globalized human development agenda. The point of departure shall consist of tracing the various stories linked to the evolution of the concept. The essay will then look into the differing understandings to the meaning and application of the concept and implications to different societies. The essay will also attempt to look into the varying magnitude of social changes the concept has brought with. The findings will then be taken to help unpack the relevance of the concept in the making, unmaking, and remaking of development.

### **Evolution of Human Rights.**

This paper draws its point of departure from the discussions and beliefs that the traces of human rights are found at all times and across all cultures. Indeed, this paper contends that the language and norms and values of human rights can be traced back to time immemorial. A lot of theoretical explanations have been put forward and they range from those based on moral values (substantive), empathy for others, human rights as a product of struggles, liberal and socialist thinking. Bantekas and Oette (2016) trace the origins to ‘ancient and traditional cultures and societies and world’s major religions’. The claim is that human rights initially existed in form of ethics and mainly served to regulate the interaction of people within a community - the biblical

Ten Commandments could be a good example. ‘The principal concern was on the creation of a harmonious and just society rather than the protection of rights of individuals’ (Bantekas and Oette 2016).

The 18<sup>th</sup> century heralded some of the most notable early forms of political struggles for human rights. It was within that period that saw the coming into being of the United States’ declaration of independence (1776), the US Bill of Rights (1791) and the French declaration of rights of man and citizens (1789). It is, however, important to highlight that concept during that time suffered from a lot of inclusivity deficiencies, for instance, the blindness or insensitivity to the position of women within the efforts made as of that time. The concept also suffered from betrayal and hypocrisy or lack of political will especially looking at the contradictions between the US and France fronting the human rights struggle and their offensive involvement in the slave trade. Bantekas and Oette (2016) also argue that the liberal interpretation was also manipulative in nature and brings forward Marx’s (1818-1883) assertion that ‘rights to property as an example were used to secure interests of the capitalist class’.

Fast-forwarding to the 19<sup>th</sup> and 20<sup>th</sup> century, there comes another set of developments which among them include the rise in women’s rights movements, abolition of slave trade - setting the precedence for the recognition of equality and freedom, nationalist movements, to the emergence of international humanitarian law that put an obligation to end differences between warring parties and protection of aliens (ibid). Significant steps included the establishment of International Institutions post World War One and the League of Nations born out of a need to “supervise some treaties which had something to do with liberties, freedoms, and non-discrimination” (Ibid). The post-World War Two peace-building initiatives brought about the International adoption of collective enforcement of rights through the formation of the United Nations. The incremental commitment was shown through the setting up of human rights specific and coordinated efforts like the establishment of UN human rights commission, the War Crimes Commission (1943-1948), Nuremberg and Tokyo war crimes trials (1945 and 1949). The most significant of them all was, however, the coming into being of the contemporary international human rights founding document-the Universal Declaration of Human Rights (UDHR) in 1948.

Beyond the 1948 UDHR, we see growing debates around the effectiveness and the universal application of international human rights law. Mixed feelings were and are still expressed on the subject matter throughout its evolution to the recent rise of human rights-based approaches. Begum Shaista Ikramullah, a member of the Constituent Assembly of Pakistan and a delegate of the UN in 1948 is quoted as having claimed that “it was imperative that the peoples of the world should recognize the existence of a code of civilized behaviour which would apply not only in international relations but also in domestic affairs” (Saghal 2012). There is also an acknowledgment of the significance of international human rights law but with doubts on its

deliverables and the major argument put forward to that is the absence of an enforcement mechanism at international level.

It is within the same debates where the universalism and relativism interpretations are located. Parekh (2005) best captures the divergence as follows, 'relativism stresses moral plurality and ignores moral universality. Universalism makes the opposite mistake'. In its present form, the universalism and relativism debate has reached a compromise under what Parekh (2005:286) preferred to call "pluralist universalism". This follows his observation that the two are "incoherent extremes". To that end, the differences are recognized and a suggestion for compromise is made to which neither universality shall mean silencing of cultures perceived to be of lower status nor relativism come as an excuse not to acknowledge and respect human rights (Parekh 2005: 286).

Also topical in the evolution of human rights was and remain the aspect of the production of knowledge. Coomans et al. (2010) brings in a new dimension to the concept centered on rampant subjectivity in the production of human rights knowledge. He claims that most of the researchers are activists or former activists something which often leads to the conflation of scholarship and activism; and with wishful thinking coming out as an end result.

### **Human Rights as a tool of analysis in development**

In its present form, the concept of human rights is embedded within the significance put to human agency in the broader human development framework and in particular, have an inclination to Sen (1999) and Nussbaum (2004)'s capabilities approach. Sen (1999) in particular, speaks of "development as freedom", the idea being that development cannot be reduced to a mere rise in incomes but rather to include freedoms and political choices could be a good example. Human rights in this context, therefore, has to be seen as a contributory factor to human agency of which it is one of the fundamental pillars of the human development approach. The framework brings with it a broadened definition to development; looking beyond the Gross Domestic Product (GDP) or macroeconomic sense but to include the social, political and cultural dimensions to the advancement of human well-being. Mary Robson (2012) who is a former UN High Commissioner for Human Rights spoke of a huge interplay between human rights and development.

Zeroing in, to specifics, the human rights concept has developed from just being a descriptive word to become a development approach unto itself commonly known as the Human Rights Based Approach. The approach in many instances is presented as inclusive and with the potential to help make much greater progress (Robinson 2012). Gauri and Gloppen (2012) presented the approach in a plural form (human rights-based approaches), -a position speaking to the various forms that which human rights are applied in development work. Four types In that context, four types are known which are global compliance based on international and regional treaties;

human rights-based programming on the part of donors and governments; rights talk; and legal mobilization (Gauri and Gloppen 2012:485). The aforementioned dimensions help articulate human rights approaches and their role as “principles that justify demands against privileged actors made by the poor or those speaking on their behalf, for using national and international resources and rules to protect the crucial human interests of the globally or locally disadvantaged” (Gauri and Gloppen 2012: 486).

Further to the above, people in different settings apply human rights in pursuit of social justice and examples range from ‘the Struggles for national self-determination, the recognition of alternative identities, class-based and labor empowerment, gender equality, democratic inclusion, property rights protections, rectification of state violence, and consumer goods all use rights discourse—in spite of varying political orientations and alliances among the actors involved’ (Gauri and Gloppen 2012: 486).

### **Significance and Relevance of the concept of course approach**

The evolution and contestations around the universalism and relativism and eventually the reaching of a compromise in form of the pluralist universalism interpretation and application of the concept of human rights is a good illustration of the making, unmaking, and remaking of development. The dominant and universalistic appreciation of human rights may in this context represent the making of development through which there was a monopoly of interpretation with western ideas dominating the human rights discourse. The relativist activists’ production of counterknowledge to that hegemonic interpretation can be located under the pursuit of epistemic justice. The narratives of the cultural relativists in such a context may fit well within Santos’ framework of the Epistemologies of the South, which was designed with a view ‘to ...recognize other different manners to understand the world’ (Escobar 2015:12). Escobar further qualifies the framework as providing workable tools ‘...for all those of us who no longer want to be complicit with the silencing of popular knowledge and experiences by Eurocentric knowledge, sometimes performed even in the name of allegedly critical and progressive theory’. The Epistemologies of the South might also be useful to those who have been at the receiving end of those colonialist categories that have transmogrified their experiences, translated them into lacks, or simply rendered them utterly illegible and invisible” (Escobar 2015:13).

Writing on *Who wrote the Universal Declaration of Human Rights?* Saghal (2012) ropes in Susan Waltz’s<sup>6</sup> works to dismiss the hegemonic story crediting the authoring of the foundational document solely to one, Eleanor Roosevelt. They posited that neither did Roosevelt supplied the text nor the substantive ideas that shaped the UDHR (Saghal (2012) and advances that it was actually Ricardo Alfaro, former President of Panama, who “proposed the idea and first draft of

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<sup>6</sup> Susan Waltz is an American Political scientist and co-author of the website Human Rights Advocacy and the History of International Human Rights Standards, hosted by University of Michigan.

such a Declaration, which was taken up by many others including public intellectuals such as HG Wells (Saghal 2012).

Further to that, the contemporary compromise (pluralist universalism) which disqualifies the preceding universalism and relativism radical interpretations and rather chose to focus on the inclusivity and accommodation of diversity, on the other hand, is a good resemblance of post-development thinking.

Empirically; the coming into being of the human rights-based approaches with an intention to broaden the qualification of development beyond economic terms also symbolizes the making, unmaking, and remaking of development. It the process resembles some challenges to the classical definition of development and subsequently proffered a new development trajectory.

### **Conclusion**

This paper contends that the shared narrative may not have been exhaustive in its attempts to unravel the evolution of the concept of human rights but was possibly able to articulate the major milestones of the discourse. The acknowledgment of the existence of various stories tied to the concept was the point of departure. Indeed, the concept evolved and manifested in different times and places and carried corresponding variations in weight in relation to development work. In spite of the changing times and places, it was also the intention of this paper to present something consistency and positive which the concept appears to carry- in particular, the inclusivity characteristic especially as located within the development discourse. This paper is also of the hope that it did justice in its attempts to connect the theoretical interpretations of the concept to its empirical manifestations. The last section of this paper served to locate the concept within the making, unmaking and remaking of development as a course offered at the International Institute of Social Studies and there is a firm conviction that the evolution of the concept as presented above, indeed proffered some illustration to the making, unmaking and remaking of development.

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# **Implications of Prison Labour on Economic Rights in US**

*By Johanna Alicia Goossens Noel (SJP), The Netherlands and United States*

## **Introduction**

Prisons are where societies hold, punish, rehabilitate and/or discard certain segments of their population who have been deemed, for a variety of reasons, unfit or unworthy to live among the general population. The position of these segments of the population, as well as the larger system that incarcerates them, is not just obfuscated due to their physical isolation, but because they are “out of sight” they are also “out of mind”. This invisibility is persistent despite the fact that prisons are a major component of the state apparatus, i.e. the politics/legality of determining who should be imprisoned, as well as the political economy involved in their construction and funding the necessary infrastructures (guards, medical facilities, rehabilitation centres, etc.). Perhaps nowhere are the implications of these structures more visible than in the country with the largest prison system in the world, The United States of America (US) (Prison Studies n.d.). In fact, the US has the largest number of incarcerated persons in the world (over 2 million), including China and India that have more than double the US’ population (Prison Studies n.d.). Although in recent years the prison system in the US has received more attention from academia (Alexander 2011) and the media (Bozelko 2017) there is still a great deal to uncover, particularly in the realm of human rights.

While I will allude to what human rights prisoners should be entitled to, I seek to position the issue of human rights within the context of the prison system more broadly and not just focus on its effects on the rights of the prisoners but also its effects on the rights of the American people more generally. Specifically, I am focusing on economic rights as human rights because while economic, social and cultural rights (ESCR) are often considered second-tier after civil and political rights, they are also important factors in a human being’s inherent dignity as laid out in the International Covenant on Economic, Social and Cultural Rights (United Nations OHCHR 1966). To do this, I will be focusing on prison labour for several reasons: The first is that labour is an issue that has far reaching implications for society as a whole, and the second is based on my contention that the way prison labour is currently constituted in the US is integral to problematic dynamics that effect the economic rights of the general population. Also, prison labour hits at a specific human rights violation within the prison system that isn’t in the spot light as much, namely exploited labour. While most human rights violations taken up by groups such as Amnesty International focus on basic rights like food, shelter, safety, etc., exploited prison labour isn’t addressed as often and is why I have chosen to focus on it here (Smith and Hattery 2007). I will be approaching these issues from a social-legal standpoint by adding to the body of knowledge that is concerned “less and less with how law is produced by society (the traditional outlook of legal sociology) and increasingly with the way ‘society’ is produced by law” (Cotterrell 1998: 178). I will be focusing on how the law has been instrumentalised to perpetuate

these problematic dynamics in an effort to reveal the relationship between economic politics and the legal apparatus in the US.

### *Prison Labour in the US*

Formally obliging prisoners to work has been a part of the US' punitive system since before its independence in 1776, as an inherited legacy from the British (LeBaron 2012). However, it was perpetuated and intensified from the early to mid-nineteenth century (ibid). Genevieve LeBaron is a political economist who has extensively and critically analysed the prison system in the US, and she identifies three major waves of prison labour throughout the country's history. She states that there was "the industrial prison contract system of the U.S. North (1840–1890); the convict lease system of the U.S. South (1865–1920); and the neoliberal system of prison labor (1979–2012<sup>7</sup>)" (ibid). For the purposes of this paper, I will be focusing on the last wave. LeBaron explains that in the 1970s the US was facing an economic crisis as "the state struggled to balance international interventions with double-digit inflation, and declining dollar and large capital outflows at home" (2008: 61). In the wake of this crisis, "forces emerged to challenge the Keynesian-era trends of inward economic development, expansionary welfare policies and the strengthened bargaining power of unions", and these forces eventually became known as neoliberalism which is generally understood as "the deepening of markets and competitive pressures" (LeBaron 2008: 61). These are important dynamics to explain because they provide the contextual setting of the larger economic forces at play, which not only gave rise to an increase in the use of prison labour but also demonstrates how prison labour is an integral part of the American economic system, and as I will show, leads to certain economic rights violations.

Considering the fact that the state was facing an economic crisis, LeBaron explains that it was also facing a legitimization crisis and to re-instate its legitimacy it began a "law-and-order crusade" (LeBaron 2008: 62). This was characterized by the "war on drugs" policies started under President Richard Nixon, as well as the Reagan-Administration "tough on crime" campaign that created new penal policies that enforced minimum sentencing and criminalized certain "disorderly" behaviours like loitering, all of which resulted in the rates of incarceration to grow rapidly (Smith and Hattery 2007; Kang 2009; LeBaron 2012)<sup>8</sup>. Rising numbers of prisoners meant rising costs associated with their incarceration and in response "the prison industries were reinvigorated as a state attempt to recover the associated costs of incarceration" (LeBaron 2008: 62). However, LeBaron highlights other factors working in tandem with the above that situates prison labour's specific role in the economy. The first has to do with the general trend during the 1970s and 80s for industries to outsource certain processes under the new dynamics of

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<sup>7</sup> Although the timeframe she gives for the last wave ends in 2012, I believe this is because the article was published in 2012, but that it is safe to assume that we are still currently within the neoliberal system of prison labour in 2018.

<sup>8</sup> While, due to space limitations, the elements of race are not explicitly dealt with in this essay, it should be noted that the new penal policies specifically disadvantaged minority groups, particularly and disproportionately affecting African American men.

globalisation and increased competition due to trade liberalisation (LeBaron 2008). LeBaron stated the following:

Driven by forces of competition and crisis, firms employed cost-cutting strategies, central to which was the relocation of production into lower-wage zones. While these sites were often located offshore, some firms were able to stay in the USA by moving production into state prisons – a strategy that peaked during the 1990s in the face of surging competition (2008: 63).

The firms were able to move into prisons because of specific legislation that was passed such as the 1979 Prison Industry Enhancement Certification Program (PIECP) which got rid of previous restrictions on collaboration between private industries and the prison sector, as well as the Percy Amendment which allowed prisoner made goods to be sold on public markets under certain conditions, and not just sold back to the government which was the previous stipulation created in 1930s because there were concerns about the goods made with cheap prison labour competing non-inmate labour made goods (Clark 2015; LeBaron 2012). The Percy Amendment also meant that inmates could now be required to work for 40 hours a week and while most of the jobs were facility up-keep (laundry, repairs, etc.) to reduce costs, one in every twenty-one inmates was employed by the Federal Prison Industries (FPI) (LeBaron 2012: 343)<sup>9</sup>. Through such legislation, the public/private relationship in prison industries became a much stronger economic force in and of itself.

