Linking Social Rights to Active Citizenship for the Most Vulnerable:

The role of rights and accountability in the 'making' and 'shaping' of social protection

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LINKING SOCIAL RIGHTS TO ACTIVE CITIZENSHIP FOR THE MOST VULNERABLE: THE ROLE OF RIGHTS AND ACCOUNTABILTY IN THE 'MAKING' AND 'SHAPING' OF SOCIAL PROTECTION

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Abstract: The rise of social protection into the limelight of social policy has opened up space for understanding how it can act as a key interface between states and citizens. This paper rethinks social protection through the lens of citizenship. It considers how the design and implementation of social protection can be shifted away from discretionary and technocratic forms, to forms which stimulate vulnerable citizens to make justice-based claims for their rights and demand accountability for the realisation of those rights. It puts forward a conceptual framework for social protection with three modalities through which citizens can be engaged: as shapers and makers; as users and choosers; and as passive consumers.

Key words: social protection, rights, citizenship, poverty

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TABLE OF CONTENTS

1. INTRODUCTION

Social protection as the handmaiden of household resilience and economic growth sits firmly and squarely in the current development limelight. After 15 years of designing, evaluating and targeting, social transfers (cash, food and assets) and the institutional set up that supports their delivery (increasingly linked to a range of livelihood support) constitute the core of social protection provision (Barrientos and Hulme, 2008; Bastagli et al. 2016; Devereux and Sabates Wheeler, 2015). In this phenomenal rise of social protection, scant attention has been paid to the terms of economic and political inclusion for the most vulnerable. Except for a few examples (some presented as case studies later in this paper), most social protection provisions, particularly in low-income and aid-dependent countries, remain income-focused, discretionary, and conditioned, by definition. Under these terms of provision, households feel lucky to be the chosen ones and labels of the 'deserving' and 'undeserving' poor radically shape the current normative landscape for social provision.

The purpose of this paper is to consider how social protection can be provided and accessed in ways that genuinely seek to address vulnerability and uphold the just and sustained provision of basic social rights to all. Within this context, understanding how social protection can be designed and grounded as a rights-based notion of social justice becomes critical. Rights provide a framework for social protection, through enshrining the State as a 'duty-bearer,' obliged to ensure that these entitlements are provided. Social protection can be designed to reciprocate this duty by providing a means for the poor to participate in society, economically, politically and socially (Ulriksen and Plagerson, 2014). If designed with care, social protection interventions can have intrinsic as well as instrumental benefits for States and citizens. The relationship between States, social protection and citizens is thus another key concept which this paper seeks to explore.

Assessing how social protection can be designed to move towards intrinsic impacts (such as inclusive social norms and good governance) requires multiple levels of analysis. To address this, the paper is structured as follows: The next section describes the rise of social protection in many aid-dependent countries and details how it has frequently been designed as a productivist, conditioned and compensatory-based service model. The paper then considers some of the ways in which the state is able to reify intrinsic rights and justice-based notions of social protection.

The following section approaches the issues from the citizen side, by exploring how justice-based social protection can enable and support the poor and vulnerable to make claims on social protection provision. It reviews how the implementation of social protection programmes can achieve an interface of closed, invited and/or claimed spaces to encourage and support participation and empowerment of the poor and vulnerable. We develop a conceptual framework showing three central ways in which citizenship can be asserted through such spaces. This framework is used to examine how, and the extent to which, the design and delivery of rights-based social protection frameworks in India, Brazil and Ghana enable vulnerable populations to actively assert their citizenship.

We show that the way that the justice-based system has emerged varies from country to country. The case of India illustrates an active and vocal citizenry requiring the State to meet its responsibilities; in Brazil the legal and policy machinery enabled experimentation at the local level,

a subsequent groundswell of support for social and economic guarantees and a consequent pressure on the State not to relinquish its responsibilities. The end result in the case of both India and Brazil is a justice-based system, where citizens can, when necessary, insist that the State deliver legally constituted rights. In Ghana (a case illustrating higher dependence on aid provision), justice-based provision is in its infancy. Despite this there is political commitment supported by practical intermediary-facilitated support that has set Ghana on a path to promoting active citizenship in the context of social protection provision. In the final section of the paper, we offer conclusions based on our findings.

2. THE NEED FOR JUSTICE-BASED CONCEPTIONS OF SOCIAL PROTECTION

2.1 The rise of 'productivist' models of social protection

Over the last 15 years political support for social protection strategies have grown rapidly, with numerous multilateral organizations and Governments adopting five- to ten-year plans, reflecting political commitment and the shift of social protection into the limelight of development policy.[1] The most cited and studied form of social protection – cash transfers - have been piloted and scaled up in many countries across the globe.[2]

In recognition of the fact (some 10-12 years ago) that year-on-year emergency appeals and emergency responses, particularly in Africa, were doing little to tackle chronic poverty, and at worse, were targeting exactly the same households every year, social protection raised high hopes for pro- poor growth and anti-poverty programming, as a novel agenda and a means of moving the chronically poor and vulnerable out of continual dependency. The Latin American social protection story has a different history, yet nonetheless it emerged largely due to pressure to address a combination of excessive income inequality and very high poverty rates (Lustig, 2010; Lustig et al. 2013).

With their genesis rooted in the large and popular Latin American conditional cash transfer programmes – linking cash payments to behaviour change around education and health care uptake – many social transfer programmes were transported to Africa and Asia. These programmes were predicated on the assumption that conditions are required to ensure the poor utilize their resources in a socially optimal way– and in a way that increases their own chances of moving out of poverty. These conditions, which found their ultimate worth in State-reciprocated supply of schools and health centres, were not able to find traction in many sub-Saharan African settings where the facilities needed to enable conditions were inadequate, and often non-existent (Schubert and Slater, 2006). These supply constraints, along with critiques of 'immoral' paternalism (Freeland, 2007) meant that conditions attached to social transfers quickly fell away in many lower-income countries.

The landscape of social transfers in Africa and Asia is primarily one of unconditional cash transfers (Davis, Gaarder, Handa, and Yablonski, 2012). Despite this move to condition-free transfers, other forms of 'conditionality' (particularly in the form of qualification conditions) remained an inherent part of the social protection design and delivery mechanisms, whether in the form of work requirements, food security status, vulnerable group status or some other targeting proxy. This ensured that social protection remained compensatory and contingent, often viewed as a gift or a handout to a sub-section of the poorest and most vulnerable. The fact that cash transfers often target women who provide childcare, and elderly or disabled people, further embeds the implicit framing of social protection as charity or kindness (Ferguson, 2015). The more unsavoury and increasingly frequent terminology that has emerged to embed this discretion-based provision categorizes the poor as 'deserving' or 'undeserving' (Sepúlveda Carmona, 2014).

Even now, it is clear that the majority of social protection provision in low-income aid-dependent countries sits squarely within the top-down, compensatory-based provision agenda, which

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[1] Examples of these include the WB (2012); UNICEF (2012); EU (2012).
[2] See Bastagli et al. (2016).

relegates vulnerable citizens to consumers of these discretionary handouts. This is also the case in some middle-income countries. What we term here as 'conditions-for-growth' models of social protection refers to the vast plethora of social protection initiatives, including all forms of transfers for poor and vulnerable households, which condition provision of all manner of poverty proxies, targeting and behavioural change. The 'conditions' are applied both explicitly and implicitly, based on an erroneous theory of progressive economic inclusion for the deserving few; one has to look no further than the numerous graduation model programmes for evidence of this.

This theory is erroneous: While the conceptualization of social protection recognizes citizens as rightful owners of national wealth and cash transfers as mechanisms of redistribution, what we witness in social protection practice is largely a neo-liberal agenda for the global south that transfers the onus of responsibility for welfare provision and social minimums from the State to the citizen. Of course, this is not always the case and we provide examples from India and Brazil in this paper to illustrate an alternative trajectory.

Furthermore, as rights-based programming becomes more common in aid-dependent countries, States are increasingly taking on their duty bearing responsibilities (see the case of Ghana discussed later in this paper). In other words, the conditionality for growth has been individualized and laid at the feet of poor and vulnerable households, in the name of empowerment and participation. We see this in the explicit conditions for education and health uptake, or in the asset, training and entrepreneurial start-up advice given to beneficiaries of graduation programmes.[3] On the one hand, households are expected – with a little hand holding from States and donors – to 'grow themselves out of poverty'. On the other hand, the State and donors abdicate any responsibility for providing conditions conducive to supporting household growth out of poverty, such as platforms that build the agency and structures needed to escape vulnerability (for example, adequate quality labour markets or education). Many social protection programmes set targets for the numbers of households to be graduated, yet evaluation work from a number of programmes shows that households are 'exited' even without the minimum thresholds for well-being and productive inclusion being met (for instance, see Berhane, Gilligan, Hoddinott et al. (2014); and Hoddinott et al. (2013), for the case of the PSNP; and Sabates-Wheeler et al. (2017), for an example from Rwanda).

Questions remain: Why is there such limited emphasis on conditions applied to States to ensure the graduation of the poor and vulnerable? Where do the duties of the State towards its citizens lie? How can we move from discretionary-based social protection to justice and rights-based notions?

2.2 The role of institutions and actors in embedding justice-based social protection frameworks within laws and policy

The exact scope of 'social protection' is a question of debate. A widely used starting point is Sabates-Wheeler and Devereux (2007) definition of social protection as "all public and private initiatives that provide income or consumption transfers to the poor, protect the vulnerable against livelihood risks, and enhance the social status and rights of the marginalised; with the overall

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[3] With graduation, we mean exiting a social protection programme after a beneficiary has reached a certain wellbeing threshold or has acquired a set of resources (Devereux and Sabates-Wheeler, 2015).

objective of reducing the economic and social vulnerability of poor, vulnerable and marginalised groups." This definition encompasses the usual elements of social protection – non-contributory, social assistance measures, such as food and cash transfers, as well as contributory social insurance measures, such as pensions and occupation-based provision.

When viewed through the lens of states and citizens, social protection sees citizens as rightful owners of State wealth and social protection as a mechanism for the distribution of resources. The nature of the resource, and who has the right of access to it, defines the possibilities for justice and redistribution (Newell and Wheeler, 2006). Moreover, "while the deprivation of a resource may be predominantly economic in character, gaining the right to access resources and the right to claim accountability is a political project, with citizenship at its core" (Newell and Wheeler, 2006, p.8). Framed as a rights-based struggle for the just distribution for resources, the remit of social protection is thus extended to include transformational objectives of economic, social and political empowerment. In other words, this definition e implicitly shifts the focus of patronage/discretionary-based (in the case of assistance) and status-based (in the case of labour market position) welfare access and provision to one where rights and justice become central to transforming economic opportunities. This explains why Sabates-Wheeler and Devereux (2008) frame social protection as having the potential to be a 'currency of social justice'.

Despite this progressive framing, this transformative approach does not interrogate the source of legitimacy for social protection provision and associated institutions. In fact, very little literature within the social protection global library has done this. The majority of literature takes social protection as a technocratic, top-down solution to risk and vulnerability, particularly for the poorest. For the most part, social protection is seen as instrumental to achieving productivist goals.[4] The goals of social policy in the south tend to be "remedial, individualistic rather than collective, targeted more often than universal, and frequently imposed top down or from the outside" (Walker, 2013, p. 273). These goals frequently reflect donor agendas and external pressure to reform social provision delivery systems.

