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Labour
Office

Towards the right to work

**A GUIDEBOOK FOR DESIGNING INNOVATIVE
PUBLIC EMPLOYMENT PROGRAMMES**



Guidance note 8 Social partners and social processes in PEPs

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Guidance note 8

Social partners and social processes in PEPs



Objective

The objective of this note is to explore the political economy of PEPs¹ and EGS; how social processes influence the policy scope for PEP/EGS; the different ways in which communities and beneficiaries can participate in the design and implementation of PEP/EGS; and the strengths and risks of such processes.

Introduction

In contexts of crisis, where the need for intervention to create employment is widely recognized, a consensus on the need for public employment programmes (PEPs) is often institutionalized in social pacts that unite a range of social partners. This is evidenced in the recent Global Jobs Pact and the crisis response strategies of many countries, which reflect the importance given to them by the key social partners.

In the ILO Declaration on Social Justice for a Fair Globalization, it is recognized that:

The ILO has the solemn obligation to further among the nations of the world programmes which will achieve the objectives of full employment and the raising of standards of living, a minimum living wage and the extension of social security measures to provide a basic income to all in need, along with all the other objectives set out in the Declaration of Philadelphia. (ILO, 2008.)

A key question is the extent to which PEPs and employment guarantees can contribute to the goal of providing basic income to all in need, as well as to the wider goals of full employment and decent work to which the social partners have committed themselves as part of core ILO conventions.

While public employment programmes have often been policy responses initiated from the centre – and have been used as an instrument of

¹ M. Lieuw-Kie-Song; K. Philip; M. Tsukamoto; M. Van Imschoot: *Towards the right to work: Innovations in public employment programmes (IPEP)*, ILO Employment Working Paper No. 69 (Geneva, International Labour Organization, 2011).

employment policy in both totalitarian regimes and democracies – there are also examples of PEPs arising as an outcome of social mobilization by grassroots groups demanding employment and the right to work, such as in Argentina and India.

The politics of why and how public employment rises to the top of the policy agenda impacts on the ways in which consultation and participation are institutionalized: within national frameworks, in relation to programme prioritization and design; in the roles of communities and participants in ongoing implementation and evaluation at local levels; and in holding public officials accountable.



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Public employment programmes are a powerful policy tool, but can also be misused, whether by design or simply as a result of opportunism or mismanagement. There are instances in which PEPs have been implemented to obtain votes, as instruments of patronage to secure or consolidate power, or to placate the poor and offset demands for greater rights or policy change. These effects can take place at national level, or can be a feature of local-level implementation – and sometimes only in particular areas. Where PEPs are implemented in a top-down way and where the scope for scrutiny and public accountability is circumscribed, there is also scope for corruption. Negative experiences of these kinds have tainted the image of PEPs in some contexts, and can inform opposition to their implementation. Experience shows that the risks can be real.

This note explores the role of political processes, social pacts and partnerships in creating policy consensus and setting national frameworks; and the ways in which consultative and participatory approaches have been institutionalized in PEPs, to deepen their impact on community development and enhance their transparency and accountability. In doing so, it will draw mainly from country case studies under the following headings:

- Social pacts and the politics of PEPs.
- Social mobilization around the demand for employment and the right to work.
- Social auditing, accountability and transparency.

- Unlocking community initiative and strengthening local development planning processes.
- Participation in targeting and programme planning.

Social pacts and the politics of PEPs

In the Global Jobs Pact, public employment is one of the employment policies on which the social partners agree. Such consensus is not, however, necessarily entirely mirrored or embraced at national levels; the relevant policies allow for wide interpretation spanning the full spectrum of PEPs and employment guarantee schemes (EGSs).

While there is often wide support for PEPs as a short-term crisis response, this consensus can start to weaken the more long-term and large-scale the proposed PEP becomes. The positions of the traditional social partners that make up the ILO constituencies can be characterized in the following ways – although these are trends and there can be wide variations in the positions taken in practice.