For the state, as more prisons needed to be built with the rising incarceration rates and local municipalities hurting economically from the most recent crisis, prisons began to be touted as a mechanism through which local officials could develop their economies and actually began bidding for contracts with the government to build prisons in their districts (LeBaron 2008). For example, LeBaron states that in Texas, “the town of Abilene offered an incentive package of over \$4 million to the local government” (LeBaron 2008: 65). The notion that prisons could be a hub of industry was due to the fact that not only were non-inmate jobs created, but prison industries were seen as being able to generate commercial activity, in fact in the example mentioned above, the “package included a 316-acre site for the prison as well as 1,100 acres of farmland adjacent to the facility, capable of generating \$500,000 in cotton per year if the cultivated by inmate workers” (ibid). Whether or not this actually proved tangentially beneficial for the towns who won the government bids remains to be seen, but it certainly benefited the state more generally since local governments could not only generate profit from prison labour in these areas, but they also had the option of leasing prison labour for highway repair, construction etc. to reduce costs to the state in other industries (LeBaron 2008). Also in the name of offsetting

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<sup>9</sup> The FPI is a government corporation that was set up to manage prison labour by the Department of Justice in 1934. It is now under the name UNICOR and is one of a few corporations that handle the contracting and licensing of prison labour, such as the Corrections Corporation of America (CCA).

costs, more and more states began passing legislation allowing “pay-to-stay” fees for room, board, meals and even medical expenses charged to the prisoners, and by 1988, “forty-eight states authorized some correctional fees” (Eisen 2014).<sup>10</sup> This legislation applied to both state run and privately-run prisons, which meant that on top of the fact that a federal court upheld that minimum wage laws didn’t apply to inmates (even those hired by private companies), both states and private interests could save more and more money hiring prison labour than having to provide benefits (health care, unemployment, etc.) to non-inmate workers (LeBaron 2008). Through these various legislative changes, prison labour became a lucrative commodity (LeBaron 2008). This not only led to an increase in private companies using prison labour, but also private companies constructing and managing corrections facilities in their entirety, and for their services the federal government actually pays them a set fee for each inmate they house (LeBaron 2008). All of these factors not only demonstrate the role that prison labour plays within the larger economy, and how the law has been instrumentalised to legitimize this role, it also demonstrates how prison labour is predicated on exploited labour which I will expand upon further in the following section.

### *The Implications of Prison Labour on Economic Rights*

Prison labour is a billion-dollar industry. The FPI (now UNICOR), which produces a number of products for other government agencies as well as facilitates labour contracts with private companies, earned \$500 million in sales in 2016 alone (‘The incarcerated workforce’ 2017). Private correctional facilities, under some of the largest publicly traded companies in the industry such as the Corrections Corporation of America (CCA), reported \$1.9 billion in revenue in 2015 and more than \$221 million in net income (Mother Jones 2016). Not to mention the profits being made not only through factory work but also service sector work hired by the following companies: “AT&T Wireless, Boeing, Chevron, Compaq, Dell, Hewlett-Packard, Honda, Honeywell, IBM, Intel, Lucent Technologies, Macy’s, Motorola, Microsoft, Nordstroms, Nortel, Northern Telecom, Pierre Cardin, Starbucks, Target Stores, Texas Instruments, Toys R Us, TWA, Revlon, and Victoria’s Secret” (LeBaron 2008: 72). In fact, there “are estimates that on any given day the average American uses 30 products that were produced, packaged or sold out of a prison!” (Smith and Hattery 2007: 283). However, these unprecedented profit margins are predicated on the exploited labour of prisoners because their status as wards of the state seems to create a legal mutual exclusivity with their potential status as an employee, which would give them access to basic workers’ rights and fair compensation. Focusing on these dynamics through a socio-legal lens is critical because the law and legal processes are not politically neutral even though they are often presented that way (Abel 1995). As Richard Abel explains, the role of law can take many forms depending on the politics driving it as well as the power dynamics it

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<sup>10</sup> According to Eisen, the fees charged to inmates per day vary from \$142.42 in the Riverside County, California to as low as \$6.00 a day for room and board at Pennington County Jail in Rapid City, South Dakota (2014).

creates, perpetuates or reforms (1995). It is my contention that the role of law over the past 40 years has played a very particular role within neoliberal capitalism. As Gabrielle Clark states, “labour processes under neoliberal capitalism rely, in part, upon state and *legal* [emphasis added] coercion” (2015: 760). Clark examines the relationship between law and labour and how “courts have facilitated the political economic shift by legitimizing precarious employment and under-protection in the market” (2015: 762).

Through several examples, Clark shows how part of this legitimization is based on the classification of prisoners as wards of the state and not employees. First and foremost is the fact that prisoners don’t have the right to challenge the compulsory nature of their work because of the stipulation in the 13<sup>th</sup> Amendment which legalizes forced labour for those convicted of a crime (Clark 2015). Clark also mentions the important role that the PIECP (mentioned in the section above) played in privatizing prison industries. What is interesting is that the PEICP actually has a stipulation which states that prisoners are entitled to a prevailing wage<sup>11</sup> and she explains that since inmate labour was now attached to commercial exchange this should have provided new legal arguments for inmates to base their claims on, but as the examples below demonstrate, this was not the case (2015). In a case filed in 1990, Clarke states the following:

Over 200 prisoners working for 40 hours a week for Arizona Correctional Industries Program (ARCOR) for 50 cents an hour filed two suits for the right to minimum wage on the grounds that the fruits of their labor were being sold on the private market... The two suits were consolidated by the Ninth Circuit Court of Appeals into one case, decided by the customary three-judge panel. The ruling agreed with the inmates, reasoning that the absence of the minimum wage constitutes unfair competition with free labor on the grounds that ARCOR “markets their goods to the private sector.” However, ARCOR petitioned for an en banc hearing in front of the entire Circuit Court, where the judges back-tracked from the initial argument, deciding instead, along more traditional lines. that inmates were wards of the state (2015: 769).

The issue with the constant reification that prisoners are wards of the state is that it is not taking into consideration the larger political and economic dynamics behind these claims, which is that the lack of access to these rights is hurting the rights of those participating in “free” labour (Clark 2015: 769). Another example that Clark highlights is below:

Larry George, working in data-processing in a Wisconsin industry program, argued that his cheap prison labor took away jobs from non-incarcerated private citizens to whom

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<sup>11</sup> It should be noted that prisoners are often paid some sort of wage, but it is often not a prevailing wage that is on-par with the local minimum wage standards, particularly because their wages are garnished in order to pay for their room and board expenses. Therefore, FPI for example, pays inmates between 23 cents and \$1.15 an hour which is an industry norm (LeBaron 2008).

minimum wage requirements would apply, constituting unfair competition. This claim drew upon the moral world of 1938, when the elimination of unfair competition was one of the recorded legislative goals of the FLSA [Fair Labor Standards Act]. Despite this argument and the Wisconsin District Court's admission that a 'tough question' is presented when 'the fruits of prison labor are enjoyed by private enterprise,' the claim was denied.

Clark explains how many of these claims are denied because of an outdated legislative history based on labour relations during the New Deal, i.e. viewing prisoners as wards of the state within the context of their labour benefiting state enterprises and therefore being defined as non-market work (2015). Therefore, even though the PIECP, as well as several re-interpretations of the PIECP made by Congress, state that inmates are entitled to a wage, courts consistently deny such claims and instead evaluate the cases from the lens that prison labour is inherently non-market labour since the relationship is between an inmate and the incarcerating institution (Clark 2015). However, as the entirety of the first section showed, prison labour is very much implicated in markets and in fact through legal coercion under neoliberalism has become a market in and of itself. Since these new dynamics of prison labour within the political economy of the US is not taken into consideration, inmates are still not considered employees and are continuously denied basic economic rights under such legislations such as the FLSA (Fair Labor Standards Act). This is problematic because private companies are directly benefiting from labourers that are forced to work for very little compensation which is labour exploitation. As Smith and Hattery state, "exploitation of vulnerable labor also constitutes a type of human rights violation not at all dissimilar to the use of child labor and sweatshop labor abroad. Prisons, like sweatshops, operate on the principle of low to no wage labor as the mechanism that drives the profit margins" (2007: 280).

While the arguments made by Clark above mostly entail the role of private companies in prison labour, as shown in the first section, the state also benefits from prison labour and has commodified it to create different revenue streams in relation to this labour despite the many instances when the conditions, health services, educational services provided to the prisoners have been found to be desperately poor or lacking (LeBaron 2012). This could and has been considered a human rights violation in its own right. By not affording prisoners across the board, regardless of who is using their labour, any access to rights as employees, not only curtails their economic rights as workers but also has larger implications on the way that labour is structured outside of prisons. As I laid out in the first section, prison labour is an integral part of the US' political economy, and as LeBaron explains, prison labour is a substantial mechanism through which neoliberal capitalism disciplines labour. In response to the economic crisis of the 1970s, "working-class power" was isolated as the main barrier to revitalizing the economy through capital accumulation because strong collective bargaining was seen at the time as a major contributing factor to the rise of inflation rates (LeBaron 2008: 61). In order to stop the rising

inflation, prison labour was used as a way to break that working-class power (LeBaron 2012). She states the following examples:

...in 1993, Lockhart Technologies closed the Austin, Texas plant where it paid about 130 workers US\$10 an hour to assemble circuit boards and moved the whole manufacturing operation to the prison about 30 miles away (Herivel and Wright 2003, 117). In another example, a struggling South Carolina Recycling plant fired workers hired off welfare to sort trash for US\$5.25 an hour and replaced them with unpaid convict labor, who now work at the plant 8 hours a day and 5 days a week (LeBaron 2012: 346).

As the example above shows, crushing the power of collective bargaining through prison labour not only benefits private industries but also state industries. The impact of undermining collective bargain rights cannot be understated. It means that non-inmate workers are forced into accepting lower-wages, less benefits, and even resulting in the loss of their employment as companies are forced to cut back since they cannot compete with industries using prison labour (LeBaron 2012).

## **Conclusion**

The invisibility of prisoners and the prison system at large alluded to in the introduction is partly due to the grey legal shroud covering this realm. On the one hand, as I demonstrated in the first section, legal legislation was passed in order to change the very nature of prison labour within the larger US economy. The various acts and court rulings not benefited private companies but also the state by facilitating the neoliberal entrenchment of prison labour as a formidable force within the economy by creating various markets therein. On the other hand, despite these changes, the courts have continuously not taken these changing dynamics into consideration and still approach inmates as non-market labour regardless of their role within the larger economy, systematically denying prisoners any access to legal protections as employees. These processes have relied on legal coercion as indicated by Clark, but as she also states, despite how the rule of law can often be “humbug” as it fails to protect people, it is still a place where people are able to address their grievances (2015). Although the cases mentioned above are making claims for prisoners to receive certain rights, all of them are couching these violations within the larger role that prison labour plays in the labour market which is an important distinction. While these arguments are not being picked up by the courts yet, it is important that they are being made and heard because hopefully at some point, the courts will begin to see these cases within their larger context. The intricacies of prison labour do not just involve specific individuals but in fact undergird very problematic economic relations overall. Therefore, the implications of economic rights in prison labour is a part of a much larger system, than just protecting the economic rights of the few.

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# **Nirbhaya: An Analysis of Legal Mobilisation**

*By Vira Mistry (SJP), India*

## **Introduction**

Nirbhaya meaning “fearless” is the pseudonym for the rape victim of the Delhi gang rape, which occurred on the 16<sup>th</sup> of December 2012. This incident triggered protests around India and gained international media attention. This paper will look at legal mobilisation and role of activists, lawyers, NGOs, litigation and media in this process. It will finally focus on the legacy legal mobilisation through the Justice Verma Committee Report and the Criminal Law (Amendment) Act of 2013 and India’s obligation to uphold international human rights in terms of women’s rights to equality and justice.

## **The Incident**

On the night of the 16<sup>th</sup>, the 23-year, Jyothi Singh Pandey, physiotherapy student who lived in Delhi was returning from the movies with a male friend, Arvind Prathaap Pandey (Burke 2013). The two boarded a private bus around 9:30 pm at Munirka to get home (Sikdar 2012). When they entered the bus they realised that there were only six other passengers (Sikdar 2012). Arvind started to get suspicious when the bus deviated from the normal route it took and when he objected to this the six men started teasing them asking them why they were out together this late at night (Sikdar 2012). At this time an altercation took place between Arvind and other men at which point he was hit unconscious (Sikdar 2012). Subsequently Jyothi was dragged to the back of the bus by two of the accused, where she was beaten and raped repeatedly by all the men (Burke 2013). The abuse escalated when one of them men inserted an iron rod inside her damaging her genitals and intestines (Burke 2013). Once the men were done, Arvind and Jyothi were stripped naked and thrown out of the bus (Burke 2013). At this time they attempted to run over her, but Arvind though injured badly was able to move her out of the way (Burke 2013). Jyothi and Arvind were found 40 minutes lay there until an off duty tollbooth worker alerted the police who immediately took her to Safdarjung hospital for recovery (Burke 2013).

During this time the police used CCTV cameras from the hotels in the area to identify the bus (Burke 2013). After which they were to contact the owner of the bus fleet to get the address of the driver, Ram Singh (T Burke 2013). Singh immediately confessed and also produced the rods that were still covered in blood and by the end of that week five of the six perpetrators were caught (Burke 2013). Mukesh Singh, the sixth was caught on the way to his village, where he had hoped to hide (Burke 2013).

Jyothi Singh continued her battle in the Delhi hospital for almost two weeks after the incident (Times of India 2012). She was transferred to a Mount Elizabeth Hospital in Singapore where she died on the 29<sup>th</sup> of December (BBC News 2012).

## **Legal Mobilisation**

“Legal mobilization politics typically involves reconstructing legal dimensions of inherited social relations, either by turning official but ignored legal norms against existing practices, by reimagining shared norms in new, transformative ways, or by importing legal norms from some other authoritative source into the context of the dispute (McCann 2006: 25).” The spaces of social struggles are made up of complex interactions between institutional norms and relations, and structures of power, which in this case are upheld by state actors (McCann 2006: 25). These norms are also upheld by existing laws and seldom provide recourse to challenge them (McCann 2006: 25). Below are the different aspects of the Legal Mobilisation process.

### *Social Movements*

A social movement can be defined as “a sustained series of interactions between power holders and persons successfully claiming to speak on behalf of a constituency lacking formal representation, in the course of which those persons make publicly visible demands for changes in the distribution or exercise of power, and back those demands with public demonstrations of support (McCann 2006: 23).” Although this definition does have its limitations, as it does not identify or differentiate between the underlying motivations of the protestors, i.e. interest groups, political parties, civil disobedience or other collective actions (McCann 2006: 23). Social movements are far more complex and are constantly evolving which is hard to recognize the intentions of the actors and whom they represent (McCann 2006: 23).

According to McCann (2006) social movements can be identified through a set of criteria, it firstly it seeks to affect larger social or political change than other forms of political activity (McCann 2006: 23). Social movements focus on both the short-term tangible goals; they are also based on ambitious long-term prospects to improve society (McCann 2006: 24). Secondly social movements use various tactics that involve communicative strategies, the media and symbolic tactics that disrupt the normal functioning of the society such as strikes and marches (McCann 2006: 24). Social movements are initiated by marginalized actors who have been systematically oppressed by the societies they live in (McCann 2006: 24). A large Number of social movements focus on human rights, and social justice issues and are focused on the states in order to transform the societies that they live in (McCann 2006: 24).

A few hours after the rape took place there was significant media coverage, with the dissemination of commentary all over social media (Indian Express 2017). Due to the vicious

nature of the act there was outrage across the country with protests being held in every major city. On the 21<sup>st</sup> of December 2012 there were massive protests outside India gate and Raisana Hills in Delhi (Indian Express 2017). Thousands of protestors clashed with police, which resulted in the closing down of metro train stations and restricting access to the road the led to India Gate. Additionally the government also issued a state of emergency and a curfew in accordance to Section 144 of the Code of Criminal Procedure (Indian Express 2017). “The protesters had several demands that battled against insufficient and incompetent security; inadequate and unreliable public transport; an insensitive police force that often blamed rape victims for the crime inflicted upon them; and bureaucracy and red tape surrounding sexual assault and rape cases (Bakshi 2017: 45).”

