



The politics of social protection: what do we get from a ‘social contract’ approach?

Sam Hickey

Institute for Development Policy and Management
University of Manchester
Oxford Road
Manchester
M13 9PL
UK

What is Chronic Poverty?

The distinguishing feature of chronic poverty is extended duration in absolute poverty.

Therefore, chronically poor people always, or usually, live below a poverty line, which is normally defined in terms of a money indicator (e.g. consumption, income, etc.), but could also be defined in terms of wider or subjective aspects of deprivation.

This is different from the transitorily poor, who move in and out of poverty, or only occasionally fall below the poverty line.

Abstract

There have been growing calls to reframe the politics of poverty reduction, and of social protection in particular, in terms of extending the 'social contract' to the poorest groups. This is often understood as relocating social protection within a broader project politics of rights and justice as opposed to patronage. However, such calls belie the serious differences within social contract theory and between the forms of social protection that might emerge from different contractual approaches. The experience of social protection in Africa suggests that contractual approaches to social protection in practice may take regressive as well as progressive forms. It seems unlikely that international development agencies could promote progressive social contracts around social protection without significant reforms to the way in which aid currently works.

Keywords: social contract, social protection, poverty reduction, aid

Acknowledgements

This paper is drawn from a longer paper produced for the European Report on Development 2010 (Hickey, 2010), and is based on initial work undertaken within the UK DFID-funded Chronic Poverty Research Centre. It relies heavily on an annotated bibliography on social contracts, CPRC Working Paper 217, by Jessica Hawkins, a PhD candidate at IDPM, University of Manchester. Thanks also to Dr Jan Orbie for his insightful comments on an earlier version.

Sam Hickey is Senior Lecturer in Development Studies at the Institute for Development Policy and Management, University of Manchester. He is also a research fellow within the Chronic Poverty Research Centre, within which he conducts research into the politics of poverty reduction and alternative forms of poverty analysis.

Email: Sam.Hickey@manchester.ac.uk

This document is an output from the Chronic Poverty Research Centre (CPRC) which is funded by UKaid from the UK Department for International Development (DFID) for the benefit of developing countries. The views expressed are not necessarily those of DFID. The CPRC gratefully acknowledges DFID's support.

Contents

1 The rise of social contract talk and the politics of social protection	4
2 Social contract theory and the politics of social protection: making the links	6
2.1 Different philosophical approaches to contractualism	6
3 Competing approaches to social contracts and their implications for social protection.....	9
3.1 Social contracts and social protection in practice: Botswana and South Africa compared	12
3.2 Beyond contractarian approaches to social justice and social protection	14
4 The strategic implications of taking a social contract approach to social protection for development agencies	16
5 Conclusion.....	18
6 References	18

1 The rise of social contract talk and the politics of social protection

'...the best way to eradicate chronic poverty is through the creation and maintenance of a just social compact. This exists when political and social institutions are arranged to ensure a distribution of public goods and services that contributes to fairness in society.' (CPRC, 2008: 13)

'The establishment of permanent social assistance ultimately requires the development of a politically sustainable contract...' (Graham, 2002: 1)

The notion that 'social contracts' are important for development has become an increasingly popular theme amongst development agencies and some development academics over the past few years. The language of 'social contracts' has been employed to explain the politics of taxation by the OECD and others (for example Moore, 2008), of growth (Haggard *et al.*, 2008), of well-being (McGregor, 2007), and it has a resonance with global commitments to poverty reduction, as with the Millennium Development Goals which has been framed in contractual terms as 'the world's biggest promise' (Hulme, 2010). It has been particularly popular amongst those examining the politics of social protection, including in relation to Latin America (for example Graham, 2002), South East Asia (Haggard and Birdsall, 2002; Haggard and Kauffman, 2004), India (de Waal, 2000) and sub-Saharan Africa (de Waal, 1996, 1997, Hickey, 2009).