Table 1: Policy attitudes to PEPs – government, business and labour

Main policy attitudes to PEPs/EGSs	Government	Business	Labour
PEPs as a response to crises, <i>force majeure</i>	In a context of national crisis, such as tsunamis or droughts, PEPs are a vital instrument of support that can also be used to rebuild/regenerate what has been destroyed.		
As a response to labour market dysfunction or failure	PEPs can create employment opportunities when markets fail.	Markets <i>sometimes</i> fail, and PEPs can create employment opportunities when they fail.	Markets <i>often</i> fail, and PEPs should provide employment when they can.
As an economic stimulus	PEPs can stimulate aggregate demand in times of recession. For infrastructure programmes, local infrastructure development is also recognized as having a high employment multiplier.		
As a flexible mechanism to address multiple challenges	All social partners recognize that a PEP is an adaptable instrument able to address multiple priorities, including infrastructure backlogs, environmental challenges, enhancing incomes for the poorest. The social partners may differ in where the emphasis lies, and whether employment is the main or secondary purpose of the PEP.		
Social impacts	PEPs reduce poverty through income transfers, enhance social inclusion, build human capital, enhance employability, and can lead to reduction in crime.		



Impacts on labour markets	Support for its role in setting a floor for wages and standards. BUT Concern that it will distort labour markets. Depending on the government, the nature of the concern will tend to align with either business or labour.	Concern that it will distort labour markets. In particular, that wage rates will be higher than market rates, place upward pressure on wages, and draw labour away from existing jobs.	Support for PEPs/EGSs where they assist in setting a standards floor and promote decent work. BUT Concern that wage rates will be lower than minimum wages, undermine gains won in the workplace, replace existing jobs at lower standards, and erode progress towards decent work.
Affordability	Concerns vis-à-vis fiscal sustainability; risks of inflation; trade-offs with other key expenditure.	Fiscal sustainability; risk of inflation; increased taxes on the private sector.	Not typically a big concern, unless there is an explicit trade-off with other social spending.
Use of employment intensive methods in infrastructure	Has balance of payments advantages; allows for delivery of infrastructure AND jobs. BUT It might slow delivery of basic services and economic infrastructure, for which government will be held accountable; concern that the quality of assets will be low; labour-based methods require special skills.	Support for impacts on delivery; opportunities for the private sector including small-scale contractors; development of local construction sector; increase in consumption spending is good for local business; concerns that it might slow delivery of economic infrastructure needed for growth; concern that the quality of assets may be low and that contracting arrangements will be onerous.	Concern that jobs are temporary and below minimum wage. BUT Supportive in terms of job creation; poverty reduction; development of pro-poor infrastructure.
Political impact	It has the potential to increase support for government amongst the poor, although this can backfire if the programme is poorly implemented.	It has the potential to increase support for government, whether this is considered positive or negative depends on the nature of the government of the day.	It has the potential to increase support for government, whether this is positive or negative depends on the nature of the government of the day.
Corruption and patronage	This is often a shared concern, but mistrust can nevertheless exist between the partners of their motives for introducing or supporting a PEP/EGS.		

In a context in which there is quite a wide consensus on the positive potential of PEPs, none of the concerns identified are insurmountable for any of the social partners, which is why PEPs have been a resilient part of employment policy in crisis contexts. In particular, such concerns may be far outweighed by the political, social and economic implications of *not* implementing a PEP.

In South Africa, for example, the need for an expanded public works programme was one of the only policies on which a tripartite Growth and Development Summit in 2002 could agree. A key compromise was negotiated on the wage rate, with labour agreeing to a wage rate below the minimum wage, mainly in return for training being institutionalized into the programme, to improve the chances that participants would 'exit' into decent jobs. From 2010 a minimum wage for EPWP has promulgated that is on par with higher minimum rates in the economy.

The business sector in South Africa has been consistently supportive of the Expanded Public Works Programme (EPWP), with the Business Trust funding a technical support programme to assist in its implementation.

Box 1. The private sector supports the public works programme in South Africa

As part of its agenda towards enterprise development, community rehabilitation and public works, the Business Trust has signed a memorandum of understanding (MoU) with the Department of Public Works (DPW) and pumped R100-million into the Expanded Public Works Programme (EPWP), the Trust's chief operating officer (COO) Brian Whittaker said on Thursday.

The EPWP is the government's large-scale programme of deriving services and infrastructure by means of labour-intensive methods. It uses existing public sector budgets as part of the poverty-reduction agenda.

In acknowledging the threat posed by a lack of jobs and the socio-economic instability this results in, the Trust has committed to working with the government to halve the unemployment rate.

"Unemployment is an imperative. Unless we work on this together as private and public sectors, to address the question of unemployment it will remain a major challenge. We have eight million unemployed people, we need to deal with this urgently," Whittaker said.