The media coverage of the event went on for almost two month, which played a major role in pushing for the reformation of the sexual assault laws (Vemuri 2016: 17). With compliance to the Indian law Jyothi’s name was not released but she was given a pseudonym, “Nirbhaya” meaning fearless (Vemuri 2016: 17). The media portrayal of her identity as a Hindu middle class girl is also pertinent to the way mobilisation, as she represented the future of all economically independent, career driven women in India (Vemuri 2016: 17). In addition the global attention the case received was also crucial, with many media outlets calling it “India’s Arab Spring” for gender justice and equality (Vemuri 2016: 15).

### *Law and the Genesis of Social Movements*

Law plays an important role during the nascent stages of social movements when there is organisational formation (McCann 2006: 25). Marginalised groups can instigate political mobilisation by drawing on the legal rights that they are entitled to through the process of “rights consciousness raising (McCann 2006: 25).” This process involves a cognitive transformation amongst individuals in the society, first by claiming the existing laws and legal mechanisms in order to challenge the injustice at hand (McCann 2006: 25). This agenda setting uses the legal norms and traditions to illustrate the way existing power relations can be unjust and helps to define the objective and create a collective identity (McCann 2006: 26).

The role of protests and demonstrations, lobbying, petitions and online social media platforms mentioned earlier all played a role in the process of “rights consciousness raising.” The protests led largely by the youth of India were successful in confronting the powerful political elite and the state (Verma et al. 2013: 26). This solidarity cut across sex, caste, class, and religion, unifying the nation and provided a rational and secular call for the recognition of fundamental rights adhered (Verma et al. 2013: 26). In addition, activist Kavitha Krishnan addressed the public outside the Chief Ministers house, three days after the incident, which criticized the governments assault on women’s universalized right and freedoms in India (Carlan 2016).

### *Legal Mobilisation as Political Pressure*

The second component of legal mobilisation is litigation, which gives activists some amount of leverage through institutional and symbolic terms (McCann 2006: 29). This works simultaneously with consensus building efforts of the movement (29). Litigation efforts can be expensive and time consuming, although they are effective in claiming rights of those that are marginalised (McCann 2006: 29). Legal leveraging to be effective should be done by claiming rights and using the media to disseminate the story (McCann 2006: 29). Legal leveraging requires a strong judiciary, and competent lawyers, organisations and financial resources (McCann 2006: 30). It should be noted that legal advocacy could take place at different points during the social movement (McCann 2006: 30).

### *Generating Responsive Action*

Legal tactics can be used to hold states accountable to policies, where it is able to generate public support in combating expensive trials and potential verdicts against the cause (McCann 2006: 31). The legal tactics are most successful when there are public demonstrations, rallies, media campaigns and electoral mobilisation (McCann 2006: 41).

### *Policy implementation and Enforcement*

Legal leveraging is important in the implementation of policy, and in the adoption of new laws (McCann 2006: 32). Many scholars maintain that legal tactics are limited due to the lack of resources and independence in courts (McCann 2006: 32). However, the use of legal tactics and law can be useful in helping social movement activists in influence policy reform implementation (McCann 2006: 32). Law is crucial to formalising the policy formulation and the implementation processes. (McCann 2006: 33). “Formality, as understood here, refers to the degree to which relations are conducted according to procedures and standards that are public, general, explicit, and uniform (McCann 2006: 33).” Marginalized groups usually benefit from a formalized mechanism where procedural rights and substantive standards can be used to hold dominant actors accountable (McCann 2006: 33). These actors usually have control over a majority of the material and organizational resources (McCann 2006: 33). “Social movement groups often use litigation specifically to create such formal institutional access to state power or other institutions as well as to apply pressure to make that access consequential (McCann 2006: 33).” In addition, an openly hostile court may hinder opportunities and deny resources, both of which disempower social movement groups (McCann 2006: 33). This is enhanced in the absence of a competent constituency that is working towards mobilizing legal resources to bring about change (McCann 2006: 34).

The role of women's rights groups, UN human rights chief officer, the Indian representative to UNICEF, the UN Resident Coordinator in India and the CEDAW committee all made statements calling for the change of women's rights in the country (Rizzi 2015: 53). There was a lot of political pressure that was put on the government at this time due to the international attention, and in order to protect their reputation they had to take action quickly (Rizzi 2015: 53). The case was taken to court not only because of the large amounts media and protests but also because of the uniqueness in the act of violence, that it was so heinous. It became a tipping point for lawyers and activists fighting for women's rights who for years had been hitting dead ends with the justice system in India (Bakshi 2017). Due to this the lawyers in this particular case were able to leverage the rape laws in the Indian Penal Code to push for accountability from the state and the punishment of the rapists. "A fast track court was given the task of trying the case and assailants were tried relatively quickly in the socio-legal climate where the trial in sexual assault cases often languishes for years (Nigam 2014: 209)." The death penalty was given to the four accused persons only nine months after the case reached court (Nigam 2014: 209). It is important to note that in 2012 government statistics showed that "out of 100,000 pending cases in courts, only 14,700 resulted in a verdict being delivered at all. And out of this only 3500 of the accused were convicted (Desai 2013)." Due to the immense anger of the society at the time there was a push for a speedy trial process and verdict (Desai 2013). There was a call for judicial effectiveness, as the judiciary has largely been viewed as incompetent and corrupt (Desai 2013).

### *Legacy*

The last aspect of movements is the legacy phase, which is the reflection on law and social change (McCann 2006: 34). Legacies are an aftermath of the social movement struggles of individuals and institutions; they usually entail specific policy reforms but can also have general implications to the society (McCann 2006: 34).

The results of the legal mobilisation process was the establishing of the Justice Verma Committee was established to amend the existing sexual violence laws in Article 375 of the Indian Penal Code (IPC) under the Criminal Law (Amendment) Act, 2013 (Bhattacharya 2013: 14). The committee was made up of three members and was headed by the former chief justice of India, Justice J.S. Verma, Justice Leila Seth and Gopal Subramaniam (Bhattacharya 2013: 14). It was requested that the final report be presented to the parliament within 30 days due to the public pressure at the time (Bhattacharya 2013: 14). The goal of this process was to review the existing sexual violence laws in the IPC and make recommendation on the basis of harsher punishments and ensuring an expedited trial process (Bhattacharya 2013: 14). The commission stated that the central cause for violence against women was "lack of good governance (Bhattacharya 2013: 14)." The commission criticised the government, the police system stating that it was appalling and archaic, as well as public apathy in regards to combating violence against women, and suggested drastic changes in legislation (Bhattacharya 2013: 14). The 631-

page document created in collaboration with 70,000 suggestions by stakeholder, social activist, NGOs, legal professional, civil society organisations and women's rights groups (Bhattacharya 2013: 14). The document covers an array of social justice issues, from sexual violence and harassment, to trafficking and child sexual abuse which included medical, police, educational, judicial and electoral reforms (Bhattacharya 2013: 14). The report was presented to the President of India at the time, Mr. Pranab Mukherjee on the 3<sup>rd</sup> of February 2013 and passed the Lok Sabha (Lower House) and Rajya Sabha (Upper House) of the parliament on the 19<sup>th</sup> of March and 21<sup>st</sup> of March, 2013 respectively (Bhattacharya 2013: 14). It should be noted that not all the recommendations by the committee were accepted in the amendment to the IPC.

Drawing on the constitution of India and international conventions and guidelines the committee formulated the report. On a domestic level the stated that the foundation of the Indian constitution is equality (Verma et al. 2013: 24). The committee also states that an important part of sovereignty the idea of social justice and therefore gender inequality is antithetical to the unifying nature of it (Verma et al. 2013: 25). According to the committee it is the states obligations to ensure these rights and not ding this undermines the constitutional existence of India's citizens (Verma et al. 2013: 26). The report highlights when the state is obligated to respect the rights of its citizens, using the theory of governance (Verma et al. 2013: 28). The committee views that the Indian constitution is proactive and believes that the state is a non-violator of rights but also has the obligation to uphold those rights (Verma et al. 2013: 28). Here the constitution is considered a living organism that should reflect the dynamic aspirations of society, which may be competing in nature (Verma et al. 2013: 28). According to the first part of Article 14 of the Indian constitution, which was borrowed form the Irish constitution, "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India (Verma et al. 2013: 28)" This ensures that there is no discrimination on the legislative and administrative spaces of India (Verma et al. 2013: 28). Women are also entitled to equal rights and protection under the law in Article 14 of the constitution and any violations against then should be taken seriously (Verma et al. 2013: 30). In order for any significant change in society there needs to be a restricting of India's institutions, and society, which still maintain systemic inequalities and discrimination in terms of structures, attitudes and practices (Verma et al. 2013: 27). Provisions for the empowerment of women is under Articles 14 and 21 and provides strategies and frameworks to eliminate the structural inequalities that hinder the advancement of women in economic, social, and political spheres (Verma et al. 2013: 43).

Rape is a violation of human rights, and the idea off honour is a regressive ideology in court judgments, as it continues to uphold archaic notions of morality (Verma et al. 2013: 43). A lot of the time court cases on rape are just considered a formality that do not take into account the violations of human rights and the psychological trauma the woman goes through (Verma et al. 2013: 43). Due to the complex nature of class, caste, and community, the oppression of women is

compounded and without a solid legislature, judicial system, accountability and the assertion of rights India cannot claim republicanism (Verma et al. 2013: 44). The biases against women that the state and its organs uphold are a disadvantage to women in Indian society (Verma et al. 2013: 50).

The committee also referenced international treaty bodies to build the report. As India is one of the countries that adopted the Universal Declaration of Human Rights, 1948 (UDHR) it required upholding the fundamental freedoms and Human rights of its citizens (Verma et al. 2013: 57). It highlights the preamble of the UDHR that states, “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people (Verma et al. 2013: 58).” The UDHR also initiated the International Covenant on Civil Rights, 1966 (ICCPR) and the International Covenant on Economic, Social and Cultural rights, 1966 (ICESCR) (Verma et al. 2013: 58). Article 3 of the ICCPR adds to this by affirming that on state parties that have signed are obligated to “undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant (Verma et al. 2013: 59).” The ICESCR obligates states parties in accordance with the UDHR to enjoy freedoms and access to equal economic, social and cultural rights (Verma et al. 2013: 60). The Beijing Principles of Independence of the Judiciary, 1995 is also referenced to indicate the roles and functions of the judiciary of india (Verma et al. 2013: 61). Here the judiciary is obligated to “To ensure that all persons are able to live securely under the Rule of Law, to promote, within the proper limits of the judicial function, the observance and the attainment of human rights; and to administer the law impartially among persons and between persons and the State. (Verma et al. 2013: 61)”

The committee referenced the Declaration on Elimination of Violence against Women 1993 (DEVW) and Convention on Elimination of all forms of Discrimination against Women (CEDAW) as foundations for ensuring India’s obligations to international women’s rights (Verma et al. 2013: 62). The committee was also recommended by CEDAW to “widen the definition of rape in its Penal Code to reflect the realities of sexual abuse experienced by women and to remove the exception of marital rape from the definition of rape (Verma et al. 2013: 62).” CEDAW defines Gender Based Violence as “The definition of discrimination includes gender based violence, i.e., violence that is directed against woman because she is a woman or that affects woman disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty (Verma et al. 2013: 66)” In addition to this Article 14 of DEVW ensures that states are obligated to strive towards implementing policy the eliminates discrimination against women by developing penal, civil, labour, and administrative protocols and legislation (Verma et al. 2013: 63). It is therefore the



duty of the state to abide by these guidelines as they have been ratified by India. The

Based on these guidelines the Criminal Law (Amendment) Act, 2013 strengthened then sexual assault laws in India. The amendments focused on different aspects of law and implementation. These included expanding the definition of rape, making it illegal for the court to question the sexual history of the victim, made it illegal for police officers to deny filing First Information Reports on sexual violence, included new laws on stalking and voyeurism, shifts the onus on to the accused to prove that consent was given, making it mandatory for a woman officer to be present during the reporting process, the establishment of fast track Women's courts for rape cases, one stop crisis centres for rape victims, eliminating the two finger test that was supposed to prove habituation to sex and gender sensitization programs for medical professional and police (Bhattacharya 2013: 15- 21).

## **Conclusion**

Triggered by outrage of the rape of Jyothi Pandey, legal mobilisation used by activists and lawyers was an effective tactic to bring out legislative changes in India. The amendments to the Indian Penal Code in Section 375 was crucial in empowering women and challenging the social and institutional power structure of patriarchy in India. The effective use of international conventions also was illustrative of India's accountability on upholding women's rights and progress to equality. Nirbhaya became a turning point for women's right in India.

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# **Washington Post representation of FARC female fighter**

*By Tatiana Paola Navarrete Guzman (SJP), Colombia*

## **Introduction**

In 2016, in the previous months before the final peace agreement was signed in Colombia, the FARC guerrilla called local and international media to their camps as part of communication strategy. Thus, the stories of FARC low-rank members appeared in some of the largest media outlets in the world. There was a special focus in the FARC female fighters living in the camps that I found particularly interesting. The Washington Post, one of the most influential newspaper in the United States, published in 2016 three articles from diverse perspectives where women in FARC were portrayed differently.

Based on the three articles and two pictures selected, I would like to answer How The Washington Post represented FARC Female fighters during the peace agreement context? and how the sources' social relation of power inform that Washington Post representation? To that end, I will analyze the main categories, frames and focalization techniques employed in each of the articles and its relation with the social power relation of the sources of information.

## **The context of the media**

The Washington Post is the largest daily newspaper published in Washington DC, United States. It was founded in 1877 by Stilson Hutchins, a representative of the Democratic Party in Missouri. In 1933, Eugene Meyer, a Republican financier, bought it in a bankruptcy auction (Cabe and Lundberg 2014). Meyer was who drafted the seven principles that still defines Washington Post mission, such as "The newspaper shall tell ALL the truth so far as it can learn it, concerning the important affairs of America and the world" (Washington Post 2016).

In 1946, Meyer becomes president of the International Bank of Reconstruction and Development and left the newspaper in charge of his son-in-law, Philip Graham. When Graham died in 1963, Katharine Meyer Graham -his wife and the daughter of Meyer- took over the company (Cabe and Lundberg 2014). It was during the Katharine Meyer administration when the Washington Post published the story with which the newspaper built its reputation in the United States. In 1972 reporters Carl Bernstein and Bob Woodward investigated what it was known as the Watergate scandal that triggers, two years later, President Richard Nixon resignation (Cabe and Lundberg 2014). More recently, in October 2013, the newspaper was sold to Amazon founder Jeff Bezos for \$250 million (Clabaugh 2013).

Nowadays, The Washington Post has 27 foreign correspondents in 19 bureaus around the world, including London, Moscow, New Delhi and Mexico as the only Latin American country

(Washington Post, no date). However, most of its readers are from the United States, especially in the East Coast, where they print its edition for distribution.

- *Political involvement*

According to The Washington Post's Policies and standards, they avoid active involvement in any partisan causes, included politics, community affairs, social action, demonstrations, that compromise their ability to report (Washington Post 2016). However, in the last elections, the newspaper has endorsed democrat party candidates to presidential elections. In to 2008 and 2012, the editorial section endorsed the election and re-election of Barack Obama (Editorial Board 2012), and in 2013 it endorsed Hillary Clinton (Editorial Board 2016). In the first months of 2017, after the Donald Trump's inauguration as president of the USA, the newspaper changed its slogan to "Democracy Dies in Darkness" (Concha 2017).

In the recent years, some coverage has been highly criticised. In his book 'So Wrong for So Long: How the Press, the Pundits-and the President-Failed on Iraq', the journalist Greg Mitchell claim that in the months before the Iraq invasion, The Washington Post ran more than 140 stories on its front page promoting the war, while the most critical articles were put in the last pages (Mitchell 2014).