In fact, external influence on social protection is common in many countries that are working to develop social protection systems, particularly in lower-income countries where a significant portion of the funding for implementation comes from international donors. This top-down approach affects the objectives and motivations of delivery on the part of hosting States, but may also serve as the catalyst for the establishment of justice-based social protection. Sometimes social protection programmes start as small pilots, often solely with donor funding (such as in Malawi and Zambia), which grow to become national programmes as political support and government funding increase. Continued donor presence has the potential to influence the shift towards justice-based social protection, prioritizing the building of accountability mechanisms – such as complaints and grievances mechanisms - or case management; building the agency of citizens

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[4] Examples of this are the introduction of universal health care insurance by Taiwan and South Korea in the mid-1990s; or the more recent mushrooming of productive safety nets and graduation models. Social policy over the last 20+ years has served as a handmaiden of economic growth. In the 1990's this was rapid industrialization; nowadays as we see a slowdown in economic growth the political justification for social protection is less obvious.

to demand access to social protection and regularizing programme delivery. Such operational revisions help to make social protection more reliable and dependable for citizens, with an opportunity to strengthen the social contract.

Conversely, however, such external influence may disrupt the contribution of the programme into building a social contract between the State and its citizens. First, external support often comes in the form of both financial and technical support for the design of a relevant cash programme. This undermines the opportunity to include citizens in the design phase of social protection and often limits input from government. Citizen's participation may be considered as an afterthought and provided in a 'tokenistic' manner through inclusion of some form of community committee or representation. For example, the Hunger Safety Net Programme in Kenya is only now looking seriously into social accountability - some six years after the launch of the programme. Second, the objectives of the donors and the State can differ greatly, as donors bring their own ethical perspectives and may emphasize different priorities than the government (e.g. poverty alleviation vs. economic growth). Finally, heavy donor engagement in programme design, implementation and monitoring may result in citizens associating a programme with a specific donor, rather than with the government, further perpetuating the notion that cash transfers are a handout rather than a right, and that the support is temporary and can be withdrawn at any time. This view discourages holding the State accountable as it is not seen to be a part of the process.

Regardless of the degree of donor influence, there is strong potential to transition programmes from donor-funded pilot projects towards State-provided social rights. Embedding social protection into policy and legislation is a crucial first step towards solidifying the State's responsibility, often taken once a programme has been scaled-up to become a national programme. This conversion takes place not only in terms of an increased share of government financial responsibility, but also with the building in of increased accountability in mind, together with agency elements such as case management, complaints and grievances and improved communication strategies. The case study of the LEAP cash transfer programme in Ghana (see Section 5 of this paper) is an example of a government that is currently making this shift.

Recent work by Barrientos (2013b, 2016), Hickey (2014) and others, on political conceptions of justice, question the standard efficiency and effectiveness arguments as the sole justification for the expansion of social protection. Barrientos claims that the justification for social protection provision requires a normative basis, and as such he develops a Rawlsian argument for justice-based social assistance. Rawls (2001) posits that social assistance should be grounded on social justice, understood as the principles enabling and regulating social and economic cooperation. Counteracting the negative aspects and outcomes of inequality are central to his notion of justice, whereby a progressively instituted social minimum is required to uphold the basis for cooperation between all members of society. Social justice concerns the very structure and institutions of society – political, economic and legal. Inclusion of the most disadvantaged into these structures is a core element of system legitimacy, providing the legitimacy for, and ensuring the sustainability of social assistance.

Legally, social justice is relational to institutions which are obligated to dispense justice for the smooth running of society, the allocation of resources, and the negotiation of rights and obligations.

Access to justice signifies that citizens are able to use legal instruments in order to ensure that rights are recognized and granted. The concept of law and justice is therefore inextricably linked to rights. Against this backdrop, the framing of social protection as legislation is crucial in assisting citizens or civil society organisations who assist citizens to claim their rights. The case study of MGNREGA (see Section 4.1) explains this concept in more detail. Establishment of a legal basis for social protection also helps sustain social protection programmes, reducing the likelihood that they will be used for political favour rather than for the intended provision of long-term social rights. Thus, when there is a political party transition, the programme continues, reducing the risk of replacement by the new administration. This can be seen clearly in the *Bolsa Família* case, described later in this paper.

3. ACTIVE CITIZENSHIP AND RIGHTS-BASED SOCIAL PROTECTION

3.1 Embedding justice-based social protection frameworks within laws and constitution

An important feature of a justice-based approach to social protection relates to the existence of a framework that contributes to a predictability and transparency of benefits. Legal and institutional frameworks play an integral role in ensuring that beneficiaries can demand their entitlements and protest violations of their rights (Sepúlveda Carmona and Nyst, 2012). In the absence of a well-established legal framework, programmes are more vulnerable to political manipulation and the long-term involvement of State authorities in all stages of the programme cannot be guaranteed. In other words, if social protection programmes and interventions are not anchored in law, there are higher risks that the programme will not be sustainable and may terminate with a change of government. A justice-based system of social protection thus requires that the right to social security be "enshrined in the Constitution" (Sepúlveda Carmona and Nyst, 2012, p. 29). In framing their Constitutions, States iterate their legal obligations to their citizens, often committing to the protection of a basic standard of living for all citizens (i.e. the right to social protection).

In outlining how agencies can enable collective citizen action, Joshi and Moore highlight 'rights' as critical. They define rights as "the extent to which (a) the benefits received under external programmes are recognised as moral or – better – legal entitlements, and (b) there are recognized (preferably legal) mechanisms that the beneficiaries can access to ensure that these entitlements are actually realised" (Joshi and Moore, 2000, p. 7). In addition, as the International Labour Organization (ILO) argues, constitutional provisions are often inadequate unless they are accompanied by "detailed national legislation … that determines the design, administration, management, delivery, financing and monitoring arrangements of the entitlements provided by the social security system" (ILO, 2012, p. 31).

However the good intentions of Constitutions are often challenging to translate into practice and are more robust when grounded in policy and legislation. Therefore, while a constitutional article may iterate provision of State public assistance to the needy or protection of the livelihoods of the vulnerable, the right is only truly realized upon the actual enactment of a policy or legal guarantee of social assistance to all citizens. One example is the consistent and increasing trend in sub-Saharan African countries of establishing social protection policies and drafting social protection bills as a means of institutionalizing successful pilot social protection interventions.

A lens of justice-based provision requires that we consider how social protection interventions and systems mediate and contribute to changes in the role of government and social structures that uphold the social minimums for the most disadvantaged. On the one hand, we need to consider the role of the legal and political government machinery to cooperate with and care for its most disadvantaged citizens as a way of building active citizenship. On the other hand, how can strong active citizenship build a more justice-based social protection approach, reflecting the duty of the State?

The section below lays out this second dimension of the State-citizen interface in relation to social protection. We explore how citizens can affect social protection policies and the conditions that allow citizens to engage in shaping and monitoring the implementation of these polices.

3.2 Active citizenship and rights-based social protection

Citizenship can be viewed as an axis which links more inclusive and accountable programmes with improved service delivery. In the social policy domain, citizenship has traditionally been conceptualized and expressed in three broad ways:

I) AS SOCIAL RIGHTS

The first idea of social rights builds upon T.H. Marshall's seminal work on Citizenship and Social Class (1950), which argues that rights stretch beyond the civil and political, to include social rights as part of a national resource base, which can provide economic security, health and education (ibid). While this definition of citizenship is useful in terms of framing citizenship as a justice-based entitlement to sharing of the resources of a nation, it is limited by the static nature in which citizens are posited as beneficiaries or consumers who cast votes in exchange for these resources. This notion has also been challenged on the grounds that the realities of power and inequalities "make some citizens more equal than others" (Cornwall and Gaventa, 2001, p. 7).

II) AS A FORM OF AGENCY

The second notion of citizenship as 'agency' conceptualises citizenship as an enabling force, which encourages citizens to act and participate in political, economic and social decision-making as a fundamental right. This actor-oriented notion of citizenship is built on a civic engagement premise, where citizens and States must collaborate and coordinate to achieve otherwise unattainable outcomes by being active 'users and choosers' of State services.

III) AS SOCIAL RESPONSIBILITY AND SOCIAL ACCOUNTABILITY

A third notion of citizenship builds on the idea of agency, but conceptualizes the relationship of accountability between citizens and the State, as the core of citizenship. This notion of citizenship is asserted and accrued when recipients of State services view themselves as actors and 'shapers', not passive beneficiaries, who have not only the right but also the responsibility to hold the State accountable. This form of citizenship is a shift away from passive right holders and users of services, towards an active form of citizenship where citizens have a responsibility to engage in social policy. We draw on Cornwall and Gaventa by conceptualizing this form of citizenship as 'shapers and makers' (2001).

The second and third dimensions of citizenship reflect a more dynamic relationship between the State and its citizens which Evan's defines as 'State-society synergies' (Evans, 1997). To achieve such synergies, institutions must be inclusive and have interfaces and spaces created (or claimed) to facilitate this. The extension of citizenship from a right or enabling force to a role of responsibility, also shifts the ground for social policy: If citizens have a responsibility to hold the State accountable, the State also a responsibility to be transparent and facilitate this engagement.

As outlined in Figure 1, this intrinsic relationship between active citizens and effective States is a complex and evolving one - with multiple benefits which are instrumental in the short-term and more intrinsic in the long-term. Figure 1 illustrates how citizens' capabilities are often built up by

State programmes or policies, (health, education and information) while State institutions are similarly constructed - shaped and refined through the actions of citizens, thus empowered.

Figure 1 *- Instrumental and intrinsic benefits of social protection*

Potential Impacts	States ⟷	Social Protection Interface ⟷	Citizens
Instrumental ↕ Intrinsic	Improved service delivery and reduced corruption Responsive duty bearers Improved policy design Good governance	Provision of information Codes of conduct Grievance procedures Citizen's charters Social audits	Income-based cash transfer Organization and social cohesion Empowered citizens Inclusive social norms Trust and confidence

Source: Adapted from Joshi (forthcoming)

Instrumental benefits serve immediate basic needs and service provision, such as consumption security, provision of health and education services. The intrinsic benefits of citizen participation have their origins in Rousseau's social contract concept, which argues that participation allows citizens to develop a civic consciousness, build civil society coalitions and political capabilities, as well as taking the public interest into account. Both instrumental and intrinsic benefits are important. Social protection programmes designed around citizens being shapers and makers or even users and choosers, therefore, have the potential to build social contracts which include increased trust and confidence, whether implicit or explicit, between States and citizens. By identifying areas where the government is seeking information generated by citizens, it may be possible to start in a non-confrontational process of building State-citizen linkages (McCluskey, 2016) and social contracts within social protection programmes to strengthen the credibility of government among citizens.

In summary, when viewed through the lens of citizenship, social protection programmes can be seen in three distinct ways:

- As conditioned and discretionary services, where citizens are framed as *consumers*. For instance, many small short-term NGO cash transfer projects would fit this description.

- As technical fixes which engage with citizens as *users and choosers*, who use grievances mechanisms or public information to ensure better delivery of social protection programmes. For instance, as programmes evolve from small pilot projects programme implementers frequently build in mechanisms to increase transparency and accountability (the case of Ghana described in this paper illustrates this).

- As social policies and institutions that foster demand-driven governance and engage citizens as "active agents in the *making and shaping* of policies" (Cornwall and Gaventa, 2001, p. 1) at the design phases enabling citizens to claim their rights and open up spaces to hold the State accountable for implementation (for instance, where the sustainability of the programme is determined by potential clients (citizens), such as in the case of NREGA and *Bolsa Família*, discussed in Section 4).