Source: S. Mzolo: "R100m boost for public works programme", *Mail and Guardian* (Johannesburg, 2005), Mar. 10.

A key factor in the brokering of national level tripartite agreements is, however, who is not in the room. Unemployed people are rarely organized, and while trade unions may be committed to representing their interests, they do so as proxy representatives and with varying degrees of success. Those in the informal sector –whether they are workers, the poorest of the poor, employers or self-employed – are directly affected by the debate over wage rates, yet are rarely represented by either business or labour. This task falls to government, which may or may not be effective in representing the interests of those who are not at the table.

As a result, the classic tripartite model neither represents the stakeholders most affected by PEPs, nor is it always the form that consultation and dialogue should take. While South Africa's EPWP was a direct outcome of tripartite negotiations, which also included a mechanism for community input the processes of consultation, public participation and/or popular mobilization took very different forms in Ethiopia and India, and at a formal level, neither business nor labour were involved in either of them.

Therefore, how important is social dialogue in the process of establishing a PEP and what form should it take?

In relation to social dialogue, the critical principle is that those most directly affected should be represented in processes of social dialogue for them to be effective. But while the preference may be for representative processes – the process of building structures that effectively represent different types of stakeholders is often uneven, and the least powerful are often the least well represented in processes of social dialogue.



Box 2. Under what conditions does social dialogue work best?

In Ethiopia, the process of designing the Productive Safety Nets Programme (PSNP) did not involve traditional tripartite partners, but it did involve stakeholders with real interests in the outcomes. These included the government of Ethiopia, international donors, and nongovernmental organizations (NGOs) with a long history in the provision of food-aid. Despite clear limits in representation, the process reached sufficient consensus to allow the PSNP to rollout to eight million people. These are some reasons why the process of ‘brokering’ the terms of the programme was effective:

- High absolute stakes – the stakes for the PSNP are very high and involve literally millions of lives. All parties are aware of this – they cannot allow the programme to fail.
- The institutional stakes were high: all the parties also had huge institutional stakes in the PSNP, given their long history of support and commitment to preventing famines from re-occurring.
- Consensus on the need for change from the status quo of emergency driven responses.
- Clarity to all participants that they needed each other and could not tackle the problem by themselves.
- No single party had the power to take an executive decision on the key issues.
- A collective experience and knowledge about the complexity of the problem PSNP was trying to address.
- Establishment of structures for dialogue and negotiation, which facilitated the formulation of a shared set of principles, which enabled the detailed design of the programme to proceed.

Does this process qualify as a form of social dialogue?

What are the criteria for effective social dialogue – are they different from these – how?

Is social dialogue a necessary condition for an effective public employment programme?

Source: M. Lieuw Kie Song: *Integrating public works and cash transfer in Ethiopia: Implications for social protection, employment and decent work*, Working Paper No. 84 (Brasilia, International Policy Centre for Inclusive Growth, International Labour Organization, 2011).

Social mobilization around the demand for employment and the right to work

In India, the gains made in institutionalizing an employment guarantee have their roots in popular mobilization and grassroots organizations, which later translated into a change of government based on political alliance at the polls.

The rising inequality in the 1990s in India has been described as “hunger amidst plenty”, with growth translating into rising incomes in the cities, and severe drought leading to starvation, death and the phenomenon of farmer suicides in rural areas. Part of government’s response was drought relief through public works. In the State of Rajasthan, a grassroots organization called Mazdoor Kisan Shakti Sanghthana (MKSS) discovered large-scale fraud in these public works programmes. They demanded information from local authorities:

Soon villagers realised they had been defrauded and millions of rupees worth work shown as having been completed was, in fact, never even taken up in the first place. Old public works were passed off as new. Local contractors and elites had received payments for non-existent structures. Wages were supposed to have been paid to people who did not exist in the village.²

The corruption in public works precipitated a mass campaign demanding the right to information and public accountability. Linked to this was a demand for an employment guarantee. The Right to Information Act (RTIA) and the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) were linked outcomes of this process of social mobilization: a ‘double act’ by the alliance government elected in 2004 on a rural development and rural employment platform.

The link to the Right to Information Act is institutionalized in MGNREGA, with a high level of statutory commitment to transparency and public accountability. The social mobilization and activism that achieved this outcome has, to a significant extent, been channeled into the operation of the RTIA in relation to MGNREGA. This activist resource has been harnessed to the process of social audits: with MGNREGA’s strongest supporters also being its harshest critics, thus, keeping the bar for transparency, accountability and delivery to the poor high.