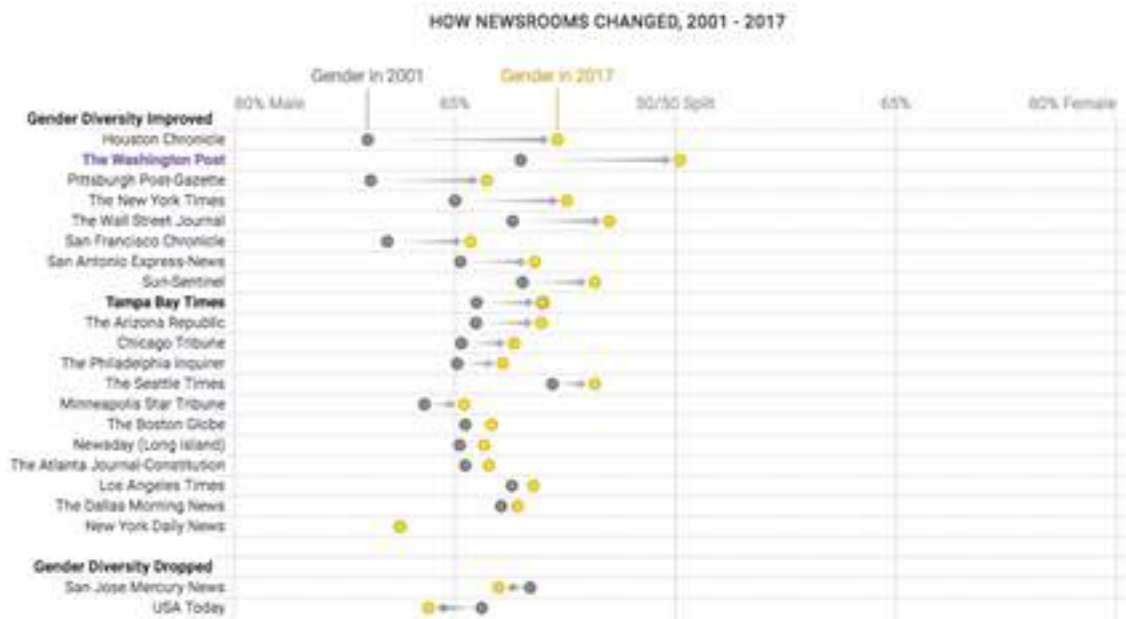
- *Gender composition and coverage*

According to the 2017 American Society of News Editors' survey, the 51% of the readers are women, and the 61% are white US citizens (American Society of News Editors 2017).

The Washington Post				
White	Black	Hisp.	Asian	Female
69%	14%	5%	12%	50%
80%	12%	4%	3%	39%
73%	16%	3%	8%	50%
83%	12%	5%	1%	44%
United States				
61%	13%	18%	6%	51%

Source: American Society of News Editors

Based on the survey, the composition of the newsroom is the most gender-inclusive within the major American daily newspapers. 50% of the employees are women and 50% of them had a position of leadership (American Society of News Editors 2017).



Source: American Society of News Editors

Decades ago, The Post was also one of the pioneers in including general statements in its style manual to reduce the sexist language in their pieces. One of the measures was to encourage to use compounds ending in a -woman, like Congresswoman (Fasold et al. 1990: 525).

However, a research published in 1990 by Cambridge University Press concluded that despite the general policy statement reduced in sexist reporting, it did not eliminate it. The authors concluded in The Washington Post "there are more subtle ways of representing women as helpless, decorative, and in general to be taken less seriously than men that have yet to be rooted out" (Fasold et al. 1990: 537).

### Context of the event

On 18 October 2012, in a protocolary event in Oslo, Colombian Government and The Revolutionary Armed Forces of Colombia (FARC) officially installed a negotiation table to start a peace process. The conversations between the parties' representatives took place in la Havana, Cuba, for almost four years (Fundación Ideas para la Paz 2016).

To reach this point, FARC and government had already signed a general agreement that defined the five points that would be discussed in Havana: Agrarian development, political participation, FARC's reintegration process, combating the drugs problem and victims' rights. Perhaps, the measures included in the overall rural reform, and the guarantees for political participation are the points more related to the FARC's original social claims.

The context will be focussed in two particular situations that are mentioned – or ignore – in the journalistic reports

- *Women in the Agreement*

Since the release official installation in Oslo until November 2013, when the two points mentioned were already negotiated, there were not any single women in the negotiation team of both parts at the table. This led various organizations to join forces, under the slogan “There cannot be peace while there is oppression and half of humanity is still excluded from full development”, to push the inclusion of a gender approach in the peace process (Céspedes-Báez and Ruiz 2018: 85).

At the end of 2013 women representatives of FARC and the government join to the teams. In June 2014, pressured by the women's movement and the international community, the negotiators create a sub-commission on gender, where leaders of women and LGBT organizations review the points that they had already drafted and include a gender perspective on the agreement (Céspedes-Báez and Ruiz 2018: 99).

The changes include, for instance, a new approach to the female fighters' reintegration process. An essential consideration for a rebel group where 23% are women in different positions. In more detail, of the 55% of the FARC members that were on the battlefield, 33% were females (Universidad Nacional de Colombia 2017).

- *Journalists in the camps*

During the conversations in Havana, FARC leaders started a communications strategy to be more accessible to the media and bring to society a closer idea of the guerrilla members living in the rural Colombia. One of the reasons that motivated the shift was the government proposition to call a referendum to approve the Final Accord. A poll rejected by the majority of the voters later.

Since December 2015 and during the whole year in 2016, FARC invited local and international media to visit their camps in the middle of the jungle to meet the guerrilla fighters. While FARC

leaders were in Havana, they were waiting in the camps because of the cease-fire that had been declared most of the four years.

Then, from 17 to 23 September 2016, close to 700 journalists and photographers registered to the 10th conference of the FARC in Yari savannah, within the Caquetá region in the south of Colombia. An event where FARC leaders from all 'fronts' discussed the agreement and their future as a political organization. The peace talks ended on 24 September 2016 when the parties reached an Agreement. A few days later, on the 26 of September president Juan Manuel Santos and top FARC commander Rodrigo Londoño signed the first peace agreement.

## **Methodology**

The analysis of the text and photos will be guided by a constructivism approach, more precisely from the representation theory developed by Stuart Hall. The constructionist approach to meaning in language claim that there are no fixed meanings, based on Michel Foucault's theory, in which power is not possessed but exercised through institutionalised and everyday practices. In other words, meanings are constructed using representational meanings, in this case: language (Hall 1997: 25).

From that perspective, Mill theory understood representation as the "production of meaning through language" (Hall 1997: 16). The meaning is not in an object but is constructed through context, practices and interactions; through systems of representations. To understand the world, humans use shared 'cultural codes', those allow them to see the world through the same conceptual maps (Hall 1997: 22). In that sense, codes depend on specific context and of the social relation of power.

For this paper, I found in Hall's representation theory an accurate framework to analyse the complex process of media representation. If there are not fixed realities nor absolute 'truths' is possible to escape from the reductionist concept of media informing realities. More concrete, based on my question, this theoretical approach allows me an analysis of how this non-fixed representation can change through time, space, convention and social interaction. To that end, I will use categorisation, focalisation and framing as analytical tools to unpack the representation strategies used in the three text and two photos to analyse.

Categorization is defined as the classification of actors, objects and ideas into specific groups. Is a representation strategy that 'organise' everyday knowledge and has a further purpose that the categorisation itself (Sacks 1992 cited in Leudar, Marsland and Nekvapil 2004: 244). Coming back to Hall, this is related to the production of 'difference' that is essential to the construction of meaning (Hall 1997: 234). An analysis of the media categorisation analysis will allow the strategies employ to stereotype (Hall 1997: 257).

Framing, on the other hand, refers to how media emphasize select and organize some aspects, while ignore or silence others. The analysis process is essential in the sense that informs how media perception affects the way in which these events are reported (Entman 1993 and Gitlin 1980 cited in Papacharissi 2008: 53).

Focalization is understood as the perspective from which the story of the event is told. “The distribution of focalisation determines the distribution of power in the story: who sees, who speaks and who is seen and spoken of? -and thus it determines the sides which the reader takes” (Meijer 1993: 376). A focalisation analysis will inform me about the social relation of power involved in the representation process. In this specific context, the ones that are telling the story and the (ideal) audience share a system of representations and the so-called 'cultural codes' that is based on its particular social relation of power such as race, gender, sexuality, citizenship. Those social relations of power should not be seen as separate universes, but through an intersectional analysis that "involves the concurrent analyses of multiple, intersecting sources of subordination/oppression" (Denis 2008: 677). In this regard, this essay will consider intersectionality as the approach to analyze the multiple social relations of power involved in the representation power.

Finally, based on the constructivist approach, this essay considers photographs as objects that construct an event to the audiences. Far from objective records, pictures are not a reflection of reality, but they helped to constitute it (Taylor 1992: 36). In that sense, according to Kress and Leeuwen work, photos create a social distance between the viewer (interactive participants) and the viewed (represented participants). The representation of the image depends on the (1) relations between represented participants, (2) relations between interactive and represented participants, and (3) relations between interactive participants (Kress and Leeuwen 2006: 362).

## **Analysis**

For the analysis, I chose the only three articles related with FARC female fighters available at Washington Post website from 1 December 2015 to 31 December 2016, considering the dates when FARC opened their camps to the media outlets. The photos selected are part of those journalistic reports. The following analysis will be divided by each one of the selected pieces.

- *Piece 1: ‘See the female fighters who strike fear in the hearts of Colombian troops’*

This work was published on 31 January 2016 in the WorldViews, a section dedicated to the foreign news blog. The article includes four photos from Associated Press of FARC female fighters who are not directly mentioned in the story. The writer is Nik Miroff, who was the Latin America correspondent for The Washington Post and now covers immigration enforcement, drug



trafficking and the Department of Homeland Security. He has been part of the Post staff since 2006 (Hall 1997: 25) Analyzing the text, it might be said that it creates three categories: female fighters, officers and media.

Female fighters refer in a general sense to the whole group of women that are part of the FARC guerrilla. They are not active actors in the text, and their characterization is made by other, especially officers. They are portrayed as “the most savages”, “merciless”, “the worst”. On the other hand, however, they are women “wearing lipstick” and “cuddling up to their male companions”. At the final section of the text, they are described from a victim’s perspective because they “had been recruited” and “ran away”. The officers are the members of the state forces that have been fighting against FARC. In the text, they are the ones that, “said”, “see”, “thought” and “explain”. They are depicted as a legitimate source to consult because they “have lost friends” and “have been receiving attacks”.

Finally, in the category of media, here there are different actors like the journalist that wrote the text, the other media journalists that had visited the FARC camps and the photos of the women as the objects that motivated the article in the first place. Besides of been “invited” and “camped out”, this category “asked”, “spoke” and “wanted”. Regarding the focalization, the story was told through the officials’ view and guided by the journalist’s curiosities and preconceptions.

The article informs from a western and patriarchal culture that associates peace with ‘passivity’ and to ‘woman’, while war is about ‘masculinity’ and ‘activity’ (Macdonald 1987: 20). It is part of a sociobiological rationalization of warfare and sex-difference that rests on the idea of female as ‘maternal’ and ‘caring’ and man being aggressive (Macdonald 1987: 4). In an attempt to make sense within their system of representation, the author and its sources use different strategies to “explain” a contradictory situation of active female fighters. Women fighters are portrayed, first, like monsters or savage creatures that move away from what society expects from women. However, although they “lost” their passive, take-caring and maternal characteristics, they conserve some ‘feminine characteristics’: they take care of their physical appearance, and they give love to their couples. A Western stereotype of what being a woman means. Finally, they are depicted as a functional figure within the rebel structure that help man to avoid homesickly, and as possible FARC’s victims of forced abortions.

Given the above, the writing prioritizes official and personal preconceptions of the journalist, rather than women experience. There is not an interest to go further into the Colombian context and how is life in the rural area. Probably because is in a blog section the rigorous standards are lower. Is also interesting to see the use of comparison with the USA to connect their (ideal) audience within their conceptual maps. The text use even the odd comparison of the mix-gender composition of FARC with Outward Bound, a teenager summer camp.

- *Piece 2: 'Do you know what it's like to spend 20 years at war?'*

This article was published in the Word section on 30 September 2016, eight months later than the previous one, by the same journalist, Nick Mirroff. It is a conversation with a Yurluey Mendoza, a 33 years old FARC member, that occurred during the 10th conference of the FARC in Yari savannah. There are at least three important categories within the text. The first one is Yurluey, including her family and her universe, but also the low-rank FARC members that she represents. She appears as a human that "said", "asked", "spoke", "described", "imagine", and "is wondering", but she also "accessorized" herself and "dyed blond" her hair. As a FARC member, Yurluey "survived", "was blown", but is about to have a new beginning with the demobilization process, thus she "is coming out" or "re-enter the modern world". A world that she apparently does not know and that is why there are a lot of things that she "has never" try. She is also part of an organization that makes her spoke "in the language of doctrine" and transformed her almost into a "robot".

The second category is the journalist that tell the story in the first person of singular, despite is not about him. He is the one that "talk", "ask", and "show her" part of the new world to her. "We", the first person of plural, appears when the two categories interacted.

The third category refers to FARC as an illegal organization, represented also by objects like bombs and guns. It is portrayed as a "feared and despised" actor that "sustained itself largely on the profits of the drug trade" and "levying "taxes" on families and businesses in areas under its control". Farc is still the enemy, and this category works as a reminder of the cruelty of the organisation, despite the humanity of its low-rank members. The author undermines FARC capacity claiming that the peace agreement does none include none of the "revolutionary changes the FARC has long fought for". What is not entirely accurate.

Regarding focalization, the story is telling the Yurluey's story through the eyes of the journalist. In that respect, notions of motherhood and suffering appeared given by her. She is not a victim of an organization that forced her to abort, she does not wish to give birth. Mirroff tries to include her into to the representation system of his readers. To that end, he attributes her human characteristics, like imagine and think. However, he does it under his Western conceptual map embedded in his privileged social relations of power of gender, class and distance from the rurality world. Thus, Yurluey is someone "who had stepped out of a time machine" because she has never she has never "used the Internet", "seen the ocean", "been to the movies" and "ridden a bicycle". That is what a 33 years "normal" person has to experience, under the journalist's representation system, but is probably not so "normal" for the Colombian peasants living in the rural area. The framing of the writing prioritises the story of Yurluey and the circumstances of the interviews - for example, it gave considerable space to places description and actors' feelings during the meetings.

In this case, there is not necessary to check the information with the state's official sources, and the context of the event was in a secondary position. Given the particular situations in which this interaction happened, it might say that by moments there are some changes in how the social relations of powers works: she is asking, and even prioritise camps chores than a foreign media interview.

- *Piece 3: Why free love in the FARC isn't so free. (You wouldn't know it from reading the New York Times.)*

This article was published on 24 March 2016 in the Monkey cage, a section destined to share scholars works and opinions. It was written by Roxanne Krystalli, a researcher on gender, violence and transitional justice and a PhD candidate at The Fletcher School of Law and Diplomacy at Tufts University, as an attempt to controvert an article published in The New York Times a week before titled 'In a Rebel Camp in Colombia, Marx and Free Love Reign'. It may be said that the writing creates three different categories. Firstly, the expert as a category that includes NGO's reports and academic researches. In the text, they have the function of "reveal", "report", "illuminate", "show" and "find". Secondly, the media category appeared briefly as the ones that need to be questioned. Thirdly, the FARC female fighters' category is portrayed as passive, victimized, and almost limited to their reproductive capacity. To that end, they "got pregnant", "have abortions", and because they are "having children", they "left FARC". As members of the guerrilla, they are "not fully equal", "not heard", and "included limited" in the peace process. Lastly, FARC is depicted as the women's aggressor. They "control female militants' reproductive life", "force contraception", "Put IUD" to females, "take children away", because they "Consider pregnancy potential reason to desert". Also, they are the ones that "not include" women in the negotiation table. However, Krystalli leaves always an open the door to consider that some women took those decisions by their willing.

Bases on those categories, the writing focalizes the information through the expert knowledge in the academic field. The construction of the piece comes from a privileged social relation of power that gives more importance to the expert or scientific knowledge over others. The media reporting and the actors involved are questioned continuously, while the NGO's reports and the academic research not. These take it for granted as a primary source. There is not a critical view on the controversial use of the sources. For instance, the author mentioned the critiques of Tanja Nimeijer, the Dutch woman who joined the FARC, to the hierarchical structure of the group, which were included in a Colombian think-tank report. But what she did not say is that the statements were part of a personal diary seized in by the Army after an ambush, which was later given to the media for a massive publication.