The rise of social contract talk seems to derive both from a set of normative/ideological concerns within international development and an increased awareness of the importance of politics in shaping development policy outcomes. The current move appears to be strongly influenced by the striking rise of contractarianism in many spheres of social life in some developed countries over the past three decades (Yeatman, 1998). 'Over the past twenty or so years, the Anglophone liberal democracies have witnessed the revival of contractualist doctrines of governance'. (Yeatman, 1998: 227). This resonates clearly with contemporary social protection debates in international development, particularly in terms of the popularity of conditional cash transfers. An assumption here seems to be that a social contract is a 'good thing', which denotes not only more legitimate, peaceful and consensual forms of political authority, but also a wider commitment to social justice that can help relocate public policy within the realm of rights rather than patronage. However, little effort has been made as yet to working through the theoretical and political implications of taking this shift seriously. For example, does this mean promoting a specifically contractual approach to social protection interventions themselves, as in the case of conditional cash transfers? Is this part of a broader effort to locate social protection within more binding sets of relationships and agreements as a means of ensuring their political sustainability? What forms of politics are required to support social contracts around social protection and is it feasible for international development agencies to support these?

The aim of this paper is to give critical consideration to the claims made on behalf of a social contract approach to the politics of social protection, and to start working through the implications of taking this approach seriously. The next part of the paper introduces social contract theory, and distinguishes between two broad tendencies within social contract thinking (liberal and social) which have different implications for related forms of social protection. Section 3 works through some of these implications for social protection and includes a brief illustration of how they have played out in the context of southern Africa. Section 4 briefly explores the implications for development agencies of adopting a social contract perspective in their efforts to promote social protection. The Conclusion suggests that, while there are clear analytical insights to be derived from approaching social protection from a social contract perspective, there are also dangers and difficult decisions to make here with regards different ideological approaches to social contract thinking. For development agencies to adopt a social contract perspective would not only involve greater ideological clarity but also significant shifts in current practice.

2 Social contract theory and the politics of social protection: making the links

The original focus of social contract theory, as it emerged in European political thought in the Seventeenth and Eighteenth centuries, was on questions of political authority and legitimacy rather than on more specific issues of public policy. Pioneer philosophers – such as Hobbes, Locke and Rousseau – developed varying forms of social contract theory to help identify the legitimating grounds of political authority, whereby ‘the obligations of rulers and subjects (and the limits thereof)’ are based ‘on a premised contract or contracts relating to these matters’ (Lessnoff, 1990: 3). Social contract thinking also went beyond concerns with establishing the legitimate grounds for political authority to the legitimating basis for citizens living together. In relation to current debates within international development, the most significant contribution of social contract thinking comes from John Rawls’ seminal work, a *Theory of Justice* (1972). Here, Rawls extends social contract theory to include the legitimacy of all social and political institutions, whereby he argued that people would not agree to subject themselves to political authority unless certain conditions were in place to ensure their basic freedom and equality. Charged with re-defining the principles of a good society, and without knowing in advance what their socio-economic and political status would be within it, people will seek to ensure that minimal standards of freedom and livelihood are guaranteed for all as a means of protecting themselves and their fellow citizens from subordination and destitution. The links to current debates on social protection – most notably ideas around basic income grants and a ‘social floor’ – are clear.

2.1 Different philosophical approaches to contractualism

Although discussions within international development tend to treat social contract theory as a single, undifferentiated approach, it is important to distinguish between at least two main strands of social contract thinking. The first approach traces its journey from Rousseau to Rawls and tends to view social contracts in terms of the rights and obligations of individuals, both against political authority and each other. Following Freeman (2007), we term this as the social or right-based¹ approach to contractarianism. The liberal or interest-based approach, on the other hand, flows from the ideas of English philosopher Thomas Hobbes through the new political economy of the Nineteenth century and onto more contemporary neoliberal thinkers such as von Hayek, Gauthier and Buchanan.