3.3 From consumers to shapers: repositioning citizens in social protection

The discourse surrounding rights-based social protection has primarily focused on the higher-level design phase of establishing the policy and legislative frameworks. These legislative frameworks are spaces where forms of citizenship agency can be expressed by identifying the government or service providers as the 'duty-bearer' and the citizens as the 'rights-holder'. Although these definitions are clarified at the political level, at the grassroots delivery-level these rights are not always known, understood, or demanded by the marginalized citizens who are those most in need of these services. To allow poor citizens to claim their rights, and assert their citizenship, programmes and policies need to be strategically designed with 'inclusive spaces' for citizen participation at the design phase, and to allow duty bearers to receive feedback at the delivery phases. In light of a recent study which illustrates how programme participants perceive their cash payments as a 'gift' that they are 'lucky' to receive, the Harmonised Social Cash Transfer (HSCT) in Zimbabwe is investigating ways to sensitize the programme participants to a broader understanding of their rights (Sabates-Wheeler et al. forthcoming 2017). Part of this inclusive space is the presence of a robust communication strategy within the design of the programme, institutionalizing a citizen-based approach that informs citizens of their rights, entitlements and increases dialogue, consultation and the airing of grievances and/or lodging of appeals.

The second and third notions of citizenship as "users and choosers" and "shapers and makers" actively establish citizenship as an axis between citizens and the State. Social protection interfaces can be critical in enabling vulnerable populations to claim their rights and assert their citizenship (along with political, economic and social lines). Both a bottom-up and top-down construct, citizenship models are significantly shaped by social policy and formal institutions. Such policies, and their institutional manifestations, mediate between citizens and the State, defining the dominant paradigm for the allocation of political, social and economic resources (Shani, 2010). Active citizenship, is thus present when citizens "negotiate the terms of their access to mandated public goods and services in ways that are publicly sanctioned and protected" (Houtzager and Acharya, 2011, p. 3). Social protection alone is clearly not a panacea for all good things. Yet, if designed sensibly, it can help increase participation, build citizenship and perhaps build momentum to enable otherwise voiceless and vulnerable populations to hold the State accountable for the right to protect them (as demonstrated in the case studies from India, Brazil and Ghana).

Viewing citizens as active agents and opening up inclusive spaces to link citizens to the State through rights and obligations, is crucial for enabling instrumental service-delivery and intrinsic level citizenship benefits. The key is designing mechanisms which allow active citizens to improve the quality of services and strengthen their civic or political rights through participation and collective action. The symbiotic relationship between the State and citizens 'shapers and makers' is crucial in making this happen. While vulnerable citizens might not have the organisational capabilities and established trade unions they often have strong advocates within elite circles and

co-coalitions with activists who are part of the policy bargaining process and advocate on their behalf or with them using moral and ethical arguments. This is outlined further in the MGNREGA example in India.[5]

3.4. Citizenship, Social Accountability, and Social Protection: A Conceptual Framework

The burgeoning field of social accountability holds many lessons for promoting active citizenship. 'Social accountability' is an umbrella term for mechanisms that seek to operationalize direct accountability relationships between citizens and the State (Malena, Forster and Singh, 2004). These mechanisms allow citizens to participate in the provision of services by giving them a "direct stake in the quantity and quality of public services available to them" (Pandey et al. 2011). Synergies between the rapidly expanding field of social accountability and the delivery of social protection programmes are evident in terms of the target populations of these fields: both target marginalized or vulnerable citizens and could be linked together at the policy and implementation level, to maximize efforts of reducing poverty and vulnerability (FAO and IDS, 2016).

As a sector, social protection has seen less focus on governance, accountability and rights than other sectors such as health and education. As social protection grows, so too does the need for evidence on how to move towards improved intrinsic impacts for the poorest and most vulnerable. As discussed in Figure 1, a social protection programme that is organized around achieving intrinsic benefits can improve trust and confidence in the State, building a two-way social contract with citizens. However, social protection that delivers more instrumental benefits may still play a role and begin building the intrinsic foundation for a social contract. The degree to which social protection can contribute to this social contract is dependent upon many factors. In this framework we focus on how social accountability mechanisms within the design of social protection programmes can establish interfaces between the State and its citizens.

The concept of interfaces is at the heart of literature on participation and social accountability literature – without interfaces/spaces to engage, it is hard to assert one's citizenship. Social protection creates these 'physical spaces' between citizens and the State allowing engagement and mediation of citizen-State relations. In this sense, social protection can strengthen or foster a social contract by allowing citizens to assert their citizenship and oblige the State to fulfill its duties. These interfaces can vary in the degree of support for active citizenship. Power relations which surround these interfaces are the key mediating variable within them. Gaventa's work reminds us of three spaces of power: closed spaces entail barriers to participation; invited spaces widen participation; and claimed spaces in which social movements create organic areas for participation (Gaventa, 2006).
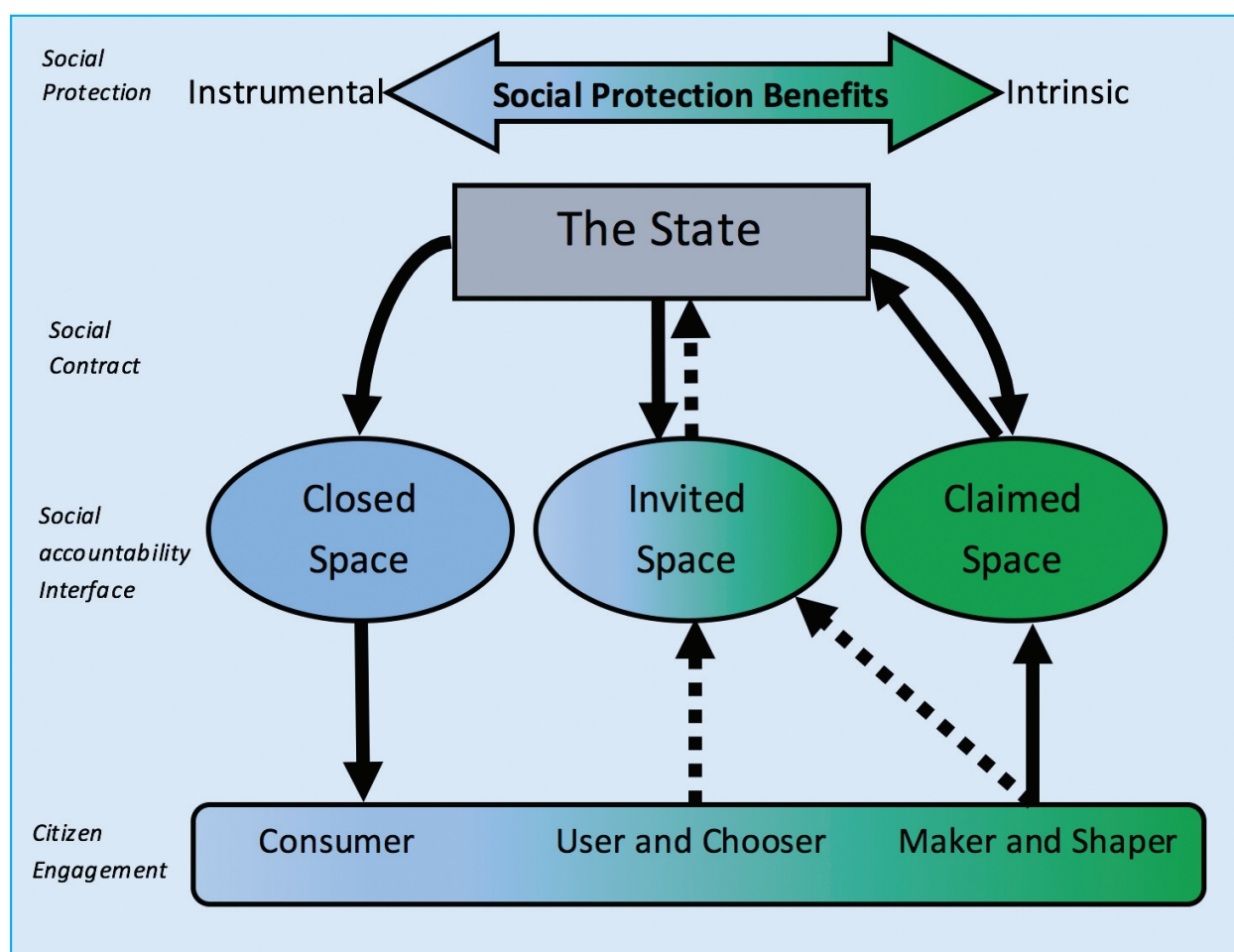
Figure 2 (page 18) illustrates that the spectrum in which citizen engagement can fall, depending on the subsequent interface embedded in the social protection design. On the far left, the delivery of social protection is more instrumental and technocratic, with programmes delivered in a top-down manner to citizens who are passive 'consumers' of social protection. This closed space has no entry

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[5] Engaged citizens help expand 'social' aspects of social protection: rights, social justice, empowerment. Social protection, if well designed, can open up spaces for a dialogue between citizens and the State. This can build citizenship, strengthen their voice and start a process of empowerment (a first step).

points for citizens to engage in the design, targeting or implementation of the programme and there are no mechanisms to voice concerns, with decisions undertaken by a group of policy elite. While the consumer of social protection has little agency or power, there is still an element of social contract being built in that the State is holding up its duty bearer obligation in delivery of social protection through closed spaces.

In the centre of the diagram, we find programmes that are shifting towards justice-based social protection. Here invited spaces engage citizens as 'users and choosers', once implementation is underway this allows citizens to be active users who monitor and assert their citizenship through social accountability mechanisms such as grievance mechanisms or social audits. Examples are civil society platforms or broad consultations in the context of the preparation of a new law or policy or robust monitoring systems that collect the opinions and experiences of beneficiaries and feed such information into programme and policy revisions. Through this interface of social protection, citizens can voice their concerns through invited spaces, leading to more responsive engagement on the part of public officials, and reducing corruption.

Figure 2 - *How social accountability mechanisms enable citizen-State interfaces within social protection programmes*

At the right end of the spectrum citizens are actively engaged as 'makers and shapers' to participate in the design, implementation and revision of social protection programmes. Makers and shapers do this through organic claimed spaces, forged by mobilized citizens who share a set of common concerns or identity. Many citizen accountability initiatives that emerge involve creating claimed spaces for public deliberation about accountability failures – for example social audits which were the result of civil society-led public hearings on the implementation of public programmes (Grandvoinnet, Aslam, and Raha, 2015). In addition, there are citizens' groups which openly discuss the programme at the community level and provide feedback through representatives at various levels to improve upon programme design and/or delivery. This two-way interaction has the potential to enable better policy design and governance, as well as to empower citizens and build trust and legitimacy around the social contract. Makers and shapers can also utilize the same invited spaces mentioned above to raise grievances or complaints.

The interface between State and citizens, in the form of social protection, has the potential to fulfil citizens' rights to social protection and builds capabilities and agency of marginalized citizens to claim their rights, assert their citizenship, and hold allow duty bearers accountable. The framework showcases the central role of the State in establishing a formal obligation towards provision of justice-based social protection and subsequent design of programmes that enables this participation. As discussed previously, intermediaries may be influential and even pivotal in facilitating the interfaces and setting up the 'social protection hardware', but in the final analysis, the State must be central to the accountability relationship. It is important to note that this engagement is not restrictive, but resides on a spectrum with differing levels of citizen engagement, possible across the spectrum. The design of social protection within a country determines the degree of participation that is allowed. In the next sections we will see how this can vary across content by presenting three country case studies: India, Brazil and Ghana.