In Argentina, part of the response to a serious political crisis in 2011 included social mobilization around the demand for employment. This was followed in 2002 by the introduction of a large-scale public employment

² N. Burra: *Transparency and accountability in employment programmes: the case of NREGA in Andhra Pradesh*. Occasional paper (Annandale-on-Hudson, NY, Levy Economics Institute of Bard College, 2008), [http:// www.levyinstitute.org/pubs/EFE](http://www.levyinstitute.org/pubs/EFE) (accessed 18 Oct. 2010).

programme. Unlike India, however, this was not institutionalized as a long-term programme, or as an employment guarantee.

Without the support of traditional unions, or workplaces in which to strike, Argentina's unemployed had to seek another way to express their discontent. Recognizing the power of disrupting commerce to gain the attention of government officials, those itching for change took to the streets, employing a tactic called *corta de ruta* or *piquete* in which protestors impede the movement of traffic and merchandise on provincial, national or international routes by cutting off access to thoroughfares.... Their ability to obstruct important transportation and trade routes has endowed *piqueteros* with the power to interrupt commerce and government functions, giving these activists political leverage on a large scale, showing that the *corta de ruta* can be as powerful a weapon in disrupting commerce as the work stoppage of industrial workers.³

The *piqueteros* (picket) movement had already started to gather momentum by the time of the country's economic collapse in 2001, which left more than 50 per cent of people in the greater Buenos Aires area below the poverty line and more than two-thirds of the urban workforce unemployed.⁴ "We realized that we were hungry and miserable. It was then that we placed dignity at the centre of our work against humiliation and conformism."⁵

In line with the International Monetary Fund's advice on dealing with the financial crisis, the Government needed to stabilize the economy and reduce social expenditure in order to achieve a zero deficit. However, division in the alliance Government of President de la Rúa between those who advocated dialogue with the *piqueteros* (and policies to address their demands, including for employment), and those who advocated a greater use of force to deal with the disruptions, led to the Government's collapse.⁶

A National Occupational Emergency was declared in January 2002 and consultations with a wide range of civil society groups including religious groups, trade unions and the private sector took place in a Roundtable for Argentine Dialogue. An outcome of these processes was the launching of the *Jefes y Jefas de Hogar Desocupados* (the plan for Male and Female Unemployed Heads of Households). It offered a monthly cash transfer to

³ M. Birss: "The *Piquetero* Movement: Organizing for democracy and social change in Argentina's informal sector", in *Journal of the International Institute* (Ann Arbor, MI, University of Michigan, 2005), Vol. 12, No 2.

⁴ Ibid.

⁵ A.C. Dinerstein: *The politics of unemployment: Employment policy, the unemployed workers organizations and the State in Argentina (1991–2005)*, Non-Governmental Public Action Programme Working Paper Series (London, London School of Economics, 2008).

⁶ Ibid.

the two million people who registered, on condition that they engaged in four hours of productive work per day and/or participated in training, and ensured that their children went to school.⁷

The programme ran until 2005 but has since been phased out and replaced with a greater focus on social protection measures, and an enterprise development programme. While this includes support to the kinds of community enterprises initiated under *Jefes*, the public employment dimension of the programme no longer exists.

What is interesting in the context of this note is the extent to which the popular response to the discontinuation of the programme has been insufficient to reverse the process.

As always, there are many factors and different analyses. These include the suggestion that the government employed a concerted strategy of ‘divide, co-opt and rule’ in relation to unemployed workers’ organizations to achieve this outcome. In turn, it is thought that these organizations developed a form of clientelism in relation to the allocation of the jobs and benefits of the programme that led to a loss of wider support, including amongst the poor, and that the continued use of tactics of economic disruption also led to a loss of middle-class support for the programme. In addition:

whereas the government claimed that the programme would provide quick financial help to vulnerable families and improve labour market management the plan encouraged informality, illegality and inequality. On the one hand, there was a substantial increase in the number of beneficiaries (almost 2 million) and whole families began to benefit from the policies as a result of targeting heads of households. On the other hand, the plan inadvertently encouraged precarious working conditions and deteriorating labour relations, as formally unemployed workers with children under 18 registered for benefits while working in the shadow economy. These workers often were better informed to access the plan than the unemployed....a vicious cycle of informalisation and policy ineffectiveness contradicted the government’s two main goals: to help the most vulnerable sectors of society and to end unregistered employment.⁸

In both Argentina and India, social mobilization focusing on the demand for employment changed the political landscape; the differences in longer term outcomes highlight the very different political economies in these two contexts. This includes the different ways in which alliances were or were not built and sustained; and the different relationships forged between the

⁷ Ibid.