Regarding the framing, it could be said that the text emphasises a victimized view of the female fighters, while the author ignores the women in fighting to gain power positions within FARC, and the struggles to create a sub-commission of gender. The author did not say that the gender disparity happened on both sides of the table, and even quotes updated information about the peace process. It is not true that the only FARC woman included in the conversation was Tanja Nimeijer (Céspedes-Báez and Ruiz 2018: 99).

### **Images analysis**

The following is an analysis of the images' social function that could be measured through the distance between the viewer and the viewed. To that end, it will use the strategies developed by Kress and Leeuwen on the address, shot and vectors and angles of the image (Kress and Leeuwen 2006). In general terms, regarding the context, it could be said that both photos were shot in FARC camps (the second one during the 10th conference of the FARC). Unlike the second photo, in the first one, there was no contact between the represented participants and the journalists that wrote the story.

- *Picture 1*





This is the second picture of four Associated Press' photos of FARC female fighters that appeared in the first article analysed. The footnote included a reference of the gun hanging in a branch and a quote of Juan Pablo, a commander of the FARC 36th Front: "We'll lay aside our weapons like the accord says, but never hand them over".

In general, the picture creates a distant relationship between the viewer and the viewed. On the one hand, there is an AK-47 hanging in a tree in a close-up shot of the picture making it the principal camera focus of attention, while two FARC female fighters appeared in a second plane. The long-shot of the photo produces what Kress and Leeuwen called a 'Public distance': a kind of distance between strangers. On the other hand, regarding the spatial position, the photo was taken from a high level that suggests a top-down relation where the interacted participants have power over the represented participants. The angle is frontal to the weapon, but oblique to the women FARC members, reinforcing the hierarchy position. Finally, it could be said that there is no a clear purpose to create social engagement, given the indirectly address to the picture. The women are represented as objects that are offered to the viewers to their scrutiny.

- *Picture 2*



This is the second picture of five contained in the second article analysed. Although the writing is centred on Yurluey's story, there are just two photographs of her. In others, pictures are about FARC male members in their camps. The picture attempted to create a closer social relation with the viewer to see Yurluey on a human level but is still not a relationship between equals. In that way, the eye level position implies equality, but the oblique angle suggests detachment. In Kress and Leeuwen words, the angle said: 'what you see here is not part of our world, it is their world, something we are not involved with' (Kress and Leeuwen 2006: 374). Yurluey is depicted in a medium shot that gave a sense of closeness. More exactly, is a 'Far personal distance', that means "where two people can touch fingers if they both extend their arms" (Kress and Leeuwen 2006: 370), a distance where is possible to discuss and interact with the other. However, regarding the address, the represented participant is not making eye contact. That may indicate a detachment to the viewed that is still constructed as the other.

## **Conclusion**

There is a clear connection between the social relations of power of the sources - or from the focalization of the story - and the different top-down representation constructed in the articles. FARC female members are represented as the other and "offered" to the audience as objects to understand or to judge. The privileged social relations of power of the authors also played an essential role to emphasize some aspect that could be more interest to the audience, based on its shared system of representation, while silenced and ignore the other's claim and struggles. Based on this power relation and the sources FARC women representation change. They are depicted as objects with more and less agency and willing, more perpetrators than victims, or more mothers than fighters. However, in all the pieces there are references to Farc members with motherhood, victimization and partner relations. Furthermore, they coincide in ignore the women fights to gain a space in the peace process.

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## **The Truth About Community Participation**

*By Bernarda Coello Pesantez (SPD), Ecuador*

### **Abstract**

There has been a worldwide interest to defend participatory processes in the design and implementation of poverty reduction policies and plans. Bottom-up interventions are now the best way to tackle poverty because it is a technique in which the poor are heard and involved in the process of decision making. Nonetheless, the ambiguity of the terminology has led people to apply participation significantly different depending on the scenario. This document problematizes the term participation as a buzzword in poverty reduction discourses and explains, by giving a clear example, how it can become tyrannical when the context and gender issues are not taken into account, resulting in the impoverishment of people. By analysing participatory approaches as embedded in a neoliberal global system, this study demonstrates how this method is used as a palliative to let people believe they are participating when in reality what matters is not what people need but what people know to develop plans aimed to give quick results to be shown.

The study recognises the importance of participation and supports the idea that it is time to rethink the way in which participatory processes are being applied by taking as an example the success of projects around the globe that have comprehensively reduce poverty by considering that poverty is not just the lack of income.

### **Introduction**

During the last three decades, human development as a way to overcome poverty has brought into the discussion a myriad of terms, among them, participation, community and empowerment form part of the most common ones. No matter how simple these words seem to be, it has become necessary to understand its scope and how these terms can be applied to meet citizen's demands, especially those of vulnerable groups. The relationship between participation, community and empowerment with poverty is now in vogue among development practitioners. Nonetheless, due to the ambiguity of this terms, its application has justified positive interventions in one hand but also excessive attacks against the population in urban and rural areas on the other hand.

If we understand participation in a drastic way as the denial of external actor's knowledge and the absolute validity of local initiatives, it is very likely that we end up in a contradictory position

since there is always an outsider distracting the will of the group (Hickey and Mohan 2004: 113). Although participatory processes to help the poor (as part of the development discourse) sound very inclusive, it must be noted that it will never be applied in its pure way. Participatory initiatives will always follow specific rules and interests that may come from donors, politicians, brokers, NGO's or even from the leaders of the group in which the process is taking place. Often, by using the discourse of participation, external actors (intentionally or unintentionally) make people believe they have participated by giving them the chance to comment over a project, policy or program that is already planned. Therefore, it is needed to problematize this terminology and start looking for alternatives in which internal and external actors can work together to reduce poverty through inclusive and transparent bottom-up processes.

According to what has been stated above, this paper aims to analyse how community participation in the process of poverty reduction is addressed and continuously shaped by different actors and neo-liberal embedded discourses. To do so, I will first review how the used terminology that relates participation with poverty reduction can be easily shaped due to the ambiguity of the terms. Then, I will argue about the abuse of this terminology and how specific interests usually overshadow bottom-up processes to tackle poverty. To illustrate this phenomenon, I will analyse a participatory process in the Ecuadorian Amazon rainforest that altered the whole way of living of indigenous communities. Finally, I will review the positive aspects of communitarian participation in the process of reducing poverty, and the need for a change in the way participation is being applied nowadays.

### **The ambiguity of the terminology**

Participation is a term that is conceptualised depending on the intended outcomes. Inevitably, the idea of involvement will differ from the perspective of the state, social groups, civil society or international actors since all of them use the same umbrella to different aims. In this sense, Hickey and Mohan argue that "participation has been called on to perform a wide range of functions for differing purposes, ideologies and political projects" (2004: 9). As a new universal remedy to justify any public, private or international intervention, this term is sometimes abused rather than used. Therefore, any program, as long as it includes participation (irrespective of whether it considers historical processes, socio-economical context, gender issues, division within groups etc.) are presented as successful and adopted by people as inclusive. Still, it is known that participation also denotes power relations and exclusion.

Despite the variety of meanings given to the term 'participation', authors agree in the fact that it is related to the way in which communities are involved in decision-making processes. Just to compare, the World Bank defined participation as "the process by which stakeholders influence and share control over priority setting, policy-making, resource allocations, and/or program implementation" (World Bank as cited in Hickey and Mohan 2004: 239). Conversely, Chamala

argues that “in true participation, even at the highest level, power and control are shared by the participants... similarly, scientist, managers, politicians, financial institutions and farmers collectively are also involved in controlling (rather guiding) these projects” (1995: 7). While the World Bank statement denotes a more vertical approach and Chamala suggests an utterly horizontal one, both agreed in the sense that participation involves a bottom-up process that should consider citizen’s ideas for decision making.

Back in the vagueness sphere of the terminology noted above, community (as participation) can be described from different angles under the same umbrella. It can be demographically constructed, gendered, geographically bounded or framed by diverse interests, practices, concepts, beliefs and/or cultures. It can also be temporary or permanent. In this sense, community needs to be conceptualised in every context and never been understood as homogeneous since it is self-immersed in internal chaos, power relations and marginalisation (Berner and Philips 2005: 24). Therefore, is needed to be aware that, even if the notion of a community means the representation of a whole group of people, it can end up reflecting the will of just a few of them, call it the woman of the group, the leaders, the elders, the children and so forth. By arguing this, I do not want to demonise the term community since its participation is essential at the moment of meeting specific demands, especially those coming from the most vulnerable groups. However, community participation ought to be historically and contextually framed in order not to fall into misconceptions of the term since it can be performed in different ways. Hence, an in-depth analysis of the terminology becomes essential for every case.

Adding more complexity to the rhetoric of terms related to development and poverty reduction, the word ‘empowerment’ often appears undertaken as the principal end of community participation and used to engage the poor in processes of decision making. Empowerment (just as the other two terms) has become a commonly used and rarely questioned word (Clever 1999). Nonetheless, the fact of letting people participate in the design, creation and implementation of policies to improve their lives not always mean to empower them because often that ownership element needed to empower people is absent. Frances Cleaver, on a critique made to the participatory approach to development, argues that there is a tendency to homogenise and ‘organise organisations’ as well as to work on project-based strategies, tending to be more practical than structural, which frequently ends up misleading efficiency with empowerment (1999). For him, this association can lead to institutionalising participative processes destroying its very essence and turning participation it into a bureaucratic system (Clever 1999: 560).

Although there is an extensive critique arguing that the terms used in development fields have been romanticised and as suggested, abused rather than used (perhaps due to the moral value intrinsic on it), there is no doubt about the need of bottom-up programs and policies. Apparently, the problem with the correct application of this terminology is that ‘the correct’ relies on the

interest of who is going to apply it and what is intended to achieve by applying it. Thus, its significance can be easily shaped to convince people to get involved but not necessarily get empowered. The trick relays in political interests hidden behind the idea of participation and empowerment since there is a growing pressure on governments, civil society and international institutions and actors to show rapid results of their expected job, especially on duties related to poverty reduction. Therefore, participatory processes that are supposed to solve problems from the roots, ensuring real empowerment, lasting over time and comprehensively improving people's lives, are not being taken seriously enough.

Community participation' and 'empowerment' are incredibly ambiguous, and its meaning to different actors is contingent upon their unique subjectivities and social relations within which they are embedded. As Cornwall and Brock quite rightly argue "...it becomes more difficult to disagree with the use of words like empowerment than it would with the ideas that underpin the way of worldmaking that frame their use by particular institutions. Nice-sounding words are, after all, there for the taking, and the nicer they sound, the more useful they might prove to be for those seeking to establish their moral authority" (2005: 16). Since diverse meanings can be given to one word and that significance can become real, perhaps it is time to find new words that explain the context in which each of the analysed terms is applied, changing the actual development discourse (Cornwall and Brock 2005).

### **The abuse of the term 'community participation' in poverty reduction discourses**

Having analysed the vagueness of some used buzzwords in development discourse, and understanding its particularity of been terms that can have a multiplicity of meanings, is needful to revise how does community participation work once the presented scenario is intending to reduce poverty.

Due to the complex interaction among actors across the world, community participation has become imperative while talking about programs, projects or policies that aim to tackle poverty. However, because of the enormous mean-flexibility of the terms combined with a rooted neo-liberal system that frameworks our actual global context, the borderline between community participation and the idea of transferring responsibilities to the poor to reduce poverty gets thinner every time. In this sense, self-sufficiency of communities to overcome poverty is again romanticised to justify the lack of governmental interventions in the process of poverty reduction.

A compelling explanation of this phenomena is given by Benedict Phillips while describing the three grounds of participation "... As an end in itself. Freedom to make meaningful choices between various options (...). As a means to ensure quality (...), the key word here is *ownership*: by being involved (...). As a means to increase *efficiency* and cut costs by mobilising communities" (as cited in Berner and Philips 2005: 18). The first ground follows Amartya Sen's

theory of human development. The second one supports the idea of real empowerment since the users are also beneficiaries. Finally, the third one is closely related to what I am arguing here, the abuse of the term 'community participation'.

While relating participation to *efficiency*<sup>12</sup> based on the idea of cutting costs and selling people the discourse of their full capability to overcome poverty, the state and civil society end up shifting all their duties and responsibilities to the people they are supposed to benefit. In this sense, self-help theory on a participatory approach to development has become an administrative tool for procedures to be fast and efficient. When in reality, self-help is for default the only way for the poor to survive since they lack material resources. Even though this approach has demonstrated that communities are dynamic and organised undertaking poverty, to be transformative, linkages with external actors<sup>13</sup> are strictly needed (Hickey and Moha 2004: 12,13). Consequently, survival activities performed by the poor cannot be constructed itself as useful to overcome poverty.

### **A case to analyse: Modernizing the Amazon**

Focusing now on governance is need to say that the use of the above-analysed terminology become even more complicated once it gets to be applied. An example of that is the modification of social reproduction process that is taking place within indigenous communities in the Ecuadorian Amazon region due to the construction of petroleum refineries. When the term 'community participation' is adopted as a policy guideline for development in areas populated by indigenous people, its ambiguity becomes problematic because this specific conception of the term is imbued with the capitalist logic of economic rationality that dictates government policies. Consequences of this logic are the emergence of gender-based conflicts between males who derive their incomes from acting in accordance with the government's idea of active community participation for the region, and females, who are in charge of care work and social reproduction having to deal with all the consequences of the pollution produced by the process of oil extraction.

In this particular case, a singular phenomenon occurred. Since Ecuadorian economy relies on oil extraction, the so-called 'Government of the Citizen Revolution', after facing an exhausting judicial procedure for environmental damage against a foreign oil company, justified extractive activities of national companies in the rainforest under the premise that it will help to eradicate poverty and increase social investments in that zone. Interestingly enough, the leading terms in the development discourse constructed by the Ecuadorian Government, are again vague but still "nice sounding words" (Cornwall and Brock). The discourse talks about the construction of the

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<sup>12</sup> A word which in turn cannot be disconnected from Neoliberal theories.

<sup>13</sup> That Hickey and Mohan have named as 'political contract'.

`good living' (Buen Vivir in Spanish) of historically forgotten communities (Burchardt et al. 2016: 283). By selling this idea of participation and inclusion in the process to achieve development "Amazonian population is not just forced to enter in the market economy but seduced by the system" (Burchardt et al. 2016: 287).

In Cuyabeno's river bank and Pañacocha<sup>14</sup>, the dynamics among the population changed drastically after the plan of a `new Amazon region' was rooted in their minds with all the misleading terminology extensively explained before. Communities started to claim for an own indigenous oil company in which they could extract oil to be able to build `their future', having to negotiate with the State<sup>15</sup> for it (Burchardt et al. 2016: 292). Clearly, in this scenario "poverty reduction, participation and empowerment come together (...) with ownership, accountability, governance and partnership to make the world that the neoliberal model would have us all inhabit." (Cornwall and Brock 2005: 18). In the end, thanks to the negotiations made for some male leaders of this two communities<sup>16</sup> with the Government, instead of an indigenous oil company for extraction they got a so-called `Millennium City' as compensation to Amazonian inhabitants in this zones for the environmental damage and land use. Immediately, those indigenous rural communities were shifted into new urbanised zones.

As an urban settlement, Cuyabeno and Pañacocha inhabitants had to migrate from their farms to the newly built cities. Following the goal of overcome poverty. Since this project counted with communitarian leaders during the negotiation, the Government took for granted that its mission regarding citizen participation was accomplished. Hence, the program was supposed to show positive outcomes regarding poverty reduction because every family would have their own new houses and access to commodities as they asked. However, this intervention created more inequality and conflict among communities since nearby settlements did not get such improvements. It also disrupted internal household relations because the consequences of being `modernly' resettled lead women to become dependent on their husband's wages by been forced to stop agricultural and fishing activities to dedicate all their time to unpaid care work. Finally, identity problems for children started to be evident since they began to deny their indigenous origins in order join the marketised modernity (Burchardt et al. 2016). As a result, `poor' indigenous population in Ecuador<sup>17</sup>, according to the myth of survival argued by Gozález de la Rocha, moved from having resources of poverty to have poverty of resources (2007).