¹ For Freeman (2007: 18, footnote 2) this includes but is not the same as an approach founded on the human rights of individuals. Here, ‘right’ refers to ‘Rawls’s sense of principles of right’, which ‘works from an ideal based notion of persons and society’. According to Rawls, ‘Rights, duties and goals are but elements of such idealized conceptions’.

The differences between the two approaches can be seen across a number of dimensions, from their respective views of the individual to their positions on what should constitute the basis for a project of social justice, as mapped out in Table One. As Yeatman (1998: 228, cited in Ramia, 2002: 57) notes:

'While there are historical ties between the social and liberal versions of contractualism, there are also serious tensions between them, not least with regard to the relative emphasis in social contractualism on the equality of individualised persons, as distinct from liberal contractualism's emphasis on the freedom of those who already have the capacities to forcefully present themselves as individuals.'

Although 'Both take the idea of reciprocity – the idea that social cooperation should be to mutual advantage – as fundamental', they differ 'in their characterization of this basic idea' (Freeman, 2007: 18). For example, the interest-based approach, or what others call 'Rational choice contractarianism', holds that 'in the context of a social contract, rational agents are presumed to maximize their advantage or self-interest,' (Black, 2001: 116) Under the social or right-based approach, however, 'people are presumed to be motivated by a concern for treating people fairly' (Black, 2001: 117), while 'the Hobbesian approach to moral inquiry from the point of view of isolated individuals abstracted from social relationships' is rejected (Freeman, 2007: 20). Importantly, interest-based approaches are generally more inclined to see contracts as denoting actual legal contracts. For Rawls, and others arguing from a right-based approach, contracts are not necessarily referred to in a legal sense, but in terms of a binding agreement or exchange of promises. (Lessnoff, 1990: 4)

As discussed in the following section, these competing approaches to social contract thinking have very different implications for the forms of social protection that would be promoted under each. However, it is important to note that there are important philosophical differences within each tendency, particularly the social approach. For example, Locke's emphasis on protecting existing forms of property rights on behalf of landed proprietors (Gauthier, 1977: 124) has more in common with a Nozickian (liberal) approach to justice than that of either Rousseau or Rawls. For Rousseau, early social contract thinkers such as Hobbes and Locke were guilty of using the moralising language of 'contracts' to assist élites in duping ordinary citizens into surrendering their liberties and institutionalising inequality. As such, it makes sense to separate these two strands of the right-based or social approach here. One way of characterising this difference is to define the Lockean approach as being primarily concerned with defending 'negative' (or actually existing) rights whereas the Rousseau/Rawlsian approach is primarily concerned with promoting more 'positive' rights. Rawls, for example, would sooner overhaul than protect current institutional arrangements in order to ensure higher levels of equality, including re-distributive measures upon the basis of

need.² These and other key differences between the three approaches are elaborated in Table 1 below.

Table 1: Different views of the social contract

	Liberal/Interest-based	Social/Right-based (negative)	Social/Right-based (positive)
Key proponents	Hobbes, Hayek, Nozick, Gauthier, Buchanan	Locke	Rousseau, Kant, Rawls ³ , Scanlon
Overarching goal of the social contract	Protection; maintenance of order	Protecting existing property rights	Promoting justice
Vision of individual	Rational actor; motivated by subjective ends. Individual as isolated from others	Rights-bearing citizen	Impartial actor; motivated by impersonal aims Individual in relation to others
Vision of society	Individualistic Merit-based notion of justice	Individualistic	Commonwealth Equality-based social justice
Basis for social relations	Utilitarian	Mutual respect	Mutual respect
View of political arrangements	Political arrangements for mutual advantage (although on ethical/moral grounds under a right-based approach)		

² Following Berlin, 'negative' rights refer to the rights of people to be protected from overt sources of harm (e.g. security), whereas 'positive' rights refer to those broader set of goods and capacities that people require to flourish as human beings in a fuller sense.