⁸ Ibid.

state and the key social actors once the demand for employment was met in its respective forms. The political viability of public employment programmes is rooted in just such a set of issues, in every context.

Social auditing, accountability and transparency

In India, a key feature of MGNREGA is the institutionalization of public participation and the role of civil society organizations in ensuring transparency and public accountability. In particular, Section 17 of the MGNREGA Act requires that social audits be held every six months.

Concerns about corruption, patronage and fraud affect the support for PEPs as an instrument in many contexts, and the concept and implementation of social audits in India is now being keenly observed and adapted for PEPs in other countries.

In India, the concept of a social audit builds on the kinds of social processes and mobilization on which the RTIA and MGNREGA were built: with the right to information from local authorities used as a mechanism to hold the Government accountable for the implementation of MGNREGA. In practice, the methodology for conducting social audits, the development of capacity to do so, and clarity on the roles and relationships between Government officials and civil society organizations in the social audit process has entailed a 'learning by doing' approach elaborated in tandem with the

© Mahatma Gandhi National Rural Employment Guarantee Scheme



rollout of MGNREGA – and has raised a range of complex methodological and implementation challenges.

Box 3. Social audits in MGNREGA

In order to develop a social audit protocol for the MGNREGA, it is necessary to identify the distinct stages (or set of entitlements) involved. These are:

- A. Registration and receipt of job cards.
- B. Applying for work, getting it on time or receiving unemployment allowance.
- C. Participating in the identification of projects and sites, and issuing of work order.
- D. Participation in the supervision and measurement/evaluation of work.
- E. Disbursement of wages, on time.

For each of these steps (or entitlements) identify the vulnerabilities and dangers. For each of these vulnerabilities, determine and design the social auditing method most appropriate and fix institutional responsibilities and timeframes.

Source: Centre for Equity Studies (2005). *Social audit and the MGNREGA users manual* (Hyderabad, National Institute of Rural Development).

The process of social audits is highly variable across states, but a case study from Andhra Pradesh illustrates some of the issues and learning processes. In 2006, shortly after the launch of MGNREGA, the Government of Andhra Pradesh decided to conduct a social audit in an area where the Government's formal audit process had given a '*clean chit*' to the previous National Food for Work Programme. The process found 'huge anomalies', and prompted the concerted introduction of social audits in the State:

In this case, the initiative came from the state government which invited 31 NGO networks and civil society organizations, 1,000 volunteers from local NGO's and CSO's, 25 writers from the Ananthapur Writers' Forum, students, trainers, civil servants and government auditors to make an independent assessment of the implementation of the MGNREGA in Ananthapur District, which is one of the most drought-prone and poor districts in the country.....This was perhaps the first time that a state government had asked CSO's to take a lead in detecting corruption and mismanagement using the Right to Information Act. Drawing on the experience of the Dungarpur social audit, padyatras or

walking tours under the banner of the “Grameena Upadhi Hami Yatra” were initiated during the 10-day period. CSO’s ran training programmes for government officials to understand the social audit process, which was not widely understood. Thereafter citizens groups consisting of 10 persons each visited 600 villages in 38 mandals (administrative units) where the social audit process was carried out.⁹



Box 4. Challenges in institutionalizing the role of civil society in social audits

The level of civil society engagement in the evaluation of MGNREGA described above is remarkable. But it raises its own challenges:

- To what extent do these forms of civil society organization always represent the interests of local participants?
- To what extent should their role be institutionalized as part of a social audit process?
- Over time, how is the role of a wide range of different types of civil society organizations accommodated in the process?
- To what extent might these forms of organization ‘crowd out’ less organized voices at local level?