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<sup>14</sup> Indigenous communities from the Ecuadorian rainforest that lived under their own rules. Their economy was based in agriculture and fishing activities performed by the women, increased with man's wages earned by working at oil companies in other areas before the invasion of this companies in their land.

<sup>15</sup> Which is the same institution that promotes their development.

<sup>16</sup> Justification of communitarian participation and empowerment of two different groups that were merged by State interventions without a proper analysis of their own structures.

<sup>17</sup> Talking in terms of income related poverty.

It seems to be then, that in an attempt to guarantee poverty reduction by ensuring participatory processes, governmental applied policies and programs ended up exacerbating poverty and gender-related issues within the group and the households, changing the whole dynamics of social production and social reproduction of indigenous populations in the Amazon region. Consequently, a participatory state project based in neo-extractive activities abruptly integrated indigenous communities into the market consumption system constraining their freedom as human beings because of the lack of a proper understanding of the context, history and culture of the affected group.

### **The positive side of participation**

As shown, issues related to participation are not merely rhetoric. When it comes to its application, participatory approaches to development have repeatedly failed, mostly because participation is embodied in a neoliberal system, but also, because relying on human behaviour can make outcomes unpredictable. Nonetheless, concrete utopias around the world have demonstrated that when participation is well conceptualised and applied, things work very well. Just to name some examples of it: the 'Piqueteros' case in Argentina<sup>18</sup>, 'SEWAS' in India<sup>19</sup> and 'El Salinerito' in Ecuador<sup>20</sup> are successful participatory processes that have reduced poverty and improved peoples live. As Tailor suggest, governance is not 'social control' but 'social production' (Tailor 2007: 299). Meaning that bargaining processes take place among different actors in a multilevel degree leading to more decentralised ways of governing and the build of networks to create policies and programs that can consider communitarian participation as an opportunity for partnership with citizens rather than a chance to get clients.

Having this in mind is undeniable that in this times, the voices of the poor are ever more considered, generating the appearance of new political actors and spaces of interaction between state and society (Cornwall and Coelho, 2007: 1). While inviting people to participate, the scenario is framed by the institutions and citizen interactions with all their experiences and culture (Cornwall and Coelho, 2007: 8,11). It is worth remembering, however, that due to embodied power relations in any society, there will always be an outsider/external actor (can be the state but also other institutions) helping or directly influencing communities. Hence, these open spaces are not entirely free biased, but, well-organised citizens can use this new

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<sup>18</sup> Group of unemployed people who took the initiative to organize themselves and resist against the government while they also created a whole alternative economy of self-help (Chhachhi Amrita)

<sup>19</sup> The Globally recognized Self Employed Women's Association of India that was organized into a trade union and now is an institution that still preserve its values even though it has become a big structure. (Chhachhi Amrita)

<sup>20</sup> An example of solidarity-based economy through agricultural activities.

participatory spheres to shape the discourse and actions to their benefit, meaning that by doing so, they can also become empowered.

Botes and van Rensburg while giving a guideline to facilitate development in participatory processes, also suggest specific techniques to lead a proper method to empower the poor. They highlight the importance of understanding the need of the people to motivate their will of self-analysis and action to prepare them with skills that will allow them to be capable of run and take care of their programs (200: 55). Again, it does not mean the withdrawal of the state or other institutions, remember that the poor need material resources to overcome poverty. Therefore, this spaces for interaction among government, civil society and citizens, in the word of Andrea Cornwall, must work as “‘schools for citizenship’(...) in which those who participate learn new meanings and practices of citizenship by working together.” (Cornwall and Coelho, 2007: 8).

### **Conclusion and suggestions**

Participation, community and empowerment as vague buzzwords of development discourses regarding poverty reduction paved the way for different actors and governments to interpret them as it is more likely to suit their interests. Since the implementation of bottom-up projects, policies or programs are seen as the best way to satisfy people’s needs more effectively, engaging the poor to be part of this processes, or letting them think they are involved, has become a usual practice among development practitioners. However, it seems to be that this practices are not just biased and oriented to satisfy specific political interests but are also considered as administrative tools of mandatory implementation. Generally speaking, it does not sound that bad. Political goals can be aimed to help the poor to overcome poverty and its compulsory element forces actors involved in the process of poverty reduction to integrate the poor for decision making. However, these terms are externally imposed values that in the way they are being used distract state and any other external actors of the real issue that creates poverty and of possible solutions to tackle it.

The fact that nowadays poor people are considered as part of the governing processes shows the needed willingness of governments to open the doors for new actors to join this cause. Nevertheless, is essential to be aware that this openness can by no means result in the complete withdraw of the state in the process of reducing poverty and the transfer of responsibilities to the poor under the premise that they know the best and it is also a way to cut costs. On the contrary, by applying participatory methodologies to tackle poverty, governments and external actors involved must develop better ways to work in common spaces with the poor. Trying to reach as most people as possible (since we can never reach the totality of the members of a group) to give them choices, accept their contributions, learn from their knowledge and on this basis improve people’s skills as a way to empower them. This process will hopefully guarantee lasting results and the opportunity for the poor not just to have more income but a better quality of life.



Initiatives around the world have shown how effective can be a consensus among beneficiaries in one hand and the state, ONG's or international actors on the other hand, as an intervention for long-term results to reduce poverty. Unfortunately, there is more evidence that exposes the failures of participatory approaches. The embeddedness of values, terminology and responses in a neo-liberal system has lead participation to become a tool to fool the poor by letting them think they are part of a process, when in reality, the only purpose behind it is meeting a requirement to implement already made plans and satisfy particular interests without really caring about the impacts on people's welfare. An example of this approach was illustrated with the analysis of the participatory process that took place in the Ecuadorian Amazon region in which the state, instead than improving people's lives ended up impoverishing them.

Alternatives to change this unsuccessful scenario have been presented. Perhaps a good start point is to problematize more the used terminology as Clever suggests, to then, change the discourse by finding new words to understand the context better as Cornwall and Brock propose. The core of this argument is the need of rethinking participatory processes to reduce poverty by taking the time to understand the context, culture, gender issues, history and conflicts within the poor that are aimed to be helped to reach most of them instead of just the leaders, the men or small fragments of the group. Even if participatory processes take more time than merely consultative processes masked under the word 'participation', it will be more likely to result in long-term outcomes that can genuinely reduce poverty instead of short-term palliatives.

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# Balancing Ethos, Kairos, Logos and Pathos: Rhetoric Analysis on Esther Duflo's 2010 TED Talk

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## 1. Introduction

In the past two decades, the world has witnessed a meteoric rise in the use of Randomized Controlled Trials (RCT) to answer various development problems. Though RCT is simply an impact evaluation method, used to find out the causal impact of certain interventions towards certain development outcomes, Bedecarrats et al (2017: 2) pointed out that RCT has often “presented by their disciples as a true Copernican revolution in development economics” and “the only approach to be proclaimed ‘rigorous’ and even ‘scientific’”. Bedecarrats et al (2017: 7) further noted that this proclaimed intrinsic superiority of RCTs over any other method and the idea that “ubiquitous build-up of RCTs will, by sheer force of numbers, answer all development questions, about ‘what works and what does not work’, based on indisputable foundations” has been championed by “some media-celebrity RCT advocates, with Esther Duflo in the forefront”.

In fact, it is difficult to find a figure more important to the *randomistas*’ cause than Esther Duflo. Though it was Michael Kremer who first conducted randomized experiments in developing countries in the 1990s, it was largely accepted that Duflo was the one who “set in motion a randomization industry” (Parker 2010). The focus of this paper was a talk delivered by Duflo in early 2010, slightly more than a decade after RCT was first used by Kremer. Since the talk, almost another decade has passed and as more RCTs have been conducted, it seems that nothing is stopping RCT proponents to “establish a full list of good and bad development policies” (Bedecarrats et al, 2017: 2).

Although it is difficult to analyze the effect of this particular speech in furthering the overall use of RCT, the speech still holds a particular importance as it was one a serious attempt to spread RCT’s message to a more general audience. In an interview with New Yorker magazine (Parker 2010), Duflo talked about her vision “to turn the project that crazy people do in the back yard to something that is institutional and serious” which “(t)hen it became this brand, it became a thing—in academia and outside organizations”, which “then became controversial, which, in a sense, is even better”. Duflo’s TED Talk thus can be seen as Duflo attempting to fulfill this vision of popularizing RCT. Thus, taking into account the different target audience for this speech, it is particularly interesting to see how Duflo uses different linguistic devices instead of resorting to her usual way of explaining or defending RCT to other economists.

## 2. Methodology

Before doing an in-depth analysis of the text, I will first analyze the context of this particular talk. Context analysis is key to understand how a particular speech is influenced by the discourses at the time, and to uncover how in turn, it also attempts to influence the discourse.

In analyzing the text itself, I will look at rhetoric: in particular how Duflo employ Logos, Ethos, Pathos while also paying careful attention to Kairos, and how these elements take on different roles to persuade the audience. McCloskey (1994: 323) argued that “no speech with intent is ‘non-rhetorical’”, and though “rhetoric is not everything”, “it is everywhere in the speech of human arguers”. Thus, **rhetoric analysis** would be particularly useful to analyze a speech where such intent is obvious as rhetoric analysis identifies the overall devices and methods that an author uses to persuade an audience.

First, to analyze the use of words to form arguments or the logos in this talk, **argumentation analysis** is useful not only to see the ways Duflo support her arguments, but also to evaluate the strength of the overall arguments. For this purpose, I will use an argumentation synthesis table (Appendix D) by Des Gasper (2000) to analyze whether her main claims are backed by facts/data, the warrants/the logic underlying it, and also to explore rebuttals that is either made explicit by Duflo in this speech, or is silenced.

Secondly, to analyze how Duflo attempts to establish trust (ethos) and to appeals to the emotions of the audience (pathos), I will look at the lexical choices she made, and in particular the role of metaphors (Appendix E) and the narratives (Appendix F) that Duflo uses in the speech. Though I will not do a complete metaphors and narratives analysis, it still useful to look at the role of metaphors and narratives in furthering the rhetoric. A simplified text analysis table (Appendix C) will also be used to scrutinize her choices of words.

### **3. Context**

#### **Particular platform used and Intended audience**

Duflo delivered her presentation in February 2010 at TED, an annual conference originally committed to discussions on technology and design. A Wikipedia search shows that as a conference, TED has been annually held since 1990 and since then, TED has expanded to include multidisciplinary topics and have invited many household names in politics (Al Gore, Clinton), science (Stephen Hawking, Richard Dawkins), technology (Larry Page, Segey Brin), and many others.

As TED’s speakers diversified in terms of their fields of expertise, so have their targeted audience. In 2006 the attendance cost was by invitation only before it was shifted in 2007 by opening registration through annual membership (Wikipedia, 2018). TED’s Curator since 2002, Chris Anderson, in a 2012 interview regarding the growth of TED, as cited by Wikipedia (2018)

mentioned how TED “used to be 800 people getting together once a year”, but now “it’s about a million people a day watching TED Talks online”. In fact since 2006, all TED talks are available online for free viewing on its website. Chris explained further as quoted in Wikipedia (2018) that “the conference is still the engine, but the website is the amplifier that takes the ideas to the world”, in line with the main motto of “ideas worth spreading”. This has proven to be a strategic move as by November 2012, TED Talks had been watched over one billion times worldwide (Wikipedia 2018).

Thus, the target audiences of TED Talk are not just those members who were in attendance, but more importantly, the global audience, the educated professionals around the world, who are expected to carry on this idea in their professional lives. It’s also worth noting that not all TED Talks are equal in terms of views. In general, as analyzed by Sugimoto and Thelwall and quoted in Wikipedia (2018), those presentations “given by academics tend to be generate more views, while art and design videos tend to be watched less”. As per July 3<sup>rd</sup> 2018, Duflo’s video on TED Website has been watched more than 900,000 times in its website, and the view count of its Youtube video uploaded by TED has reached more than 127,000 views.

### **Author’s background information**

Esther Duflo is a household name in the field of development economics. A known prodigy, Duflo finished her PhD at MIT at the age of 30, and eventually accepted tenure position at MIT, after MIT “(broke) a long-standing departmental rule against hiring its own graduate students”, and only after MIT agreeing to “commit three hundred thousand dollars for the creation of the Poverty Action Lab” (Parker 2010). The lab, now mostly known through its abbreviation J-PAL has been Duflo’s main channel in running RCT throughout the world. By 2010, its researchers, stationed in 5 regional offices, “had conducted more than 240 experiments in 40 countries, in a Herculean attempt to find out what actually works”(Parker 2010).

For all her achievements, one year before her talk at TED, she received the MacArthur “Genius” Fellow to add to her already many accolades. In the same year of this talk, Duflo also won John Bates Clark Medal for the best economist in America under 40 which the New Yorker described as “a Nobel-in-waiting” (Parker 2010). What sets Duflo apart from most other economists is her belief of her responsibility as economist to help solve the problem of poverty and her conviction that going out of your desk, conducting experiments in the real world is the only way to find the interventions that would eventually eradicate poverty. Her strong conviction and her tireless work to increase the number of RCTs conducted “may blur the lines between economics and activism, which is “a role that Duflo not only considers comfortable, but vital” (Parker 2010).

Her views would become more apparent later in her recently published 2017 paper titled “the Economist as Plumber”, where Duflo (2017: 1) argued that as researchers are increasingly

getting the opportunity to help governments design new policies that would have impact on many people, they have to take upon the responsibility to “focus on many details about which their models and theories do not give much guidance.” Duflo explained (2017:5) that a plumber “installs the machine in the real world, carefully watches what happens, and then tinkers as needed”. In contrasting a plumber and a scientist, Duflo explained (2017:30) that “scientists design general frames” while plumbers “finally make them work in a complicated, messy policy environment”. This marks a departure from economists who analyze data behind the comfort of their desks.

### **Social context (immediate situation and longer-term setting)**

Debate regarding the Effectiveness of Development Aid and Our Role in Poverty Eradication: Through analyzing the inter-discursive relationship (how the text related to a broader discourse) and more specifically the inter-textual relationship (how it refers to other texts), one can see that the discourse on aid is central in Duflo’s talk.

In her talk, Duflo made references that discourse on poverty eradication effort has largely dominated by debate surrounding the effectiveness of development aid. In fact, the debate about aid had been broadly polarized into two positions: As the poster child for the left is Jeffrey Sachs, who believes that providing more aid to developing countries would completely eradicate poverty. Sachs’ 2005 book “The End of Poverty” called for more development aid to fund his Millennium Villages Project, described as a “bottom-up approach to enabling villages in developing countries to lift themselves out of the poverty trap” (CGD 2006). On the opposing end is William Easterly, who through his popular 2006 book “The White Man’s Burden: Why the West’s Efforts to Aid the Rest Have Done so Much Ill and So Little Good”, argues that poverty trap is a myth and that aid has done more harm than good to the countries receiving it.

Duflo introduced the opposing views in the Discourse on aid, which she saw as relying more on polemic and conjecture than evidence, as an entryway to propose an alternative view. Duflo’s proposal is to appropriate the methodology of the medicine industry, and subject different types of aid to RCTs. Through subjecting the aid to “rigorous evaluations”, she attempts to shift the Discourse’ focus not on whether aid is good or bad, but whether particular instances of aid did some good or not.

### **The rise of evidence-based policy: debates on evaluation methods**

Evidence-based, or evidence-informed policymaking has been gaining more importance as a way to combat poverty. The idea is that policymakers often produce ideological, rather than evidence-based decisions, and that we should work towards ensuring that policy interventions are based on objective, rigorous, scientific evidence.

Numerous evaluation methods, have risen to support this trend. RCT proponents, including Duflo has taken advantage of this trend, trying to prove that RCT is the most scientific and the most rigorous of all impact evaluation methods. Research done by Bédécarrats et al (2017:5) on World Bank's funded evaluations as of 2010 show that "RCTs represent nearly two-thirds of the methods used, accounting for 64 per cent of the 268 evaluations undertaken", and thus showing there seems to be a general trend of synonymizing evidence with the use of RCT.