³ Although Rawls is more of a liberal than a social democrat, his ideological positioning in this table better reflects the contemporary ideological spectrum.

3 Competing approaches to social contracts and their implications for social protection

This section links the competing tendencies within social contract thinking to the discourses and practice of social protection. A brief discussion of the 'contracts' that have actually underpinned social protection in southern Africa is used to illustrate both the differences between these competing tendencies and also the problems of treating 'contracts' as an unproblematically progressive force.

In terms of political praxis, the relative fortunes of the liberal and social versions of contractualism have varied over time. While Rousseau deliberately sought to move past what he saw as the élitist stance of Hobbesian contractualism, the liberal approach returned to precedence during the Nineteenth century, in Britain at least, in part as a means of justifying the individualism that emerged via processes of industrialisation. Here, the 'freedom of contract' moment was premised on the freedom of individuals to contract their own labour in exchange for due reward. For critics, this soon became contradictory, given the intensity of economic processes at work, such that 'Pure contractual freedom was illusory, a point which Polanyi captured in the notion of the 'commodity fiction'' (Polanyi, 1944: 72, cited in Ramia, 2002: 53). According to Ramia (2002), the (slow) decline of this 'freedom of contract' moment was driven in part by the movement towards what Karl Polanyi termed 'social protection' which developed during late Nineteenth and early Twentieth centuries in countries such as Germany, Australia, New Zealand and Britain. The serious advances in social protection from 1870 onwards reached a high-point in the welfare states of post-war Europe.

Although the social approach to contractualism was given further impetus through the work of John Rawls in the 1970s, 'The predominance of social protection in the post-war era was not to last long into the 1980s, however, by which time a *new* contractualism had begun to make its presence felt in public policy'. (Ramia, 2002: 55). Under neoliberalism, contractualism becomes driven more clearly by the liberal, interest-based approach. Here, 'Neo-liberalism has everywhere sought to challenge the Keynesian welfare state, reviving classical liberalism's celebration of market individualism and minimal government to do so' (Mahon, 2008: 344). Within international development, this entailed a minimalist approach to social protection (via residualist safety-nets, for example, World Bank, 1990) and a return to the logic of individualism under a market-orientation. In terms of citizenship, the shift here is to move away from the idea of citizens having rights to state-provided public goods, and, instead, 'ostensibly to make citizens responsible - through their own individual choices for themselves. Because the cultural contents shaping these neo-liberal political subjects are none other than the liberal norms of the marketplace' (Schild, 2000: 276). The financial crises of the mid-late 1990s helped catalyse a further ideological shift within leading western countries and international development agencies whereby the purely neo-liberal moment morphed into a softer version of 'Inclusive Liberalism' (Craig and Porter, 2006). This moment, captured to an extent in the World Bank's (2000/1) *World Development Report: Attacking*

Poverty, paved the way for a more muscular social protection agenda that could no longer be left to the market alone. This moment can be characterised by an often confusing convergence of neo-liberalism and a re-energised focus on social policy.⁴ What is particularly striking is not just the redrawing of the broader contract to include social protection, but the basis upon which this occurred. Here, the capacities and aptitudes required to engage with the market can be delivered through a mixture of increased personal responsibility along with improved public service delivery that will develop their human capital base and ameliorative programmes of social protection.

Under inclusive liberalism, then, '...government itself could be 'empowered to be enabling', creating frameworks wherein plural (empowered) actors in government, markets and civil society could be marshalled and 'joined-up' to focus together on delivering services that worked to 'enable' and 'include' people'. (Craig and Porter, 2006: 91). Communities are central here, so that 'The stake has to be generated in the community-based ethic that shapes the values that guide each individual. This is to be accomplished by the building of a new relation between ethical citizenship and responsible community fostered, but not administered by the state' (Rose, 2000: 1398). A key example here are the social action funds that form the backbone of 'community-driven development' for the World Bank (Craig and Porter, 2006: 211), and which form a large element of its social protection response, particularly in low-income countries and 'fragile' states.