Burra (2008) highlights some of the problems of institutionalizing an approach to social audits that relies on social activism:

Given the size of the country and its population and the fact that there is very little expertise available to conduct social audits, can you cover the country in even one year? And the answer is no. And relying on informed and capable social activists from outside is hardly a reliable, replicable and institutionalized approach given the paucity of individuals with hands-on experience of conducting social audits.¹⁰

The process has also had some unintended consequences in terms of how Government officials have responded:

To be honest, in areas where capacity is weak, local officials can be so scared of the social audit process that they would rather not implement the programme at all to avoid having to

⁹ N. Burra: *Transparency and accountability in employment programmes: the case of NREGA in Andhra Pradesh*. Occasional paper (Annandale-on-Hudson, NY, Levy Economics Institute of Bard College, 2008), [http:// www.levyinstitute.org/pubs/EFE](http://www.levyinstitute.org/pubs/EFE) (accessed 18 Oct. 2010).

¹⁰ Ibid.

face this process. And in many areas, this is a new programme, and mistakes are made. How do you institutionalize the social audit in a way that uncovers and disincentivizes corruption, but that doesn't degenerate into a witch-hunt - and that also gives local officials the incentive to do well and to improve?¹¹

A key focus of contestation about the form social audits should take has been over who is entitled to participate, particularly as regards the role of nongovernmental organizations (NGOs).

In terms of the Act, the social audit processes are convened by the Gram Panchayat responsible for implementing the programme, and take the form of a local assembly of citizens within the area under their jurisdiction. This formulation has had the effect of excluding representatives of civil society organizations who are not resident in the area. In arguing for such a right, civil society organizations have highlighted the unequal power relations between the Gram Panchayat and local residents. While in the past the problem was lack of access to information, the problem now is arguably that there is so much information in the public domain that villagers require support to analyse it for anomalies and abuse. Also, despite significant gains in access to Internet-based information, the poorest and most marginalized areas and groupings still face the greatest constraints in securing such access.

Social audits are required by the Act, so while approaches to the process remain uneven, they are nevertheless being institutionalized. In the State of Andhra Pradesh, this process has involved the development of social audit tools, training modules and the formalization of step-by-step processes for social audits approved by the State Government. A pool of Resource Persons at State and District levels has been developed, and financial guidelines were promulgated earmarking 0.5 per cent of total MGNREGA funds for conducting social audits. The steps for the social audit process formalized in this State are described below, and have since been adopted in MGNREGA more widely.



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¹¹ Interview with Amita Sharma, Joint Secretary, MGNREGA, May 2010.

Box 5. The social audit process in Andhra Pradesh

- The Mandal is the administrative unit within which a social audit is conducted, comprising an average of 21 gram panchayats.
- The social audit starts with an application filed under the Right to Information Act for relevant EGS records.
- State Resource Persons and District Resource Persons go to the villages and identify literate youth from labourers' families.
- Following the selection of 100 people, they are trained as Village Social Auditors, and formed into 9–10 teams. Over 50,000 Village Social Auditors have so far been trained.
- Each team does Social Audit in 2–3 gram panchayats.
- Verification of figures on records with facts on the ground.
- Awareness building on the rights and entitlements of the wage seekers.
- Corrective measures are taken immediately.
- On a pre-notified date a social audit public meeting is held.

Source: Rajsekhar, R. 2009. *Scaling up and institutionalization of social audits in Andhra Pradesh*, Presentation, Society for Social Audit, Accountability and Transparency (SSAAT), Government of Andhra Pradesh, December 17, 2009 (Hyderabad).

Unlocking community initiative and strengthening local development planning processes

CWP has made this community vibrant... everyone is busy... all of a sudden people have a purpose, we are the envy of surrounding communities. Besides the fact that the place is so clean, there are new parks, many food gardens and daily street patrols that have significantly reduced crime. You now see a lot of young people going to driving schools because they can now pay for it. And every weekend you see a furniture delivery truck for this or that family. It's really a different place.¹²

Social processes can foster local initiative and strengthen local democracy and local government structures. This is particularly important in areas/communities that have historically been marginalized. Previous authoritarian governments that provided little or no space for public participation have often severely damaged local communities and how they

¹² Councillor Dan Nkosi, Tjakastad, Mpumalanga, 2009.

function. Social processes in PEPs can create the space for renewed community engagement, and also strengthen people's sense of political and economic agency – their ability to change their own conditions.

In most PEPs, the government sets the parameters for the work to be done, often on a sectoral basis aligned with the mandate of the department in which the PEP is located, in order to marshal the relevant technical support and limit the complexity required where the work cuts across different government boundaries.