However, there have also been many criticisms towards the quality of evidence produced by RCT by the time Duflo took the TED stage. In 2007, the science philosopher Nancy Cartwright in her paper "Are RCTs the Gold Standard?" argued (2007: 12) that while RCTs may be superior within their confines, "it suffers from narrowness of scope", meaning that results generated from a specific trial could not be extended to other targeted groups outside the original scope, which is crucial should policymakers is to be benefitted from the use of RCT. RCT's positivist approach has also garnered criticism from the likes of Robert Chambers and Lant Pritchett, another famous development economist.

Thus, Duflo's talk came in the midst of debates between RCT proponents and RCT opponents. It is important to note that though the debates regarding these evaluation methods have largely been confined within the academic circle, with the rise in RCT popularity, which led to donors expecting evaluations to be conducted with RCT as seen in the case of the World Bank, it was only a matter of time that the discourse on evaluation methods would involve more attention from those interested in development. In this sense, the speech is important as an attempt by the *randomistas* to garner more support from the general public. Duflo has realized the importance of getting the word out. In an interview just within months of her TED Talk, Duflo discussed that she was preparing a book pitched for a general reader, showing her focus on expanding the message of RCT to a wider audience. On the book later would be published as "Poor Economics", Duflo said that "we're not talking 'Freakonomics', but there won't be equations" (Parker 2010).

#### **4. Text Overview**

As characteristics to all TED Talk, Duflo's talk follows the structure typical to a problem-solution type of presentation which generally follows introduction/background of problem, explanation of problem (including cause and effect), propose solution to ending the problem, proving thesis, and end with call for action. Though the text generally follows a clear linear structure with a clear beginning, a proposed solution in the middle, closed with a conclusion and a call to action in the end, Duflo's attempt to build mystery seemed to interrupt the otherwise linear flow of the text. For example, after she introduces (2010) the puzzle that people seem to care more about the Haitian than the dying children and elaborated on it for 4 paragraphs, in paragraph 5-7, without letting the first problem brought into conclusion, Duflo continuously add

more questions that are seemingly unrelated in answering the first question. Only in paragraph 18 were audience able to find the connection between the problem of Haiti and the other problems she posed.

The text could be divided into 22 paragraphs with main points as summarized below.

Paragraph 1-8	Introduction/background of problem (why people give more to Haiti than to help dying children), getting audience to be involved in a problem
Paragraph 9	Main thesis: We can know which development interventions work, by subjecting them to the same tests that we use for drugs
Paragraph 10-14	Examples about how RCT have provided answer before: immunization in Rajasthan, bednets in Kenya
Paragraph 15-17	Reiteration of main thesis: Arguments on why we should experiment (other fields have used experiments to improve and never relied on guesswork, experiment works and produces good evidence/answers)
Paragraph 18-19	Refer back to the first case: argue that people will act to solve a problem when they understand that the solution would work. Thus, we need to make effort to understand development problems, and conducting experiments is key to us understanding
Paragraph 20	Provide example of how small evidence can turn to policy with real impact (deworm the world)
Paragraph 21-22	The need to act now because it's a slow process

## 5. Analysis

### Rhetoric Analysis (and Argumentation)

#### **Ethos:**

As McCloskey argued (1994: 322), “an established ethos is the most persuasive of scientific arguments and scientists are therefore very busy establishing it.” The fact that Duflo is an invited speaker to the annual TED Conference had set her up to be a speaker whose ethos could be trusted as many would safely assume that a TED Conference speaker would have the credibility and qualifications that would justify the invitation. In the short “About the Speaker” description section in the TED website (2010), Duflo is described as a Development Economist who “takes economics out of the lab and into the field to discover the causes of poverty and means to eradicate it”.



Duflo (2010) opened her talk with a glimpse of her straightforward, no-nonsense approach by saying “So here it is. You can check: I am short, I’m French, I have a pretty strong French accent, so that’s going to be clear in a moment.” The New Yorker (Parker 2010) described her TED demeanor during the TED presentation as “brisk and unsmiling”. This matches perfectly the figure of ideal scientist most people have in their mind: objective, focus on facts and serious.

Further in her speech, to strengthen her ethos, Duflo repeatedly exposes her role as researcher, mainly through the use of pronoun “I” 25 times in the text, to emphasize her direct personal involvement in research. In particular, when telling the stories of the social experiments that have been conducted, she (Duflo 2010) used “I” such as in “when I started working there”(par.9) referring to Udaipur District, and she also used “I” when describing the details of the several research conducted such as in “I’ll tell you how in a moment” (par.10) and “I’m going to show you what we get with various education interventions”(par.16). These pairings between pronoun “I” and detailed information about the research helped to build her credibility as scientists whose knowledge came from direct involvement in the field as opposed to from reading journals. More specifically, it sets her apart as a different breed of economist: an economist-activist, an economist who wants to take action and change the world to the better. This solidifies her position not only as researcher, but also as researcher who is involved and takes action. This is consistent with Duflo’s endorsement of the ‘economist plumber’ (Duflo 2017).

Duflo also made clear the important role of conducting experiment in establishing her ethos as a scientist, as if saying: “I do experiments and therefore I have answers”. In paragraph 17, she argues (Duflo 2010) “I started from the big problem and I couldn’t answer it. And I cut it into smaller questions, and I have the answer to these smaller questions”. These answers come from conducting experiments specifically designed to answer those smaller questions. The argument in that sense mimics the overall argument she is trying to convey that only through conducting experiments would people find answers.

Duflo (2010) also uses statistics and hard data such as the following “25,000 children die every day”(par.1), “GDP in Africa is not making much progress” (par.3), “every year at least 25 million children do not get the immunization”(par.5), “malaria kills almost 900,000 people every year”(par 6). This use of data and technical terms is useful to further enhance her credibility as a scientist. Her uses of increased percentage in describing the outcomes of certain interventions (e.g “just having the camp increases immunization from 6 percent to 17 percent” in par. 11) also strengthen her ethos as scientist who are able to find precisely calculate impact.

Lastly, as the “scientist’ ethos” Duflo tries to establish for herself is that which is based on scientific values (universalism, communalism, disinterestedness, organized/systematic skepticism, and ethical neutrality), Duflo frames those who might disagree with her as disagreeing with these scientific values, and more importantly, with progress. In fact, the alternative to

scientific ethos as posed by Duflo is a belief in hearsay and conjecture. Duflo's use of metaphor "It's not the Middle Ages anymore, it's the 21<sup>st</sup> century" (Duflo 2010, par. 8) to create a clear mental model for the audience that conjecture should be left in the old time, and it is only a natural progression to adopt a scientific ethos in solving development problems. Thus, Duflo positions herself as fighting in the name of science and scientific ethos, or the general truth. By putting herself in the right side in this fight, Duflo's ethos is strengthened even further.

### **Logos (argumentation analysis)**

Though Duflo made many claims in the text, I would focus on the key claims, extracted from the unstated and stated conclusions in the Text Analysis Table (Appendix C). After analyzing the following main claims using Argumentation Synthesis table (Appendix D), it is clear that all of Duflo's claims are backed by data, with some claims backed by multiple data. For example, she gave several data to back up her third claim that experiment is key in many disciplines to understand what works and what doesn't work, namely in the field of medicine, technology and also in business. Duflo (2010) also provided 3 specific examples of RCT (immunization, bednets, education) to prove her fourth claim that indeed it is possible to put social innovation to the same rigorous scientific test used for drugs.

We could also see that her claims correlate with each other strongly and that each proven claim is used as proof for the following claim, thus showing a clear structure of her arguments. For example, after she proved her previous claim (Claim C4. See appendix D) that we can evaluate social programs with RCT, she used this fact as proof for her next claim (C5) which is that we should put social innovation to be tested using RCTs (because we can). Thus in this sense, her last claim could be considered as her main argument in the text which is that we should start experimenting, and we should start experimenting now, with the things that we know (focus on eradicating the so-called "last mile problems").

To build the logos, Duflo also uses familiar metaphors such as "beauty of randomization" (par.11) and "robust answers" (par.17). By employing metaphors, Duflo is able to get the meaning across without going to the details explanation of the benefits of randomization, or how is the evidence provided by RCT different than other evidence produced by other evaluation methods (as opposed to hearsay).

Duflo also doesn't necessarily provide the counterarguments or the rebuttals to her claims. In fact, Her fourth claims that we can use RCT to test social innovations just like we test drugs has been challenged by some critics. One known criticism is that RCT should be confined to test only simpler interventions, as the difficulty to ensure standardization increase exponentially with more complex interventions. Duflo (2010) also used metaphor such as "there is no *silver bullet*"(par.17) and "cannot *helicopter people* out of poverty" (par.17) and simile "these economics I'm proposing, it's like 20<sup>th</sup> century medicine"(par.19) to further strengthen her

argument that we still have a long way to go in solving poverty, which demand us start taking action quickly. Due to these exclusions in potential rebuttal, based on the criteria of relevance, sufficiency and acceptability (Blair and Johnson 1987). I would argue that though Duflo's claims are relevant and acceptable, in some cases it is not sufficient. However, perhaps such choice is a strategic choice, as it would not be considered appropriate for Duflo to provide explanation regarding the specific kinds questions that RCT could answer in a 15-minutes introductory course.

### **Pathos**

Throughout the text, Duflo uses tragic development scenarios to appeal to the emotions of the audience, to secure support for her cause. Starting with a description of a world where children are dying daily due to preventable causes, Duflo continues to portray a world where children continue dying, should we not take any actions.

Duflo uses several stories (dying children, Africa, immunization in Rajasthan, bednets in Africa, and the story of transporting goods pre-industrial revolution) not only to strengthen her argument (logos) that the situation is dire and certain action is required, her use of stories also influence audience emotions as stories get the audience to experience the experiments as if they had been there. For example, in describing testing the immunization interventions in India, Duflo mentioned (2010) how the place is "beautiful" (par 9) but also quite tragic as "about one percent of children were fully immunized (par 9)". Through providing these vivid details and through method of engaging the audience in the story: "imagine you are a mother in Udaipur District" (par.9), followed by "you have to walk a few kilometers to get your kids immunized" (par.9), Duflo tries to place the readers in the story, and to identify with the struggles felt by the parents in those villages and the urgency felt by the researchers to produce answers. Thus, though the narratives in this text are used to support the arguments she is making (on how it's possible to conduct social experiments), it is also used to get the audience to experience being in the field, and sympathize with the conditions.

Duflo (2010) also uses naturalizing language (which prescribes actions to her audience), for example, in describing the choices available "So what do you do? To give aid, and hope and pray that something comes out of it? Or do you focus on your everyday life and let the earthquake every eight days continue to happen?" By limiting the choices available to her audience, Duflo attempts to create this sense of desperation which would trigger support for action.

### **Kairos**

As previously mentioned, taking into account the nature of the TED talk event and thus the expectations of the audience, Duflo purposefully does not go into too much details in explaining RCTs procedure, the common threats and pitfalls of conducting RCTs for social programs, criticisms on RCT and the subsequent rebuttal by RCT's proponents. For example, the word

“counterfactual”, a term usually unavoidable when explaining RCT, is only used once in passing, and definition is not provided. Duflo instead used an example of Africa to make her point on the importance of counterfactual for impact measurement.

To ensure that her talk is appropriate for the event, Duflo also doesn't direct any specific criticism towards any target. For example, though Duflo mentioned her disagreement of the two camps in the discourse on aid, she avoid mentioning the name Sachs or Easterly. And though she criticize those who use guesswork in policymaking, she also does not provide any specific entity or any of more recent examples of policy interventions that gone wrong due to basing it on hearsay, and thus keeping the sole attention on RCT.

## **6. Conclusion**

Rhetoric is all combined: A skilled economists tells a story, make effective comparisons, establish ethos, pays attention to context (propriety), employ language devices to control attention, make effective comparisons (metaphor), provide a vivid overall verbal image to leave clear mental models in the audience' mind (Gasper 2018).

Though Duflo's arguments in the text are strong as each claim is carefully backed by data, argumentation inevitably involves more than just objective demonstration of evidence and logic. In her presentation, Duflo showed an understanding that facts and logic alone are not enough to make a case for RCTs, evident from various use of linguistic devices from narratives to metaphors. Kairos plays a huge role in deciding what should be included/excluded in the talk, and what deserves emphasis. The nature of TED Talk which is more similar to a short introductory course limit Duflo's time to produce some of the rebuttals to her own claims, and to subsequently produce defense from those rebuttals. Undoubtedly, Duflo is aware of the criticisms of RCTs at this point as she has also produce response to critics such Printchett and Cartwright. Thus, it could be concluded that it was the kairos which guides her strategy to rely more on ethos and pathos, as opposed to logos in her attempt to persuade the audience. Duflo also shows a mastery in balancing the use of practical language, data, and facts to strengthen her scientific ethos, while also trying to appeal to the audience' emotions through presenting multiple development problems in a more emotion-wrenching language such as “dying children”.

Lastly, this work would benefit with further work on analyzing the specific format of TED Talk as a its own distinct genre that undoubtedly influenced the speakers' decision what and how to deliver the talk. In recent years, TED Talks have started to stimulate interest of discourse analyst. Compagnone (2015, 51), cited Caliendo's study which acknowledges the novelty of this format and points out that “TED talks lie at the intersection of a number of genre types, e.g. university lectures, newspaper articles, conference presentations and TV science programmes, mixing

different semiotic modes, i.e. spoken, written, video and audio". Due to certain limitation, in this essay I chose to focus on the transcript and ignored among other things: the information, data and pictures Duflo chose to show in her slides, and her overall gestures, tone and manners in delivering the talk. Thus, there is room for further work.

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*\*The present paper contains a large number of appendices. For more information on the Appendices please contact the author on: [jenna.juwono@gmail.com](mailto:jenna.juwono@gmail.com)*

# **Women and Children as Inevitably Poor or The Fallacy of Feminisation? The Case of Poverty and Vulnerability among Women and Children in Kenya**

*By Abdinasir Elmi Mohamed (SPD), Kenya*

## **Abstract**

The proliferation of women and children as most vulnerable population in international development discourse has serious policy and programmatic implications for not only women and children but also the whole population. International development organizations, state government and other policy makers design interventions and allocate resources to address poverty and vulnerabilities based on available data on poverty and vulnerabilities. This essay therefore, argues that it is prudent to critically analyse and seriously examine poverty data collection methods and instruments used by researchers and policy makers to better understand how such decision of determining who are the poorest in a given society is arrived at. The essay will look at some of the most recent household poverty data in Kenya that indicate women and children being the most vulnerable and critically interrogate it from a gender poverty knowledge lens.

## **Introduction**

Dominant development discourses on poverty and vulnerability (World Bank, IMF, UN bodies) have presented that poverty has a woman's face and of late children's faces too. According to UN and International NGOs reports, almost 70% of the world's poor people consist of women. This means that for one in every seven women lives in poverty. Women and children are argued to have a higher incidence of poverty than men and poverty among women and children is severe than that of men. A trend towards greater poverty among women and children is established that is linked with increasing disparity in income between female headed and male-headed households. On the other hand, there is a tendency towards "masculinization of wealth, power and privileges" (Chant 2006: 206). This means that while women are getting deprived, men are getting wealthier. However, there is a lot of debate and rethinking among gender and development theorists on these issues. According to UN Women Progressive Report (2018: 45), '... there has been progress in reducing extreme poverty since 1990, but 1 billion people—or around 15 per cent of the world's population—were still living in extreme poverty in 2011. It is unknown how many of those living in poverty are women and girls'.

This essay will look into issues of poverty and vulnerabilities affecting women and children in Kenya. The essay is organized in four parts. Firstly, it will provide an overview of the poverty landscape in Kenya between 1990 to 2003 and some of the key predisposing factors to poverty and vulnerabilities among women and children based on existing literature and policy documents. It will then present most recent findings of the 2015/16 Kenya Integrated Household

Budget Survey on poverty situation in Kenya and shed light on basic socio-economic poverty characteristics of men, women and children in the country. Secondly, the essay will attempt to critically analyse the poverty data presented from poverty gender knowledge lens and try to point out some of the key shortcomings with regard to the data collection methodology used. Thirdly, it will put forward possible recommendations to address poverty and vulnerabilities among women and children and finally, the essay will end with a brief conclusion of the issues discussed.