4. THE ROLE OF THE STATE AND ACTIVE CITIZENSHIP IN THE MAKING AND SHAPING OF SOCIAL PROTECTION: CASE STUDIES

4.1. MGNREGA

Launched in February 2006 and extended to all districts in 2008, the National Rural Employment Guarantee Act (later renamed the Mahatma Gandhi National Rural Employment Guarantee Act MGNREGA) is "the largest and most ambitious social security and public works programme in the world" (Mann and Pande, 2012, p. iv). Around one fourth of all rural households in India participate in it every year (Mann and Pande, 2012), which is estimated to be 50 million people (Khera, 2011). The central objectives of the scheme include:

- Ensuring social protection for India's rural poor especially Scheduled Castes and Tribes through rights-based legalisation;

- Ensuring livelihood security through the creation of durable assets such as water security, soil conservation;

- Strengthening decentralized, participatory planning through empowering the local governments to assist in administering the programme; and

- Improving governance – especially transparency and accountability (Mann and Pande, 2012).

The purpose of this case study is not to debate the implementation or impact of MGNREGA, which remains highly contested and political. Rather, it attempts to analyse the scheme in terms of being a rights-based design aimed to empower intrinsic citizen capabilities. In this respect, MGNREGA is unique as a social protection programme as it includes specific design features, which are: "bottom-up, people-centred, demand driven, rights-based" (Mann and Pande, 2012, p. 3). The rights of MGNREGA workers include: employment on demand (in the form of an application to the local government office); minimum wages; payment within 15 days; basic worksite facilities; and social audit accountability and grievances mechanisms (Mann and Pande, 2012). The Act also provides a legal framework for the implementation of the scheme, which defines clear citizen entitlements, rights and obligations (Ehmke, 2015). Alongside this are clear institutional frameworks for how States and local bodies should implement the Act.

What is fascinating about MGNREGA is how such an Act, which legally empowers citizens, vis-à-vis the State, was institutionalized. It was denounced by many as charity behind a façade of public-works with Drèze claiming it was greeted by the middle class like 'a wet dog at a glamorous party' (Drèze in Kheera, 2011). The historical and institutional genesis of the Act played is key role in this. MGNREGA was the product of a remarkable policy process, set against a backdrop of India's history of famine relief schemes, and an emerging election. A long trajectory of social movements in the 1990s in India, culminated in a Public Interact Litigation in 2001, which implicated the Indian State in the rural inhabitants starving to death in the drought plagued State of Rajasthan. This gave rise to a 'Right to Food' campaign, a shaping and making coalition between activists, academics and poor citizens, which lobbied for an entitlement based Employment Guarantee Act. The first draft of the

National Rural Employment Guarantee Act in 2004 was drafted by the National Advisory Council, a 14- member organization comprised of ex-bureaucrats, academics, civil society and lawyers, which sought to bridge the gap between Indian civil society and the government and devise social policies for the betterment of the poor. The involvement of citizens in shaping the policy is further emphasized by the fact that the draft act was actually "based on an earlier draft prepared by concerned citizens" (Drèze, 2011, p. 6).

At the time the act was being drafted, a national election was under way, which everyone expected the left of centre Congress party to lose. As a vote-getting mechanism, the Congress Party decided to include the enactment and implementation of MGNREGA in their electoral manifesto. At the time, this was not given too much thought as "most people (including the Congress leaders themselves) were quite sure the Congress Party would lose the next elections" (Drèze, 2011, p. 6). When to the surprise of everyone the Congress came to power in May 2004, as the leading partner in the United Progressive Alliance government, backed by left-wing parties, the Act suddenly became a central and strongly supported policy programme (Drèze, 2011). What followed was a period of politicking in which various attempts were made to dilute the bill. Sustained civil society mobilization, however, ensured that the central rights-based tenants remained (Tessitore, 2011). Eventually, the bill was passed by Parliament, amended after campaigns from the Left parties, and then finally passed in August 2005 (Drèze, 2011).

The employment guarantee clause of MGNREGA legally enshrines universal access to work for the rural population of India (Ehmke, 2015). The Act furthermore actively encourages the participation of the most vulnerable and marginalised populations such as Scheduled Castes and Scheduled Tribes, as well as having a mandatory minimum of one third participation rates for women. A key lesson from the policy process of MGNREGA is the fact that "mobilising the poor effectively might better be done by paying less attention to sending emissaries, organisers and propagandists down to the grassroots, and putting more effort into providing the poor with an enabling external bureaucratic and programme environment" (Joshi and Moore, 2000, p. 51).

The 'shaping and making' policy environment, allowed for a formidable social contract to be formulated at the heart of MGNREGA, which empowers citizens to demand work from the State and participate in the implementation and monitoring of the Act as users and choosers. As Corbridge attests, the "enactment of new civic prerogatives and socioeconomic entitlements as formal statutory rights suggests an innovative State building project that aims to enhance the capacity of citizens to see the State" (Ruparelia, 2013). MGNREGA provides a platform and interface for citizens to engage with or 'see the State' through the following mechanisms: 'muster rolls', which have a public display of workers names; 'job cards', which allow workers to scrutinize and verify the days they have worked; and 'social audits' by gram sabhas, which are local self-government organizations. As with all right-based entitlements and social accountability tools, the success of these is premised on the citizens' awareness of their rights and ability to engage with the State to claim and hold it accountable. In acknowledgement of these barriers to participation, MGNREGA includes provisions such as mandatory information campaigns by the local State actors in charge of implementing the act.

Moreover, during the early stages of the design of the act, there were mass awareness generation drives in rural India, which outlined the right to employment, a minimum wage (Kheera 2011) and statutory access to grievance redressal mechanisms, in an attempt to engage citizens as users and choosers.

In terms of the social accountability mechanisms, the MGNREGA act itself is inherently participatory as it relies on a self-targeting mechanism of rural poor demanding work. As an institution, it actively builds political capabilities and allows citizens to engage with and assert their citizenship. This has potential spill-over effects for the society as a whole, since with the advent of a minimum wage, workers have more bargaining power in the private sector. Another transformative feature is the right to demand work as an entitlement as well as its auxiliary mechanisms which include beneficiary led social auditing mechanisms. These are manifestations of the idea of citizens as active users and choosers at the delivery phase. MGNREGA is also rooted in the ideal of a guaranteed social minimum, to which citizens are entitled to as a basic right. This is often difficult to include within social protection frameworks as "the extension of the right to social protection to the more generalized circle of citizens beyond workers becomes more difficult the more tenuous their link with the productive economy" (Kabeer, 2014, p. 345). MGNREGA benefited from the fact that in India, piecemeal agrarian work is widespread, and the act was thus accepted partially due to its framing as a contract in which wages are exchanged for labour.

MGNREGA also allows citizens to be engaged as shapers and makers at the delivery phase. For example, the provision is directly linked to a bottom-up planning process, whereby citizens can identify the public works schemes to be undertaken. MGNREGA states that if work is not provided within 15 days of an application being made, the applicants are entitled to an unemployment allowance at the rate of one-fourth of the minimum wage for the first 30 days, and one half thereafter. If denied, the State can be pursued in court. While the bulk (about 90 per cent) of employment costs is borne by the Central Government, the employment allowance is to be paid by the State governments. Thus, one role of the employment allowance is to act as a fine on the State government if it fails to implement the guarantee. Seen in this light, the payment of the employment allowance plays a key role in the realization of the work guarantee, and engages citizens through tools to hold the State accountable.

4.1.1 IN PRACTICE: MGNREGA AS A SOCIAL PROTECTION FLOOR WHICH EMPOWERS CITIZENS

Far from being mechanical, the implementation of MGNREGA has been just as political as the policy process around its inception. At the central level, the advent of the current Bharatiya Janata Party (BJP) government in 2014, which vocally criticizes MGNREGA, has led to reduced political commitment. This section illustrates that while the design of MGNREGA has clear intentions to empower citizens, the implementation of a legal right to work at the grassroots level, which includes spaces and tools to hold the State accountable, has had mixed results.

This can be shown in four central ways. Firstly, while MGNREGA is premised on the ability of citizens to know and then demand their right to work, a 2011 a panel survey found differing awareness levels of MGNREGA. In some States, 72 per cent of households knew that work could be

demanded anytime (Rajasthan) but in others only 29 per cent of citizens were aware (Andhra Pradesh). Secondly, in terms of grievance mechanisms awareness was low ranging from 35 per cent in Andhra Pradesh, to 16 per cent in Rajasthan (Mann and Pande, 2012). Kheera notes the varied commitment levels of block development officers, Panchayat Sevak (local council officer), and village headmen, who were responsible for raising awareness. Many do not necessarily share the participatory vision of the Act and often use it as a way to the "milk the system" (2011: xiii). State governments are also responsible for setting up and training Social Audit Units, which facilitate the verification with workers at work sites[6], but this likewise has mixed results. Thirdly, the inability to claim rights is also manifested in an issue which challenges the core of the act: in a representative survey of workers only 43 days out of the 100 allocated days were claimed per person (Kheera, 2011). Moreover, work application processes are often not operational and some States are failing to adhere to the minimum wage. Success stories were often correlated with the presence of a local organization who have taken it upon themselves to mobilize poor citizens. For example, the Jagrut Advisasi Dalit Sangathan (JADS) organization, had worked together with local workers to secure days of employment per person of the preceding 12 months (Drèze and Kheera, 2011). Finally, in terms of the institutionalised transparency and accountability interfaces between citizens and the State, the grievance redress mechanisms were found to be weak. For example, while 100 per cent of the sites surveyed in Rajasthan had muster rolls signed, job cards maintained and wages paid by workers in public spaces, in other States the respective percentages were 45 per cent (signed muster rolls), 25 per cent (maintained job cards), 56 per cent (wages paid in public places). The mutually reinforcing processes of implementation of MGNREGA and empowerment of citizens are thus often stuck in a sub-optimal relationship. Similarly, this means that the language of rights which frames MGNREGA is being undermined by a lack of State-level sanctions[7] and citizen redresses for when these rights are violated.

In sum, the data from the grassroots paints a mixed picture of the extent to which MGNREGA has allowed vulnerable citizens to make claims on the provision of social protection and opened up inclusive spaces to hold the State accountable for these provisions. This should not take away from the ambitious vision and design of the MGNREGA. By obliging citizens to demand their rights, MGNREGA encourages the building of political capabilities – a hallmark of citizenship. This process of building and activating citizen agency is a low burning and iterative one. The larger aims of MGNREGA were to facilitate the formation of labour unions for vulnerable sections of rural India. Even its biggest advocates admit to the fact that this is far from being established. While the formation of labour unions, which are critical in mobilising citizens and fostering collective action and social accountability is far off, MGNREGA has contributed to rural citizens being more aware of their entitlements - a positive step in strengthening the voice of vulnerable citizens. This provides a critical lesson from MGNREGA, one which is mirrored throughout the history of social legislation: laws and policies provide a framework for citizen rights and entitlements, however, the realization of these rights requires sustained political commitment at all levels, and the ability for citizens to claim and hold duty bearers accountable for these rights.

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[6] http://nrega.nic.in/Circular_Archive/archive/nrega_doc_FAQs.pdf

[7] One exception here is Andhra Pradesh which has a fully-fledged system of institutionalized social audits.