In South Africa, the Community Work Programme (CWP), which is a new component of EPWP, operates on a different model. In response to deep structural unemployment, with little or no seasonal dimension, the programme attempts to provide a minimum level of regular and predictable work at local level. In practice, this is two days of work a week (or the monthly equivalent) totalling 100 days a year.

This requires that the programme be institutionalized as a permanent feature at the local level. While local government might seem to be the logical implementing agent for the programme, elected local governments were only introduced after the end of apartheid in South Africa. In the poorest areas, it is weak and lacks capacity, and mounting service-delivery protests are a consequence of a profound failure of delivery at this level.

Instead, subject to formal support from local governments, non-profit implementing agencies are appointed by the CWP at national level to initiate the programme locally and build local capacities to run it. A key feature of the programme is that communities identify the 'work' to be done wherever possible through 'Ward Committee' structures. This creates alignment between a nongovernmental- implementing mechanism and wider planning.

Ward committees were set up as part of the new local government structures. They participate in an annual process of drafting an Integrated Development Plan (IDP) for the district. While these structures were expected to enable local participation in development planning, and strengthen democratic accountability of local government, they have often lacked dynamism, not least because the IDP process is an annual process, and the link between participation in these structures and change at local level is to some extent indirect. An unanticipated consequence of the Community Work Programme has been the way it has energized these structures –the turnaround from decision-making that, in some contexts, implementation in the CWP is a matter of weeks.

By putting the decision-making on the work to be performed into the hands of communities, the CWP provides a way for communities to unlock the power of their own labour to improve their quality of life.

The work has to be ‘useful work’, and it has to contribute to building community assets and services. A range of different community development methodologies has been used.

Kwanda and the CWP: Making communities “look better, feel better, work better”

The Community Work Programme implementing agency, the Seriti Institute, has pioneered the adaptation of a community development methodology called the Organization Workshop. It was initially developed by de Moraes in Brazil, and designed to teach work organization skills to large-scale groups of people in an intensive action-learning process that lasts a month. The Seriti Institute uses this methodology in the inception phase of CWP sites, to fasttrack capacity development.

When the Department for Social Development and an HIV/AIDS Education NGO called Soul City proposed to use the methodology in an innovative programme called Kwanda, the CWP was a partner in the process.

The Kwanda programme involved five communities in a joint Organization Workshop, after which they returned home tasked with making their communities “look better, feel better, work better” in relation to four focus areas: care of vulnerable children; reduction of alcohol abuse and the violence stemming from it; prevention of new HIV infections; and strengthening livelihoods. Their efforts were televised over 12 weeks in a form of a reality TV show, which developed a following of over 1.6 million viewers, who voted for the community that achieved the best outcomes. These sites all then continued as CWP sites.

Consultation and community mapping exercises in each place have been important tools for bringing commitment to the process from a wide range of local actors. In each site there is an active Reference Group for the CWP which draws in councilors, officials from the local municipality and relevant government departments, ward committee representatives and other community leadership. The existence of active reference groups is necessary to ensure that the CWP aligns with and contributes to the Integrated Development Plan in each locality and benefits from the insights and expertise of reference group members.¹³

In this respect, the CWP has the potential to contribute to deepening participation and ownership of local development planning processes: unlocking the unemployed people’s productive contribution to improving the quality of life in communities, and building social cohesion and inclusion in the process.

¹³ Seriti Institute: *Report to the Community Work Programme, December 2009* (Mumbai, 2009), unpublished document.

Box 6. Building social cohesion in a time of xenophobia



We have learnt through the Organisation Workshop that Bokfontein is made up of so many people from so many different places, and we have found people amongst us who are outstanding and have leadership skills – people we would never have recognized before.¹⁴

In 2008, South Africa experienced an outbreak of xenophobic violence in many informal settlements.

The closing ceremony of the Bokfontein Organization Workshop took place two weeks after the first outbreak of xenophobic violence in Alexandra township in May 2008, the same day that violence erupted in the Diepsloot informal settlement nearby. Against this backdrop, the inclusive way in which the Bokfontein community defined itself was striking. In the closing ceremony, participants sang songs from five different southern African countries; learning these songs had been part of an active process of building social cohesion.

When school students later attacked Zimbabwean street traders, the Bokfontein leadership acted swiftly. After calling a special school assembly to discuss the issues, students marched again – this time to protest against xenophobia – along the new road that had been built in Bokfontein as part of the Organization Workshop.