### **The Poverty Landscape in Kenya; 1990 - 2003**

According to the International Monetary Fund (IMF 2003: 09), the proportion of people living in poverty in the country has risen from 48.8% in 1990 to 56% in 2003 and female-headed households were considered among the poorest population. "... the number of the working poor is staggering comprising primarily ..., female-headed households and slum dwellers." (IMF 2003: 08). Large sized households headed by old female adults with no education and depending on small-scale agriculture for sustenance are particularly pictured as poorer than other households. The situation was not any better for children as key social indicators during the period worsened;

*"Infant mortality increased from 62 per thousand in 1993 to 78 per thousand in 2003, while under five mortality rose slightly from 96 per thousand births to 114 per thousand in the same period. Trends in nutritional status of children under age three show that the percent of stunted children (short for their age) increased from 29% in 1993 to 31% in 2003. Similarly, the percent of children aged 12-23 months who were fully vaccinated dropped from 79% in 1993 to a dismal 52% in 2003. (IMF 2003: 09).*

Some key determining factors of poverty according to the IMF (2003) include but not limited to: geographical location (rural/urban), size of households, educational level of the household head, sex of the household head, access to land and properties as well as livestock ownership. (IMF 2003:10). IMF (2003) further highlights additional predisposing factors to poverty among women and children in Kenya as:

*... low agricultural productivity and poor access to markets, being unemployed or earning low wages, living in areas with poor infrastructure and with limited availability of affordable basic services, living with HIV/AIDS or with a disability, being a member of a minority group that is discriminated against and living in an area with poor and degrading environment. (IMF 2003: 10).*

While there are no official statistics on the number of Orphans and Vulnerable Children (OVC) in the country, Veronica et al. (2014) have estimated the OVC population in Kenya to be 3.6



million based on analysis they conducted on Kenya AIDs Indicator Survey (KAIS 2012). 44% of these children (1.1 million) are further estimated to have been orphaned due to HIV/AIDs and these numbers are expected to keep on rising with a high HIV prevalence rate of 5.6% among adults in the country (Veronica et al. 2014). All these affect women and children disproportionately higher than men leading to higher vulnerabilities among women and children.

### **Kenya Integrated and Household Budget Survey (KIHBS); 2015/2016**

More recently, Kenya National Bureau of Statistics (KNBS 2018) 'Basic Report on Well-being in Kenya' based on KIHBS 2015/2016 data indicate that "the overall national poverty headcount rate in the country (proportion of poor individuals) dropped from 46.6% in 2005/06 to 36.1% in 2015/16." (KNBS 2018: 9). The report further showed a reduction in total number of poor individuals from 16.6 million in 2005/06 to 16.4 Million in 2015/16 despite population increase by approximately 10 million people over the periods (KNBS 2018: 9). Household based poverty (Proportion of households living below the poverty line) declined nationally from 38.3% in 2005/06 to 27.4% in 2015/16 while rural poverty rate declined from 49.7% in 2005/06 to 40.1% in 2015/16. (KNBS 2018: 9).

### **Households' Socio-Economic Poverty Profiles**

The report further provides poverty estimates by selected profile of the household head such as age, educational level, gender and marital status among others. The report also provides poverty information by size of household as well as children and older person poverty status. 'Household' has been defined by the report as "a person or a group of people living in the same compound; answerable to the same head and sharing a common source of food and/or income as a single unit" (KNBS 2018: 62) while 'household head' has been defined as "a usual member resident in the household who makes critical day to day decisions about the household and whose authority is acknowledged by all other members". (KNBS 2018: 62)

### **Sex of Household Head**

According to the report, female headed households which account for 32.4% of all households are likely to be poorer than male headed households (KNBS 2018: 62). Results show that 30.2% of female-headed households are poorer compared to 26.0% of male headed households (KNBS 2018: 62). Regarding the poverty gap, how much poorer the poor are relative to the overall poverty line, poor female-headed households are shown to be on average further below the poverty threshold than male headed households.

### **Marital status of Household Head**

The report indicates “42.8% of households whose headship is in a polygamous union are poor compared to 27.2% of their counterparts in monogamous unions.” (KNBS 2018: 62). Poverty rates for households headed by females in a polygamous union<sup>21</sup> are even worse at 45.5% and a significant difference in the depth of poverty exist with polygamous male-headed households on average registering a smaller gap to the poverty line than their female-headed counterparts. Households headed by widows, which constitute 11.1% of all households, registered higher poverty incidence of 36.6% and contributed 14.8% share to overall poverty. (KNBS 2018: 62)

### **Household size**

The findings show that poverty rate is higher among large sized households as compared with small-sized households. Households with less than 3 members recorded less poverty rate at 14.7% compared to households with 7 or more members at 54.1%. (KNBS 2018: 62).

### **Educational level of the Household Head**

The findings show that poverty rates decrease with increase in the educational level of the household head. The headcount poverty rates were highest among households headed by individuals with no formal education and lowest in households where the headship had acquired a tertiary level education. The poverty gap among households where the headship had no education stood at 19.3% suggesting a relatively deeper poverty. (KNBS 2018: 62)

### **Age of Household Head**

Analysis show that poverty rate among poor households increases with an increase in the age of the household head except for households headed by persons between 15-19 age group. Households headed by persons of 60 years and above recorded 36.3% poverty rate as compared to 15.9% poverty rate of households headed by young people between 20-29 years old. (KNBS 2018: 62). This is due to loss of productivity as one advances in age and thus becomes susceptible to poverty risks while younger people are still energetic and engaged in productive employment.

### **Child Poverty**

According to the report, poverty prevalence is higher among households with children at 33.7% compared to households with no children (13.5%) while households with children also have

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<sup>21</sup> Refers to a household where the woman is married to a man who is in a polygamous union (has other wives) and at the time the survey was conducted, the man was not present in the household and therefore, the woman assumed the role of household headship

higher poverty gap at 9.7% as compared to 3.7% poverty gap of households with no children. (KNBS 2018: 65). Nationally, 41.5% of all children aged 17 years and below were categorized as poor translating to slightly above 9 million children living in poor households (KNBS 2018: 65). Findings further show that 43.9% of children aged 6-13 years (primary school going) are poor while 43.8% of children aged 14-17 years (secondary school going) fall into the poverty category. (KNBS 2018: 65). Children in rural areas accounted for the majority share in poverty at 6.7 million as compared to their counter parts in urban areas at 1.9 million. (KNBS 2018: 65). With regards to how child poverty was measured, the report states:

*To estimate the prevalence of child poverty in this report the absolute (also referred to as overall) poverty line is applied to households. Children are therefore considered to be poor if they are living in households that have been deemed poor based on the absolute poverty lines. (KNBS 2018: 65)*

### **Poverty and Inequality**

As for poverty and inequality, the report indicates that 55.9% of total expenditure was controlled by the rich - highest quintile (Q5) while the poor - lowest quintile (Q1) only controlled 4.1%. (KNBS 2018: 59). This trend was also found to be similar across rural, peri-urban and core-urban settings.

### **Critical Analysis from Gender Knowledge Perspective**

It seems clear from the above statistics, that women and children in Kenya are presented as more vulnerable to incidences of poverty and deprivation than men. It can also be deduced from the findings that vulnerabilities for women and children will even be much higher when household head is a female, with several dependent children who are school going, living in rural areas, either in polygamous marriage or widowed and has little or no education at all. Does this analysis therefore, affirm poverty in Kenya has women and children's faces? While these could hold true in some situation, it could also be untrue in others. It would be important to critically look into the data presented and evaluate the data collection methodology employed in this process to have a balanced and fair judgment.

According to the report, the exercise has employed survey instruments to collect household data over 12 months period; September 2015 to August 2016. (KNBS 2018: 31). While household surveys are considered as scientific, objective and rigorous instrument in capturing a wide range of socio-economic indicators within a short period of time, the information generated are only snapshots. It does not cover the whole population and thus generates only a small portion of information, which could not be very representative of the total population. Household surveys are also one-time use instrument that only captures poverty as a static situation unlike

longitudinal or ethnographic studies, which captures poverty trends across time, place and space. It would be erroneous to assume poverty is a constant stable state of affairs that does not change over time, place and space. In reality, poverty is a roller coaster, a world up and down, from crisis situation where everything is in mess to a stable situation where things are relatively smooth. Therefore, it is not enough to conduct one round of surveys for every 5 or 10 years to determine who is poor but to undertake longitudinal and qualitative studies to continuously observe and document people's lived experiences.

Unit of analysis used is the household, which is highly problematic because it assumes resources within the household are equally produced and distributed and that all members have equal access to household resources. If the household is used as black box whose inside is not visible, it will conceal existing intra-household dynamics such as gender inequalities and secondary poverty. As Bradshaw et al. (2017: 1670) argued, "secondary poverty among women and children in non-poor households" will be missed out. Secondary poverty arises when women and children who are poor but living in non-poor households are wrongly categorized along those households as non-poor. When determining a household is non-poor, the approach assume everything in the household is shared equally and everyone has an average share of the household income and thus suffers from what feminist theorists have termed as "the fallacy of aggregation" (class lecture, 2018). The household may have enough resources but some members especially women and children may receive little in distribution because of their weak bargaining powers due to what Amartya Sen described as "well-being levels at breakdown points, perceived interest and perceived contributions response" (Sen 1987: 21). Men usually control the bulk of the resources leaving very little for women and children and therefore, resulting in different poverty conditions among members of the same household. Bradshaw et al. (2017) described such conditions as,

*'... gendered power poverty, whereby women and girls are unable (because of fear of violence or abandonment) or unwilling (because of deeply embedded gendered norms) to contest or resist male privilege or prerogatives'*(Bradshaw et al. 2017: 1670).

The reference of household head in the survey is also problematic because it assumes men are the bread winners for the whole family which is very rare in most cases. This could reinforce the male bread winner bias as stated by Elson et al. (2000). Household members especially women make significant contributions to the household economy such as provision of unpaid care work leading to time poverty which this approach does not take into account. Bradshaw et al. (2017) show that,

*Regardless of increased access among women to education and employment, and their growing contributions to household income, women's disproportionate burdens of unpaid*

*labour can often lead to exacting demands and women's relative time poverty'* (Bradshaw et al. 2017: 1670).

The survey instruments used in the assessment were also self-reported, and this could generate biased data due to the fact that some respondents report themselves as household head when actually they are not. This could compromise the finding that female-headed households are poorer than male-headed household.

Further, the approach was money metric since it used household income level or consumption expenditure as a proxy indicator for wealth and well-being which is material simplification of human well-being. It presumes that human welfare is equivalent to material wealth and do not consider other features such as dignity and pride of an individual. Households could have other forms of non-monetary support system in place, which could be missed out by this approach. Therefore, money alone is not a valid instrument to determine poverty level of a household and the need to consider multi-dimensional approach to poverty assessment as put forward by UNDP (2006) to capture broader dimensions of people's resources such as education, health, dignity, respect among others. In addition, members of the same household do not have the same consumption levels. For example, children could be consuming less calories than adults while male could be consuming more calories than female. Thus, aggregated household consumption data presented could not portray the true picture.

From the above arguments, it then logically follows there is need for deeper interrogation of poverty statistics before concluding women and children are the poorest of the poor lest we commit fallacy of poverty feminization. It is good practice to never generalize household poverty characteristics and always provide concrete evidence about holistic poverty dimensions. This can be achieved by using different poverty assessment methodologies such as multi-dimension poverty index which captures human capabilities such as education, health and living standards to have a holistic set of poverty data as well as combining household surveys with long term instruments such as longitudinal and qualitative studies to have a true picture of the poverty situation in general and the gendered aspect of poverty in particular.

### **Policy Recommendations**

To address poverty and vulnerabilities among women and children, I would propose the following strategies: reforming labour policies on women's work, formulating transformative social policies, refocusing macro-economic policies towards realization of human rights for all as well as women's political transformation. Reforming labour policies around women's work whether paid or non-paid is important for women's empowerment. The government needs to transform women's paid work through creation of decent jobs for women, providing safe and decent working conditions as well as implementing equal pay policies. This improves ability of

women to support themselves and contribute to their families' well-being while saving for their old age. This can be achieved by ensuring women have access and control over land and property ownership through issuance of legal documents such as title deeds, providing access to financial resources such as loans to help women farmers buy inputs such as seeds and fertilizers for improving their agricultural production and creating access to market opportunities for their produce.

Further, the government and policy makers need to address unpaid care work by women. The work involved in caring for others is critical in reproducing the labour force and generating real economic value for the country. However, this is not recognized in the GDP calculation or taken into account in economic policy making. If women stop the provision of social reproduction such as child bearing, nurturing the weak and vulnerable, it could create a crisis of social reproduction in the country since there will be not enough labour force and the economy will collapse. To avoid crisis of social reproduction, government should consider care work as an investment and implement policies that promote recognition and fair redistribution of care work responsibilities among all stakeholders; family, state, market, community and organisations. Transformative social policies should be put in place to support women and children. Access to social services such as health care, education and skills training, water and sanitation are absolutely critical for reducing the burden of poverty among women and children and improving their living condition.

Transformative social protection policies should be designed and delivered in a way the root causes of poverty and vulnerabilities among women and children are addressed and not further marginalise them through what Sylvia Chant (2006: 206) has termed as "feminisation of responsibilities and obligations". For example, implementing universal social assistance policies such as unconditional cash transfer, family allowances and non-contributory pensions are known to play pivotal role in bridging the care penalty that women suffer as a result of care work, reduce poverty among women and children and lead them to live a dignified life. Countries such as Botswana and Bolivia have eliminated their gender pension gap through reduction in security and military spending and redirecting resources towards provision of universal social pensions. Therefore, this can be achieved by putting in place right social policies backed with necessary political will.

Putting in place gender responsive macro-economic policies that not only creates economic stability but also focuses on realization of women and children's rights is paramount. Well designed and engineered macro-economic policies are important in creating enabling environment for growth and investment and for poverty reduction. Right economic policies can help create dynamic and stable economies that are less prone to economic shocks which always affect women and children the most. Right economic policies can also generate more and better jobs and mobilize resources to finance important public services. However, there is need to move beyond the old magic of economic growth as a measure of developmental success and instead

refocus and reconceptualise growth in terms of realization of human rights and fulfilment of human freedom. (Sen 1990). There is need for a system that not only considers economic growth but broadly takes into account the various facets of the society such as social, political and environmental aspects and geared towards reducing inequalities through redistribution of wealth and resources as well as expanding human capabilities and functioning. (Sen 1990, Nussbaum 2011).

The successful implementation of the above issues; decent work, transformative social policies and refocusing of macro-economic policies are interlinked with allocation of resources and good political will from the government and policy makers which does not always come on silver platter but acquired on the basis of the demand making power of the beneficiaries. Therefore, it would be prudent for women and children to mobilize themselves into socio-political movements and develop partnership with other like-minded organizations such as NGOs to strategically position themselves politically in order to negotiate with and claim for their entitlements from duty bearers.

## **Conclusion**

The essay has highlighted some of the dominant global debates on the feminization of poverty by global development discourses and provided counter narrative positions to dominant conceptions of poverty as women and children's problem. Further, the poverty and vulnerability landscape among women and children in Kenya was presented and critically analyzed from gender poverty knowledge lens. This has shown some of the inherent methodological and conceptual inadequacies in the report findings and consequent biases towards the positioning of women and children as the poorest of the poor. However, this does not mean women and children in Kenya are the most vulnerable.

The essay also gave some key policy recommendations with regards to addressing poverty and vulnerability among women and children by proposing the combination of policy reforms on women's work, institutionalization of transformative social policies to support women and children, adopting right-based macro-economic framework that focuses more on expansion of capabilities and realization of human rights and freedom as well as the need for strategic socio-political positioning of women and children to better negotiate with decision makers for successful implementation of the these reform agenda.

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