MGNREGA also offers lessons in terms of designing justice-based notions of social protection. Social protection derives legitimacy and sustainability if supported by legislation. By embedding social protection as a legal act, in constitutional provisions, MGNREGA allows citizens to engage and lobby to provide political momentum to the implementation of the Act. In this respect, MGNREGA "can be seen as step towards legal enforcement of the right to work. It is a limited step, especially since the employment guarantee is limited to '100 days per household per year'. Nevertheless the act has much value as a tool of empowerment for rural labourers" (Drèze, 2011, p. 4). The fact it is a law should also not be underestimated; it provides both durability and allows citizens legal entitlements, enabling citizens "to become aware of their rights and learn how to defend them … and creates a consensus in the society at large, on the legitimacy of workers' demands for employment" (ibid, p. 9).

4.2. *Bolsa Família*

Brazil's story of decades of excessive inequality and poverty fuelled by exclusionary growth models and regressive social policy is well known (Wetzel, 2013). In fact, in the second half of the 20th century, Brazil had one of the highest levels of income inequality in the world, with the poorest sixty percent of the population having only four per cent of the wealth, while the richest twenty percent held fifty-eight per cent.

Today, Brazil is hailed as a huge success story with regards to inequality and poverty reduction. Over a 12-year period, Brazil has more than halved extreme poverty (from 9.7 to 4.3 percent) and has made huge strides in reducing income inequality from a Gini coefficient of around 0.68 to 0.527. This change is frequently attributed to President Lula's government, which launched the innovative *Bolsa Família* Programme (BFP), scaling up and coordinating scattered existing initiatives under a powerfully simple concept: trusting poor families with small cash transfers in return for keeping their children in school and attending preventive health care visits. BFP brought together four existing programmes: *Bolsa Escola* for boosting school attendance; *Bolsa Alimentaçao* for maternal nutrition; *Cartao Alimentaçao* for food support and *Auxílio Gas*, a gas subsidy (Hall, 2006).

The three central objectives of the BFP are to: 1.) reduce current poverty and inequality through providing a minimum level of income support to extremely poor families; 2.) tackle chronic poverty by conditioning the transfers on human capital requirements, and; 3.) empower women within the households through ensuring cash payments are given directly to women.

Bolsa Família became the flagship policy and a central priority under the Lula government. It has significantly expanded its value and coverage since its inception (Daieff, 2015). BFP is the largest cash transfer of its kind in the world, currently reaching almost 14 million families - an estimated 55 million citizens, making up for a quarter of Brazil's rural and urban population. The programme is hailed as a global success story, a reference point for social policy around the world. It is widely attributed to be responsible for a 12 per cent reduction in the poverty gap and a 19 per cent reduction in the poverty severity measure (Soares, Ribas and Osório, 2010).[8]

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[8] According to Barrientos (2003), 'the poverty headcount would be 4.2 per cent higher for the Brazil sample […] if pension income is removed […]. Indigence headcount would rise by around 9.6 per cent in the Brazil sample, all else being equal'

To understand why *Bolsa Família* became such an impactful flagship programme, it is important to trace its evolution from a number of angles. Institutional policy analysis by Barrientos (2013a) and others show that while the Lula Government did consolidate a number of fragmented social programmes under *Bolsa Família*, the historical and political genesis of the programme came much earlier, and as a result of champions for change at the national level, but also from local level pressure and active citizen involvement emerging from the success of municipal-run poverty-focused pilot programmes. The 1988 Constitution marked a radical break with the past decades of dictatorship and social repression. Although social welfare and assistance were not of prominent concern within the discussions of the constituent assembly, the discussions nonetheless led to a significant change in the principles underpinning social policy in Brazil (Barrientos, 2013a). Social assistance was established as a social right based on citizenship for which the State held primary responsibility. The legal and institutional framework facilitated subsequent opportunities for interfacing between the Government and citizens. Furthermore, the Constitution acknowledged the right of specific vulnerable groups (the elderly and disabled) to a minimum guaranteed income. Prior to 1988, Brazil adhered to Bismarckian-like welfare principles, where contributory social provision was the mainstay – contributory pensions for workers being a large national programme. Post-Constitution social protection now included both insurance and assistance based measures, with social pensions being rolled out to those unable to work, and social security being extended to the rural sector and informal workers in agriculture. These two pension programmes reached over 10 million people with a budget that is more than double that of the BFP.

Bolsa Família came from quite different origins, although the 1988 constitution provided the legitimacy needed to ensure that social assistance became established as a Government responsibility and a citizen's right. Barrientos describes the emergence of the minimum guarantee income idea and the evolutions of a variety of social assistance programmes that eventually became rolled into *Bolsa Família*. What is striking is the story of its genesis in visionary champions-for-change. Eduardo Suplicy, the Workers Party's first elected Senator who proposed the 1991 Bill for a tax-transfer scheme, Jose Marcio Camargo, an influential academic with a strong reputation for research on poverty (Barrientos, 2013a), and Senator Cristovam Buarque who was instrumental in the design of *Bolsa Escolar*. The latter was insistent that sustainable inroads on poverty reduction would only be achieved through improving the productive capacity of poor households (this likely influenced the education and health conditions in *Bolsa Família*). These influential voices coincided with the outworking of the decentralisation agenda that was initiated by the 1988 Constitution. A number of municipalities chose to pilot and experiment with guaranteed income schemes linked to a range of schooling and health interventions. Before long, these pilots were being replicated in many municipalities and scaled up to the federal level. These guaranteed income programmes gained so much popular support, that when Lula attempted to prioritise a Zero Hunger programme over these programmes, he faced substantial local-level resistance. As a result, in 2003, Lula decided to set up *Bolsa Família*, as a single programme that integrated the other subsidy programmes that existed at the time.

This brief history shows the complex pathway by which social protection became grounded in a justice-based model in Brazil. First, a Constitution that emerged out of a huge social debt on the back

of decades of economic and political inequality and one that established social protection as a citizenship right. Second, strong and influential champions for change who were key in ensuring that legislation was put in place to hold the State responsible for its citizens. And third, municipal activism that held the Government to account and that influenced the evolution of social assistance in Brazil.

As with the MGNREGA case study, the purpose here is not to debate the implementation or impact of *Bolsa Família*, but to analyse the programme in terms of being a rights-based design aimed to empower intrinsic citizen capabilities. Like MGNREGA, *Bolsa Família* held the promise of empowering programme beneficiaries - in particular, women - to build better and more productive livelihoods for themselves and their families. But how did this pan out in practice? Have programme beneficiaries been able to shape and influence the interface between the State and themselves or has the programme been primarily one of State provision to beneficiary consumers and users? Recent exploratory work by Sugiyama (2016) interrogates the pathways that have played a role in promoting the accountability of the BFP.

Findings from interviews with beneficiaries of *Bolsa Família*, as well as local and federal level officials, highlight limited use of citizen- and community-driven participatory mechanisms for monitoring accountability. Top-down, more administrative monitoring and auditing mechanisms provide the primary mechanisms for social accountability. For instance, Social Assistance Councils at federal, State and municipality levels, provide accountability in allocation of resources and implementation. This is interesting, as without knowledge about the institutional and political contexts, one might conclude that beneficiaries and citizens remain passive in relation to the State. In other words, the fact that beneficiaries are not substantially engaged in citizen-led programme monitoring may call into question the success of the programme for empowerment outcomes based on active citizenship and justice-based social provision, as we discussed in earlier sections of this paper.

However, deeper multi-stakeholder and policy analysis by Sugiyama illustrates that the absence of citizen-led programme 'controls' rather than providing evidence of a weak civic consciousness, is more likely to stand as evidence of well-functioning and responsive state-centred mechanisms and bottom-up oversight – nurtured by decentralization and a history of protest politics. That is, citizens are confident and content overall with the provisions of *Bolsa Família* – the transparency provided to them by the Government via top-down administrative mechanisms, and their ability to hold the government to account through the local and federal electoral processes. We would argue that the fact that *Bolsa Família* involves cross-sector cooperation as one of the programme's conditionality requirements (i.e. the Ministries of Social Development, Education and Health have to collaborate both horizontally and vertically) is a very significant factor in explaining the high levels of implementation transparency and integrity of the programme. This conditionality – that holds the State accountable, rather than just the households or individual – is highly progressive and one which other countries would do well to implement alongside cash transfer programmes.

This brief review of *Bolsa Família* illustrates that the limited use of 'usual' citizen-driven policy control mechanisms, such as, local councils and committees or civil mobilization, on the ground does not necessarily imply a passive citizenry. 'While none of our focus group participants reported they had engaged in recent protests, several groups identified protests and mobilizations as a

reasonable and likely political strategy if they needed to defend the programme' (Sugiyama, 2016, p. 1199). In the context of freedom and provision of information, top-down administrative mechanism to promote accountability appear to have positive, tangible effects for citizens. Importantly, citizens see BF as a fair and accessible right that is sustained and not just a hand out. If this perception were to change, then citizens would become 'visibly active'.

As in any country, social protection, and *Bolsa Família* in this specific case, continues to evolve. Barrientos believes that provision of 'a citizenship-based guaranteed minimum income is likely to grow in strength [in Brazil]' (Barrientos, 2013a, p. 907). As with the example of MGNREGA, social assistance in Brazil positions the State's responsibility as taking primacy over citizen's rights. The responsibility, if taken seriously, will translate into economic and political inclusion for all citizens and this describes the remit of a justice-based approach to social protection.

Of course, the way that the justice-based system has emerged varies in the different country cases. The case of MGNREGA illustrates an active and vocal citizenry requiring the State to meet its responsibility, while in Brazil the legal and policy machinery enabled experimentation at the local level, a subsequent groundswell of support for social and economic guarantees and a consequent pressure on the State not to relinquish its responsibilities. The end result is a justice based system, in both cases, where citizens can, when necessary, insist that the State deliver legally constituted rights.

5. AN IN-DEPTH CASE STUDY OF LEAP - GHANA

5.1 A justice-based approach to social protection in Ghana?

Ghana's social protection landscape has witnessed a tremendous transformation during the last decade. Beyond the introduction of several social policy interventions during the 2000s[9], the country developed its first National Social Protection Strategy between 2005 and 2007. It has also recently launched a national social protection policy. Founded on the principle that every Ghanaian matters and is capable of contributing her or his quota to national development, the national social protection strategy argues that vulnerable populations are often characterised by a rampant denial of rights, the inability to demand accountability, facing institutional barriers that underpin their vulnerability (Government of Ghana, 2007b). In this context, the strategy's vision for social protection in Ghana was to "provide safeguards for, and empower individuals and households living under extreme conditions of poverty to become responsible managers of their livelihoods, and claim their societal rights and entitlements" (Ibid, p. 9). This expression is in line with the rights-based rhetoric to social protection which recognises citizens not merely as consumers of public services, but also as shapers of their own socio-economic well-being.