A key characteristic of this shift has been the emphasis placed on individual responsibility as well as rights, whereby (in developed countries),

'beneficiaries are required to make an economic (and moral) contribution to society in return for their state-provided benefits, typically through involvement in (most often mandatory) training and labour market programmes.' (Ramia, 2002: 53)

The policy response that most fully captures the contractual approach to social protection under inclusive liberalism arrived with the conditional cash transfer programmes (CCTs). As the World Bank has noted with reference to the Bolsa Família programme in Brazil:

'Conditional cash transfers provide money directly to poor families via a 'social contract' with the beneficiaries – for example, sending children to school regularly or bringing them to health centers.' (Rawlings and Rubio, 2005).

Such programmes offer cash transfers in return for more developmental forms of behaviour by the recipients, usually in terms of attendance of schools and health clinics. The success

⁴ In South Africa, for example, and 'in spite of an undoubted commitment to a rather extreme set of neo-liberal macro-economic policies', the country 'has a large and apparently expanding system of social assistance, anchored by a state-supplied old-age pension' (Ferguson, 2007: 76).

rates of such programmes have often been impressive, not only in terms of reduced income poverty but also increased levels of human development. Importantly, they imply a particular model of the contract between state and citizen, a hybrid between the interest-based and right-based approaches (Table 2).

So, although the rights and obligations of citizenship are being promoted here, these are conditional upon behavioural changes that imply a less benign reading of human agency and autonomy than within the social approach, and chime with '...inclusive liberalism's emphasis on state support for economically active, 'empowered' individuals' (Mahon and McBride, 2009: 97). Social protection here is an exchange, whereby cash is transferred to recipients in return for their fulfilling particular modes of 'developmental' citizenship. Those operating within a more right-based or social contractarian view argue that, under conditionality, '[W]elfare recipients are subjected to a coercion that is quite incompatible with individual autonomy' (Jayausuriya, 2002: 315). A similarly social democratic perspective is employed by Hujo (2009: 8) to argue against conditional approaches in favour of unconditional approaches, whereby:

'From a perspective of social integration, it seems reasonable to posit that when cash transfers are provided on a universal, unconditional, stable and long-term basis, they have a stronger potential to boost people's capabilities to pursue a decent and sustainable livelihood and to act as an instrument for social integration.'

Critics of CCTs also argue that they represent a failure to move towards a genuine double-movement, in a Polanyian sense, whereby social protection is directly targeted at re-embedding capitalism in social relations based upon mutual and ethical obligations.

As such, it is clear that proponents of a social contract perspective to social protection differ markedly in their understanding of what this means, and with often very different policies and approaches in mind, although this is seldom made explicit. For example, proponents of the 'social' approach to contractualism discussed above, including advocates such as Guy Standing and Robertson (1996), argue for the idea of introducing a citizen's income as a new means of establishing a social compact between the state and its citizens based upon a fuller vision of social democracy. Similarly, in a paper on social protection and social integration prepared for the UNRISD's 2010 flagship report on poverty, Hujo (2009: 13) argues that:

'Domestic financing schemes with progressive distributional impacts add to the objective of social integration as they support a social contract within society and between society and governments.'

This stands in contrast to the more individuated view of social agency that underpins the interest-based/liberal approach, and which would rely less heavily on state-based provision. Table 2 sets out the links between these different social contract views and different approaches to social protection.