Street patrols were then set up, made up of South Africans, Zimbabweans and Mozambicans, to protect the community from further incidents. Bokfontein was one of the only communities in the area to remain largely untouched by the waves of violence in surrounding communities.

Source: Philip, K. 2009. *The Community Work Programme in South Africa: Making access to regular work a part of social protection*, UNDP/Levy Economics Institute of Bard College Conference: Employment Guarantee Policies, June 2009, New York, NY.

Another important instrument in strengthening participatory local development is the 'community contract'. Community contracting is a participatory process whereby a community group negotiates with local government or a development programme and enters into a contractual agreement in order to undertake an activity that leads to an improvement in their livelihoods. The main difference with 'conventional' community-level project activities is that the contract approach is based on a partnership relationship rather than on a 'provider-recipient' relationship. A process of negotiation and bargaining is essential to arrive at an agreement, or

¹⁴ Patrick Ledikwa, Chair of the Bokfontein Development Forum, 2008.

contract, that is satisfactory and feasible for all parties. These negotiations between public administrations on the one hand, and community groups on the other, strengthen the social position of target groups in the unorganized sectors, and thus provide the basis for a more democratic and equal form of partnership. If well designed, the contract approach is likely to strengthen the collective capacities of the poor to act as partners in development, and to enhance accountability of public administrations.¹⁵



Participation in targeting and programme planning

There is considerable scope for PEP/EGS to integrate local consultative and participatory processes into decision-making on work outputs and implementation at a local level, and to contribute to building participation in local development planning and prioritization.

The most common form such participation takes is in relation to targeting and selecting beneficiaries at a local level. Under the right conditions, the use of participatory processes to select beneficiaries draws on local knowledge to assist the targeting process in ways that can be more effective and cost-efficient than other forms of means testing. However, such approaches are not without risks. They assume a local culture of participation that may underestimate the pervasiveness of local power structures and patronage networks, as well as gender, ethnic or other biases at local level that may make some households less 'visible' even within their own communities.

These risks can be addressed, at least in part, through the introduction of an appeals process through which those who feel that they have been unfairly excluded can appeal decisions. Such an appeals process has been introduced in the PSNP in Ethiopia with good results. The introduction of the appeals process provides not only an avenue for those who have been excluded, but also an oversight role. Structures that execute their targeting functions in an unjust manner are more likely to be exposed if an appeals process is in place.

In a context in which infrastructure development has the longest track record in public works, extensive methodologies have been developed to integrate consultation with local communities over the development of infrastructure that will affect their lives and livelihoods. Similarly, consultative approaches to work organization have been developed. In some instances, workers have organized themselves into trade unions within public works programmes in order to negotiate such conditions more formally.

¹⁵ J. Tournée and van W. Esch: *Community contracts in urban infrastructure works. Practical lessons from experience* (Geneva, International Labour Organization, 1998).

Box 7. Should workers in public employment programmes have the right to organize themselves into trade unions?

At one level, the answer to this is obvious: yes, like workers everywhere, workers in PEPs have the right to organize. But in practice, workers in PEPs have at times been excluded from the right to organize or to participate in bargaining processes over working conditions. This often goes hand in hand with definitions of work in PEPs as not being ‘real’ work, and wages earned as stipends – or some other definition of payment other than wages. This obviously has implications for the extent to which PEPs are seen as contributing to decent work.



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Checklist

SOCIAL PARTNERS AND SOCIAL PROCESSES IN PEPs	
Respond to the following questions	☒
Is there sufficient policy and/or political support for a PEP or does the case for a PEP still need to be made?	
If the case still needs to be made, where and how does it need to be made?	
Are there institutionalized forums for social dialogue in your society? Can these enable the development of a social consensus on the need for a PEP? Identify the policy positions of the major interest groups.	
Identify the main stakeholders in the development of a PEP. Are they all represented in the forums that exist for social dialogue?	
If not, what mechanisms might enable engagement with those stakeholders who are not represented? If this is difficult (for example, if they are not organized) are there acceptable proxies for such consultation that enable sufficient levels of social consensus?	
Once the need for a PEP is agreed, how much of the design should be resolved through consultation, and how much should be delegated to technical decision-making?	
In the design of the PEP, where do opportunities exist to institutionalize consultation and participation?	