A recent significant step towards the adoption of a rights-based approach to social protection in Ghana has been the creation of a coordination agency in the form of a government ministry that has contributed to a more holistic approach to social protection. As Kaltenborn, Abdulai, Roelen, Hague, and Palermo (2016) have argued, the lack of coordination between different authorities with responsibilities for implementing various social protection programmes not only leads to inefficiencies and higher costs, but also reduces transparency; and thus, complicates beneficiaries' access to programmes. Effective coordination is also important for effectively targeting social interventions, without which it will be difficult to establish the effects of social protection on the poorest segments of the population. In 2013, the Government of Ghana created the Ministry of Gender, Children and Social Protection (MoGCSP) and appointed a key well-known human rights advocate as its head. Subsequently in June 2014, the Ministry was given cabinet approval to take a leadership role in the development of a comprehensive social protection policy, and take steps to ensure sufficient and sustainable resources for social protection. The social protection landscape witnessed dramatic improvements under the Minister. This included the drafting of a social protection bill aimed at anchoring the major social protection programmes in law, as well as the launch of a national social protection policy and the Ghana National Household Registry (GNHR) – a single registry database of the most vulnerable households that would be used by all social protection programmes in order to provide comprehensive support for the poorest. Other important initiatives under this well-known gender-sensitive Minister included the nation-wide expansion of the LEAP programme to all administrative districts, greater efforts in providing free health services to LEAP beneficiaries by linking them to the National Health Insurance Scheme, and the inclusion of poor pregnant women among the LEAP target group. All of these steps highlight the significant recent progress towards the adoption of a more justice-based approach to social protection in Ghana.

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[9] These programmes include a new contributory national health insurance scheme (2003), a national school feeding programme (2005), capitation grants to expand free primary education (2005), and the flagship Livelihood Empowerment against Poverty (LEAP) cash transfer programme (2008).

In June 2016, Ghana launched a national social protection policy (NSPS) whose main goal is to "deliver a well-coordinated, inter-sectoral social protection system enabling people to live in dignity through income support, livelihoods empowerment and improved access to systems of basic services" (Government of Ghana, 2015, p. 15). The NSPS provides a framework for delivering social protection in a coherent fashion, and defines a social protection floor within a Ghanaian context. The idea of a social protection floor – defined in the Ghanaian context as a "set of basic rights, services and facilities that a global citizen should enjoy" (Government of Ghana, 2012) – is intrinsic to the justice-based approach to social protection as it seeks to ensure that the extreme poor have access to basic social services and cash grants that enable them to have decent standards of living.[10] The Ghanaian social protection floor, as defined in the national social protection policy, seeks to balance social assistance, social security and productive inclusion among vulnerable populations (Government of Ghana, 2015, p. 2).

The NSPS also recognizes the significance of stronger measures that promote active citizenship and beneficiary rights within Ghana's social protection landscape. Three areas of accountability are provided for in the policy: general accountability; social accountability, grievance handling and feedback; and financial accountability. In line with the justice-based approach to social protection highlighted above, the policy distinguishes between the 'supply' and 'demand' sides of social protection, and emphasises the 'critical' role of social accountability, grievance handling and feedback mechanisms for an effective social protection system. However, for reasons explained in the next section, demand-side accountability mechanisms in the form of beneficiaries' feedback on the implementation of various social protection programmes remain relatively weak in Ghana.

One major weakness of Ghana's social protection system with regards to the promotion of active citizenship is the absence of strong legal backing in the existing individual social protection programmes. The 1992 Constitution enjoins every government to pursue the establishment of 'a just and free society' via the creation of equal opportunities for all citizens. The Constitution further mandates the State to promote just and reasonable access by all citizens to public facilities and services, provide adequate means of livelihood and suitable employment and public assistance to the needy, as well as 'provide social assistance to the aged such as will enable them to maintain a decent standard of living'. However, beyond these broad-brushed constitutional provisions, most individual social protection programmes as well as the overall institutional framework for social protection in Ghana are not anchored in law[11]. Consequently, nearly all of Ghana's social protection interventions tend to be "based on somewhat volatile budget statements that have to be renegotiated for each fiscal period" (ILO, 2014, p. 67).

This said, it is important to note that Ghana has recently taken further steps to strengthen the legal framework for social protection by developing a Social Protection Bill (SPB) which seeks to give

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[10] All LEAP beneficiaries as well as all children benefiting from the school feeding programme are required to have free NHIS cards. The gender ministry has made a lot of progress in linking these beneficiaries to the NHIS in recent times.
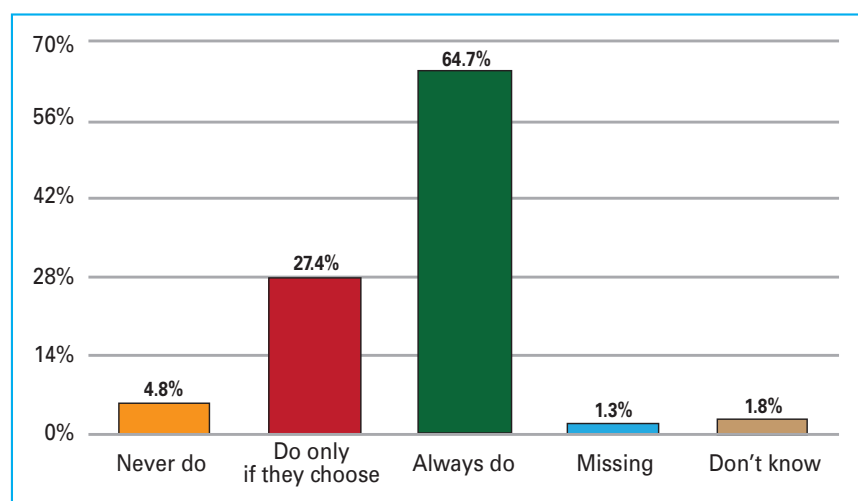
[11] The only notable exceptions are the National Health Insurance Act 2003 (Act 650) and the National Pensions Act, 2008 (Act 766).

legal identity to the national targeting unit (known as the Ghana National Household Registry), the LEAP programme, and the Ghana School Feeding Programme (GSFP). If this bill is successfully passed into law, it will contribute to strengthening the legal environment of social protection and create a stronger social protection framework that empowers and protects all citizens.[12] In its 2016 election manifesto, the NDC government, which drafted the SPB, pledged to pursue its quick passage and implementation (NDC, 2016). However, with the change in government that followed the December 2016 elections, it remains to be seen if the newly-elected NPP administration will take this bill further or accord it the necessary priority.

5.2 The state of social accountability and active citizenship in Ghana

In this section, we draw mainly from various rounds of the Afrobarometer surveys to assess the state of social accountability in Ghana, focusing specifically on two key indicators, namely citizens' engagement with State authorities, and the extent to which citizens participate in local decision-making processes. Based on data from the most recent Afrobarometer survey (Round 6, 2014/2015), Figure 3 reports on respondents' views regarding how citizens should react to poor quality service provisioning on the part of service providers. A majority of respondents (64.7 per cent) reported that citizens must always complain to government officials when public services are of poor quality, suggesting that Ghanaians do generally have a good knowledge of what is expected of an active citizenry in order to enhance the delivery of quality basic services to the poor. However, evidence from the Afrobarometer surveys suggest that levels of active citizenship among Ghanaians remains weak.

Figure 3 *- Do citizens complain about poor services?[13]*

Source: Afrobarometer Round 6, 2014/2015

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[12] http://www.thefinderonline.com/News/National-Social-Protection-Policy-launched.html

[13] Question: Please tell me whether you think it is something a good citizen in a democracy should always do, never do, or do only if they choose? Complain to government officials when public services are of poor quality.

As shown in Table 1, most Ghanaians do not have consistent engagement with their authorities - a problem attributed partly to the absence of both 'invited' and 'claimed' spaces through which effective State-society engagements could be fostered. In the past year, the majority of Ghanaians never contacted an official at a government agency (89 per cent), their Member of Parliament (87 per cent), a political party official (86 per cent) and their local government councillor (72 per cent) about important problems or to give them their views (Table 1). Since 2002, the majority of Ghanaians (from 72 per cent to 89 per cent) never interfaced with their elected national and local representatives, an official at any government ministry/agency or an official of a political party. These findings provide strong support for Jones et al. (2009) observation that 'notions of citizenship and rights are not well embedded within Ghanaian political culture' (p.72). We return to provide an explanation for this.

Table 1 *- Popular Ratings of Citizens' Engagement with the State (per cent)*

		2002	2005	2008	2012	2015
Contacted Member of Parliament	Never	87	83	85	86	87
	Once/A few times/often	12	16	14	13	10
Contacted Local Councillor	Never	83	85	63	68	72
	Once/A few times/often	15	14	36	31	17
Contacted Political Party Official	Never	84	78		85	86
	Once/A few times/often	15	21		14	10
Contacted Gov't Official at a Ministry	Never	90	86	86	89	89
	Once/A few times/often	9	13	13	10	8

Source: Compiled from Ghana Afrobarometer Surveys 2002, 2005, 2008, 2011 and 2014/2015

Another important indicator of active citizenship is the extent to which citizens express interest in, and have the capacity to, hold their leaders accountable through associational activities and collaborative community action. Yet since 2002, an overwhelming majority of Afrobarometer respondents have consistently noted that they have never attended a protest or demonstration. While this draws attention to the weaknesses of claimed spaces in the Ghanaian context, it is important to note that an increasing number of Afrobarometer respondents have indicated their willingness to join a protest march if they have the chance to do so. More importantly, 55 per cent of Ghanaians have never attended a community meeting, while 65 per cent have never joined others to raise issues concerning the developmental challenges of their communities. However, 39 per cent and 43 per cent of those same respondents, respectively, answered that they would do so if they had the opportunity (Table 2). This suggests that whereas Ghanaians are generally willing to attend community meetings and join others to raise issues, they do not have the necessary 'invited spaces' for doing so effectively.

Three important factors explain the relatively weak state of social accountability and active citizenship in Ghana, namely a weak decentralized system of governance, the prevalence and deepening of patron-client relations associated with increased electoral competition; and a relatively weak civil society. First, although Ghana has supposedly been implementing an ambitious system of

decentralization since the late 1980s, decentralization has been a donor-driven agenda, with clear 'evidence of resistance by the government to its implementation' (Crawford and Abdulai, 2009, p. 107). The President wields significant appointive powers at the local level, appointing not only 30 per cent of all local assembly members, but also District Chief Executives (DCEs) who are the highest political authorities at the local level. Key local government officials such as DCEs therefore tend to be upwardly accountable to the appointing authority, the President, not downwardly accountable to local populations (Crawford, 2008). This has often resulted in limited buy-in among local populations, as development programmes fail to reflect sub-national realities.

Table 2 *- Citizens' Engagement in Community Meetings and Communal Action (per cent)*

		2002	2005	2008	2012	2015
Attend community meetings	No (Would never do this)	22	6	8	16	16
	No (But would do if had the chance)	20	37	33	42	39
	Yes (Once/twice, several times/often	57	56	58	42	31
Joining others to raise revenue	No (Would never do this)	37	11	13	26	22
	No (But would do if had the chance)	22	37	33	37	43
	Yes (Once/twice, several times/often)	39	51	53	37	24
Attend demonstrations /protest	No (Would never do this)	83	67	69	84	59
	No (But would do if had the chance)	8	22	20	11	32
	Yes (Once/twice, several times/often)	8	8	9	4	6

Source: Compiled Ghana Afrobarometer Surveys 2002, 2005, 2008, 2012 and /2015

Opportunities for the exercise of active citizenship are further undermined by weak and dysfunctional sub-district structures (e.g. Unit Committees) that have been established to provide mechanisms for grassroots political participation. Indeed, there is general apathy towards the operations of these structures because most people who are working on them are not paid; being a member of these structures is completely sacrificial and voluntary. Consequently, many of the sub-district structures lack the required number of memberships to operate (Ayee and Amponsah, 2003, p. 70).