Table 2: links to development and social protection

	Liberal/ Interest-based	Right-based (negative)	Right-based (positive)
Development paradigm	Neoliberalism	Inclusive liberalism	Social democracy
Core policy concerns	Security and economic opportunity	Security and economic opportunity	Empowerment and equity
Key policy actors	Market	Market, community, state-in-partnership with citizens	State
Corresponding welfare regime	Conservative	Liberal	Social democratic
Examples of relevant social protection instruments	Safety nets Microfinance	Conditional forms of social policy and transfer	Rights-based, universalism

3.1 Social contracts and social protection in practice: Botswana and South Africa compared

A brief comparison between the politics of social protection in Botswana and South Africa can help illuminate both the different contractualist tendencies outlined above and also the broader insights that can be derived from thinking about social protection in contractual terms. South Africa became the first country in Africa to institute a state pension in 1928.⁵ The Act entitled all 'white' and 'coloured' residents of South Africa, aged 65 years and older, to receive a pension, subject to an income-based means test. The ratio of white to coloured pensions was then set at approximately 2:1, with black South Africans excluded until 1944 when black pensioners were offered a transfer with a value much lower than that received by white and coloured nationals. Following the accession to power of the ANC, the Old Age Grant underwent a radical re-design in a bid to ensure equality of service to all South Africans, with means-testing ensuring that the majority of older black people would now receive the grant. Today, there are 2.1 million beneficiaries from the old-age grant, which is the largest social security transfer from the South African government (ILO, 2000) and is financed from tax income.

⁵ This and the next paragraph draw directly from on a comparative research project into 'The Politics of What Works' that was co-ordinated by this author and synthesised in Hickey (2007; 2009). Further details on the politics of social pensions in Lesotho, Namibia and South Africa can be found in Pelham (2007).

The trajectory of the pension scheme in South Africa closely reflects the historical development of different settlements between state and groups whom it considered to be 'deserving' citizens at particular historical moments. In the 1920s, the scheme was originally targeted at the '*outsryders*' (veterans of the Boer War), along with mineworkers. In the 1940s, the scheme was reformed and extended in order to include white working-class voters, whom the incumbent Labour Party regime was seeking to secure as a core constituency (Sagner, 2000: 527). The political discourse employed at the time was one of:

'the state's moral duty to help its needy older citizens and the entitlement of poverty-stricken older whites to such public assistance.' (Sagner, 2000: 527-528)

With the end of apartheid rule in the 1990s, these policies were transformed into a progressive form of social protection aimed at reversing previous discrimination as the terms of the broader social contract altered. The advent of black majority-rule brought millions more citizens within the contract as part of a wider move by the new regime to forge a new political settlement. A key element of this new settlement was an extensive debate calling for a basic income grant or household grants for poor families, and the enshrining of access to social security as a right in the Bill of Rights (Olivier, 2003, cited in Pelham, 2007).

The development and distribution of social protection in Botswana also reflects the extent to which different ruling regimes have considered different social categories to be worthy of bringing within /their moral compass or contract. Although Botswana is generally lauded as one of Africa's few democratic and developmental states, it is also one of Africa's most unequal societies, with evidence that certain groups have been kept in destitution and extreme poverty as a result of the country's inter-related forms of political economy and political system (Good, 1999). The incumbent BDP party, which has ruled since independence, has remained dominated by cattle barons and traders, and the political culture has historically legitimised socio-economic inequality (Iliffe 1997). Within this context, Botswana's efforts to protect groups from vulnerability to shocks, such as the Drought Relief Programme, have become heavily politicised (de Waal, 1997). In the first instance, the occasional and relief-based character of the programme further ignores the fact that for the destitute and the minority groups such as the Sans the more pressing problem is their lack of any formal land rights, not simply a lack of food (Good, 1999). Driven by little discernible concern with redistributive forms of social justice, here:

'The duty to prevent famine was closer to an administrative ethic than a directive. Above all, there was never an intention to nurture a corresponding right to relief' (de Waal, 1997: 30).