In its manifesto for the December 2016 elections, the New Patriotic Party which won the elections pledged to strengthen the sub-district structures through capacity building and adequate resource allocation, as well ensure the direct election of DCEs within its first 24 months in office (NPP, 2016, p. 141). This perhaps represents a significant window of opportunity in terms of the creation of more 'invited spaces' that would enable poorer citizens to influence decision-making processes and hold service providers more accountable.

A second important factor for understanding the relatively weak state of active citizenship in Ghana relates to the highly clientelistic nature of politics (see Lindberg (2010); Lindberg and Morrison (2008); MacLean (2014)), one in which many ordinary citizens rely on patron–client relationships in securing 'citizenship status' (Paller, 2014, p. 124) and in gaining access to basic services such as education (Abdulai and Hickey, 2016) and electricity (Briggs, 2012). Despite the deepening democracy and electoral accountability, political clientelism is widely noted to have increased in

Ghana. Indeed, some scholars have even characterized Ghana's democratic environment as one of 'competitive clientelism' where two dominant political parties compete in the use of elections as a mechanism for the distribution of patronage and State resources to award politicians' followers (Abdulai and Hulme, 2015; Hirvi and Whitfield, 2015). This has contributed to undermining the exercise of active citizenship in Ghana.

The third factor relates to the weaknesses of civil society. Although Ghana is home to a vibrant civil society, civil society has not been effectively included in the social protection dialogue in Ghana. The core impact of the CSO sector remains at the level of service delivery, and CSOs generally remain at the periphery of policy-making. For example, Ghana's national social protection strategy began as a government-only policy agenda, although CSOs did contribute towards its development through their inclusion in a steering committee that was established to guide the implementation of the strategy (Duho, 2015). Overall, however, CSOs play a limited role in demanding social protection as a right and in holding governments accountable for the implementation of social protection programmes (Ibid). Some CSOs are beginning to address these limitations, particularly by tracking the distribution of social protection expenditures.[14] However, CSOs have continued to face significant challenges in demanding accountability from government, including the absence of a freedom of information law.

5.3 Citizenship, social accountability and the LEAP cash transfer programme

The LEAP is Ghana's flagship cash transfer programme that provides bi-monthly cash transfers to households living below the national extreme poverty line. The programme targets poor families which also have at least a member that is aged (above 65 years), disabled who are unable to work (PWDs), orphans and vulnerable children (OVCs) and more recently households with a pregnant woman and children below one year of age. The overall goal of the LEAP is to increase long-term human capital development among the poorest and most vulnerable populations (Ministry of Employment and Social Welfare, 2012). The level of the LEAP benefit varies, depending on the number of eligible people in a household, and the total number of beneficiary households has expanded rapidly overtime, increasing from just 1,654 in 2008 (selected from 21 districts) to 213,000 households in all 216 districts of Ghana at the end of 2016.[15] The programme is implemented by the Department of Social Welfare (DSW) which is under the Ministry of Gender, Children and Social Protection (MoGCSP).

To what extent, and in what ways, has the design and implementation of the LEAP provided opportunities for the exercise of active citizenship in Ghana? Has the LEAP created 'invited spaces' that enable its beneficiaries to participate actively in decision making and hold service providers accountable? The implementation arrangements of the LEAP make room for the exercise of active citizenship through three main mechanisms: beneficiary forums, community LEAP implementation committees (CLICs), and grievance mechanisms. In what follows, we discuss each of these mechanisms, highlighting their strengths and weaknesses. We seek to answer these questions

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[14] Notable among these CSOs are the Ghana Centre for Democratic Development, the Integrated Social Development Centre and the Social Enterprise Development Foundation.

[15] http://leap.gov.gh/44th-payment-cycle-of-leap-social-cash-grant-212848-households-to-be-paid-for-the-months-of-july-and-august-2016/

through a desk review of available studies and reports, as well as through in-depth interviews with four key informants in the LEAP Management unit.

First, the design of the LEAP programme, with its strong focus on CLICs and the involvement of community leaders in implementation and monitoring activities, provides a window of opportunity for community participation in the implementation and management of the programme, as well as creating feedback loops between beneficiaries and the DSW (Jones et al. 2009). Within a district, community LEAP implementation committees (CLICs), comprising of traditional leaders, district assembly members, representatives of teachers and nurses, religious leaders, and NGO representatives were to play a wide range of roles, including compiling complaints and appeals, as well as identifying the most vulnerable households in their communities as part of the targeting processes (Government of Ghana, 2007a). Based on field interviews, Oduro (2015) suggests that the CLICs have played an important role in facilitating the participation of previously excluded local populations in decision-making processes at the local level, and that the LEAP has 'created pathways that encouraged local participation', enabling beneficiaries to 'become active and responsible citizens rather than being passive receivers of social handouts' (Oduro, 2015, p. 32).

However, our interviews with key informants within the LEAP programme office show that the CLICs have suffered from several shortcomings. First, the CLIC membership has faced significant attrition challenges due to its voluntary nature and the continuing requests from CLIC members for remuneration has stirred up concerns that the CLIC structure may not be sustainable in the long run. Reports abound that many CLIC members abscond their responsibilities due to the lack of remuneration, whiles others have tried to extort money from LEAP beneficiaries during payments. Moreover, the CLICs are mostly constituted by members of the local elite, and has in some cases led to local patronage and clientelism in the form of biased selections of beneficiary households. These problems have resulted in a recentralisation of the beneficiary selection processes in ways that have further eroded community engagements with the LEAP. For example, while the CLICS were originally required to do an initial identification of the most vulnerable households in their communities, the CLICs no longer play a role in the targeting of beneficiary households.

Another mechanism through which the LEAP facilitates citizen participation is the beneficiary forums held on paydays. The beneficiary forum is a mechanism for raising the beneficiaries' awareness of their duties and responsibilities with respect to utilizing the cash transfers, and for the observance of LEAP conditions. These forums have brought some form of recognition to otherwise socially excluded groups like PWDs, providing them with an opportunity to serve as 'partners' in shaping the future of their communities (Oduro, 2015, p. 32). This said, it is important to note that the beneficiary forums are primarily meant to share information and raise awareness of beneficiaries' duties and responsibilities rather than as act as genuine platforms for holding service providers accountable.

Finally, the LEAP programme has recently developed and tested a case management system that seeks to allow 'beneficiaries and any other stakeholder to file complaints concerning the payment system, quality of service being provided and other aspects of the programme' (Ministry of Employment and Social Welfare, 2012). Among others, the objectives of the case management system are to provide LEAP beneficiaries some opportunities to present their appeals regarding the entire LEAP project cycle and file claims concerning payments and complaints on the quality of

the service received. The case management processes also provide opportunities for potential beneficiaries to appeal to the programme's management in cases where they feel they have been wrongly excluded. As with the requirements of the operational manual, LEAP beneficiaries have the right to complain not only about their dissatisfaction with the payment mechanisms, but also about delays in the resolutions of their complaints as well as about the general quality of services they received. By these requirements, the programme primarily seeks to 'promote active participation from the beneficiaries' (Ministry of Employment and Social Welfare, 2012).

However, the LEAP case management system has encountered a number of implementation challenges, including excessive delays in the resolution of cases. Such delays have resulted from limited human resource capacity (interview, LEAP Programme Manager) and the overly centralised approach to resolving cases (interview, Cash Transfer Specialist). This implies that rather than strengthening district level structures to be able to investigate complaints and appeals, the current approach entails the deployment of large number of LEAP staff at the centre to the field to investigate cases. This approach is not only costly, but has also resulted in delays in the resolution of reported cases with some potential adverse implications for the continuous commitment of beneficiaries in the reporting of cases (Coffey International, 2016: 170). Since 2014, a total of 2,120 cases have been reported, out of which 1,179 (55.5 per cent) have been resolved (Ibid, p.9). Not surprisingly, and despite the establishment of a case management system for LEAP, recent studies on the programme conclude that "spaces for claiming entitlements have been minimal and limited" (p.34), while the State's accountability to the programme's beneficiaries remains "weak" (Oduro, 2015, p. 27). Based on a survey of some 2,400 LEAP cash recipients across the country, the Ghana Centre for Democratic Development (CDD-Ghana) also concludes that LEAP beneficiaries do not have any effective mechanism through which to express their concerns and hold the State accountable (CDD Ghana, 2016). While the sector Minister hinted in 2015 that the LEAP programme will introduce hotlines to encourage complaints and feedback as a way of enhancing citizen participation and social accountability,[16] this has not happened to date. The overall implication is that even though the LEAP has created some spaces for State-society interactions (e.g. through the beneficiary forums), opportunities for active citizenship and bottom-up approaches to accountability within the programme remains weak.

Moreover, unlike in Brazil where *Bolsa Família* participants often view the programme as a social right (Sugiyama, 2016, p. 1202), there is still a general perception of the LEAP cash grant in Ghana as a favour from the government. Although official policy documents frequently refer to social protection in Ghana as 'an investment in long-term economic development' rather than as wasteful handouts to undeserving poor (Government of Ghana, 2007a, 2012), many LEAP beneficiaries still see the programme as a favour from the State and not a right to which they are entitled. As Oduro (2015, p. 34) notes in his study on 'Cash transfers and citizenship in Ghana', many LEAP beneficiaries often refer to the cash grant as 'Abban Sika', i.e. 'the government money'. From the justice-based approach to social protection, this represents a major setback because as Sugiyama (2016) notes, understanding cash transfer programmes in rights-based terms can allow the poor to defend those

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[16] See Ghana News Agency, October 16 2015, 'Assessment of Social Protection Delivery in Ghana'. https://www.modernghana.com/news/649699/assessment-of-social-protection-delivery-in-ghana.html

rights against the State or others when they deny them access to it. In contrast, where programmes are viewed as the product of government's discretion, it becomes difficult for citizens to meaningfully engage in monitoring activities to demand government activity. One interviewee attributed the persistent perception of the LEAP as a favour to the limited education that accompanied the introduction of the LEAP programme: 'It is because of the way they were introduced into the programme… Nobody went and told them it is your right; this is the money that is provided by the tax payer and when you are selected, it is your right in this programme and you must receive each and every payment. .... Nobody has given them that confidence'.[17] This analysis suggests that the implementation of the LEAP programme did not parallel with an effective education and community sensitization effort (Oduro, 2015, p. 33).
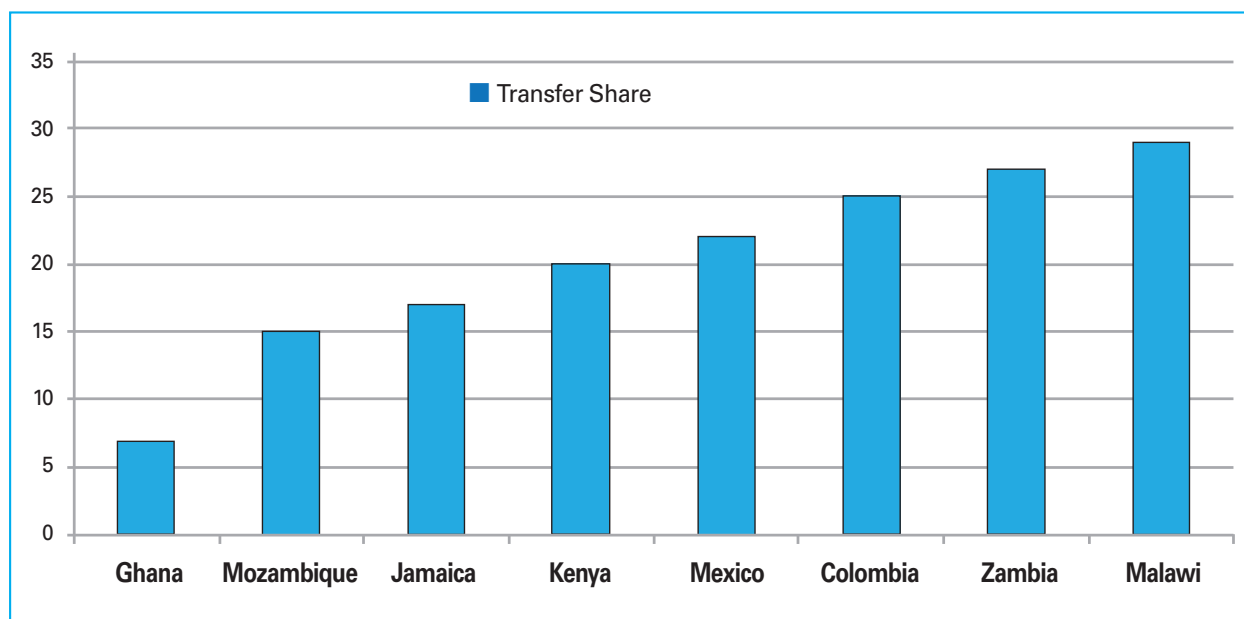
The general perception of the LEAP as a favour from government was somewhat deepened by the erratic payment of benefits during the initial years of the programme. Until August 2013, payments of LEAP grants were generally highly erratic, and the cash transfers were often in arrears of several months. This somewhat undermined the programme's capacity to serve as a predictable source of income to beneficiary households. In 2011, LEAP households received an amount equivalent to only four payments (instead of six) in three irregular instalments (instead of six) – with two instalments at the beginning of the year and one instalment (equivalent a double payment) in the middle of the year. In 2012, LEAP households received an amount equivalent to nine payments instead of six to help overcome arrears. But again, these were often grouped together, with three payments transferred in February 2012. In 2013, an amount equivalent to five payments (of the required six) was disbursed in three instalments but with no payments received until August (Ragno et al., 2016).

Although LEAP households have received regular payments since August 2013, a number of factors still undermine the capacity of the programme in the promotion of active citizenship. First, and precisely because of the limited knowledge of the programme among its beneficiaries, caregivers of some households still do not know how much they are entitled to in the programme. One key informant at the LEAP office stated that some beneficiaries do not even bother to check the accuracy of the amount they receive, fearing that questioning the sufficiency/accuracy of the cash grant may attract the anger of the payment officers and potentially lead to their exclusion from the list of beneficiaries. This represents a significant limitation to the LEAP as a justice-based cash transfer programme. The fact that many beneficiaries don't know how much cash grant is due them means that they can easily be paid less than the amount they are entitled to. While the programme has recently started implementing an electronic payment system, this system, on its own, is incapable of eliminating the potential risks of funding loss associated with beneficiaries' limited knowledge of their entitlements. One approach that has been adopted by the programme in enhancing beneficiary awareness of the programme has been the distribution of booklets and posters that provide information on what the LEAP is about, and on households' rights and responsibilities. However, and given the generally low level of literacy among the LEAP cash grant recipients, the impact of this approach is likely to remain very limited, at best. Instead, what seems to hold a much stronger promise is to incorporate educational sessions both during the enrolment processes and on payment days.

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[17] Ibid

Another factor that has contributed to undermining LEAP as an entitlement-based cash transfer programme relates to the generally low value of the transfer. In 2010, the value of the transfer was 7 per cent of consumption, which did not compare favourably with other successful programmes elsewhere which transferred at least 20 per cent of consumption to beneficiaries (Handa et al. 2014). Figure 4 shows transfer amounts as a share of average beneficiary consumption for several cash transfer programmes in Africa and elsewhere. It shows that in 2010, the LEAP transfer was the lowest of all and less than half the size of the next lowest value - Mozambique.

Figure 4 *- Transfer as share of beneficiary consumption in various countries*

Source: DFID Ghana (2012)

However, it is important to note that the programme has taken steps to address the low value of the cash grant, which was tripled in late 2012 and again revised upwards in 2015. Prior to 2012, beneficiary households receive bi-monthly, in a range between GH¢ 16 to GH¢ 30. These amounts were revised twice in 2012 and 2015 (Ragno et al. 2016). Currently, however, a one-member household receives bimonthly GH¢64, a household with two eligible members receives GH¢76, while households with three eligible beneficiaries get GH¢88. Those with four eligible beneficiaries or more receive GH¢106 (Appiah, 2015). The current amount translates to roughly 18 per cent of consumption, so it is still on the low end of the spectrum. However, high inflation in Ghana continues to undermine the real value of the grant.

What role did donors play in this? Until quite recently, implementation of Ghana's main social protection programmes depended quite heavily on donor funding. In particular, although the LEAP has been described as a 'domestically-initiated' programme (Grebe, 2015, p. 22), it is difficult to envisage how this programme could have been successfully implemented without donor support. Between 2010 and 2016, the UK government's Department for International Development (DFID) alone committed some £36.4 million for the implementation of LEAP.[18]

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[18] See DFID's website at: https://devtracker.dfid.gov.uk/projects/GB-1-201629.

More importantly, earmarked-donor funding has contributed to making the LEAP a more justice-based programme in at least two ways. Firstly, when the GoG increased the LEAP cash grant per beneficiary household in 2012, it did so primarily with additional donor resources, including the DFID funding noted above and a US$20 million World Bank support to the programme.[19] Secondly, donor funding has contributed to expanding the LEAP to the poorer northern regions of the country. In the initial phase of the LEAP, a political decision was made to ensure that that the programme was implemented in all regions and to build on a pre-pilot programme in HIV/AIDS-prevalent districts in the south (Amuzu, Jones and Pereznieto, 2010, p. 35). One consequence was the marginalization of the historically poorer northern regions of the country where the problem of food insecurity is most prevalent. It was through a specifically earmarked World Bank loan that the LEAP was subsequently scaled up in the north (Ibid). This underscores the contribution of the donor community in the gradual shift towards a more justice-based approach to social protection in Ghana.

In conclusion, Ghana has made strides with regards to the adoption of a justice-based system of social protection. In particular, significant improvements have been made with regards to the establishment of a Ministry charged with the protection of the rights of the vulnerable, the adoption of a national social protection policy, and the increased efforts in anchoring the major social protection programmes in law. However, significant limitations also remain, particularly with regards to the creation of inclusive spaces that act as mechanisms or opportunities for beneficiaries to hold duty-bearers and service-providers accountable. Demand-side accountability mechanisms that enable citizens to assess programme performance and hold service-providers accountable remain weak. While recent efforts to address these challenges have included the establishment of a case management system for the LEAP programmes, citizens and beneficiaries have limited knowledge about it. Together with the delays in redressing citizens' complaints and appeals, this has rendered the case management system ineffective in promoting social accountability within the LEAP programme.

Overall, our evidence suggests that beneficiaries of the LEAP cash grant can best be characterised as 'consumers' rather than as 'shapers and makers' of social interventions. In terms of its design, the LEAP envisaged a strong citizen engagement with programme implementers, as community implementation committees were required to identify the most vulnerable households for effective targeting, as well as help compile complaints and appeals for redress.

In practice, however, a combination of factors continue to undermine the effectiveness of both invited and created spaces in Ghana, with apparent adverse implications for the exercise of active citizenship among LEAP beneficiaries and the wider citizenry. In particular, the prevalence and deepening of patron-client relations in Ghana along with significant weaknesses in decentralized governance structures has meant that notions of rights and citizenship remain poorly embedded in Ghanaian political culture. Not surprisingly, even as policy makers continue to hail LEAP as a rights-based social intervention programme, beneficiaries have no knowledge about how the LEAP grant is determined, and a significant number of them do not have adequate information about their cash grant entitlements. This represents one of the major limitations to LEAP as justice-based social protection intervention.

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[19] See The Chronicle, July 12, 2012, 'LEAP gets donor support'. http://thechronicle.com.gh/leap-gets-donor-support/.

6. CONCLUSIONS: WHAT DOES A CITIZEN-PERSPECTIVE CONTRIBUTE TO SOCIAL PROTECTION?

Social protection has seen an enormous growth in low and middle income countries over the last 15 years. However, the large proportion of programmes remain income-focused and compensatory. Many beneficiaries continue to view participation as a gift, without realizing that social protection should be a right, which can be demanded from government. We have argued here that social protection should be conceived as a citizenship right, grounded in a social justice based share of national resources. This enables citizens to claim provisions as their right and demand accountability from the State. Not only can social protection strengthen this social contract and encourage active citizenship, but, by its very nature and purpose, it can reach those who are most often excluded from civic engagement and marginalized. In other words, economic inclusion alone is a too limited goal of social protection. Objectives to achieve political and social inclusion in the form of active citizenship should be just as prominent.

Legislative and policy frameworks, such as constitutions and social protection strategies, help to firmly ground social protection in rights-based institutions. However, it is necessary that citizens are aware of their rights and are involved in the design of such frameworks in order for new modalities of citizenship to emerge. Such forms of active citizenship, especially in the form of 'shapers and makers', provides a pathway towards improved delivery of justice-based social protection. These frameworks may be pushed or facilitated through donors and other intermediaries. However it is important that such involvement does not compromise the interface between State and citizen.

The realization of justice-based social protection can be spurred by different catalysts in addition to active citizenship. For example, donor funded support can help establish the institutional set up, or a strong civil society, or activism that can help mobilize citizens to make a stand against the State and claim their rights; or accountability mechanisms in existing programmes such as grievance mechanisms or social audits.

As many social protection programmes begin as small-scale pilots, the transformation from pilot to scaled-up programme provides ample opportunity to shift the balance from beneficiaries as merely 'consumers' to 'shapers and makers'. This transition requires the creation of invited spaces and allowing claimed spaces for citizens to participate in decision-making and voice concerns. In addition, citizens need to be made aware of their rights to social protection through effective communication channels, thereby building citizens' agency.

The India case shows us that laws and policies are an important step to provide a framework for citizen rights and entitlements. However, the realization of these rights requires sustained political commitment at all levels, and the ability for citizens to claim and hold duty-bearers accountable for these rights. The experience in Brazil demonstrates a road from constitutional reform, through the support of champions in the federal government and local activism, towards holding the State accountable for its social responsibilities. In Ghana, notions of citizenship and rights are generally not well embedded in the political culture. As a consequence, we find that demand-side accountability

mechanisms, in the form of beneficiary demand for and feedback on the implementation of social protection programmes faces challenges that are hindering the transformation to a justice-based system. Nevertheless, nascent social accountability systems are in place and with the express intention of donors and government it is possible for these to develop into spaces where the State and citizens will be able to hold each other to account. While all three cases have attracted criticism, and are by no means perfect programmes, the history of both programmes illustrates promising avenues for building justice-based social protection and active citizenship.

A citizens' perspective on social protection encourages us to investigate and understand the conditions by which social programmes will be sensitive to citizens' needs and sustainable in the long-term. It encourages us to consider key questions and synergies between citizens and social protection frameworks: how resource distribution should be designed and implemented, who is entitled to resources, and how citizens can become enabled to hold the State accountable.
The case studies show that active citizen involvement as well as the potential latent involvement (that is, the threat of protests and unrest should the programme be withdrawn) is as important for the long-term embedding of the programme as is State commitment, through legislation and the building of appropriate institutions.

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