By the mid-1980s, the programme was increasingly serving the interests of large-land holders with tractors and large herds, the same rural élite who sustained the ruling party through political patronage (de Waal, 1997; Good, 1999). In 1996, Botswana introduced a

basic non-means-tested old age pension for all citizens of 65 years and above. By 2003, it was calculated that around 96% of the elderly population was registered in the universal pension programme. However, the scheme is far less generous than those of either South Africa or Namibia, with transfers set too low to enable sustained escapes from poverty; in any case, the most destitute are unable to claim due to a lack of identification papers. However, in contrast to the case of South Africa, the politics of social protection in Botswana similarly reflects the type of contract that the state has established with different social groupings over time.

The differing politics of social protection in Botswana and South Africa represent the two tendencies discussed above, particularly in terms of the contrast between the respect for the landed classes revealed in the liberal contractual approach adopted in Botswana, as compared to the more radical and redistributive character of the pension reforms, undertaken as part of a wider redrawing of the social contract in South Africa. There is little doubt as to which approach is the more pro-poor in character, nor which seems likely to bind state and citizens together in a progressive social contract based on the fulfillment of the social rights of citizenship.

However, it is also very revealing to note from a social contract perspective that, in both cases, social protection plays a particular role in upholding a broader contract or agreement between dominant social forces in each country. For example, Nattrass and Seekings (2010) point out that even in the case of South Africa, social protection therefore plays a role in upholding a wider development strategy that offers little hope of employment for the majority of young people. Importantly, the underlying politics of this capital-intensive growth-plus-social protection strategy has been forged through a pact between the regime, big business and trades unions seeking to protect the role of skilled labour. As such, there are important insights to be had from an historicised understanding of social protection as both deriving from and being supportive of particular contracts, which may be progressive in supporting the fulfillment of some socio-economic rights (e.g. welfare) while undermining other potentially more important ones (e.g. the right to work).

3.2 Beyond contractarian approaches to social justice and social protection

It is also important to note that social contractualism offers only one of many approaches to social justice that could underpin a broader approach to the politics of social protection, and that arguably more progressive approaches exist. In advocating a capabilities approach to social justice, Nussbaum (2003) has argued that there are particular problems in using contractual approaches to social protection, given that the mechanism of the contract itself tends to exclude from participation the highly dependent categories of people that social protection is often aimed at, and fails to recognise the forms of care that they rely on most. Feminist theorists have long pointed out that social contracts are profoundly gendered, often

playing out in practice as a sexual/social contract in which not only is the contracting individual male, but this is constructed through the active exclusion of women from the pact (Pateman, 1988; Hellsten, 2009). A further concern that is explored in greater depth elsewhere (Hickey, 2011) is that the ideological range of contractualist thinking on social justice, with John Rawls as its most progressive proponent, is somewhat narrow. In particular, it fails to encompass the more radical approaches to social justice that can be identified with some feminist and leftist tendencies (e.g. Young, 2008). From such perspectives, most current instruments of social protection appear as essentially ameliorative and palliative, rather than being associated with any more structural changes (e.g. Teichmann 2008). These more radical approaches to social justice chime to some extent with calls for more 'transformative' forms of social protection which moves beyond standard 'social risk management' (Devereux and Sabates-Wheeler, 2004) to embrace a wider, more recognisably Polanyian range of measures. This includes an effort to go beyond treating the symptoms to addressing the causes not only of vulnerability and poverty, but also of exclusion and subordination, and is equivalent to the more radical feminist focus on achieving strategic, rather than simply instrumental, shifts in well-being (for example, Fraser, 1995).

4 The strategic implications of taking a social contract approach to social protection for development agencies

The foregoing analysis suggests that taking a social contract perspective to social protection seriously is no straightforward matter for international development agencies, in part due to the level of ideological clarity such a strategy would involve. Choosing between the different contractualist approaches available, between the liberal and the social, will help guide strategic positions over whether social protection should be delivered on a universal or targeted basis, and whether they should be conditional or unconditional. While the liberal tendency would broadly favour approaches that are targeted and conditional, and the social approach would tend to prefer more universal and unconditional approaches, there is currently little hard empirical evidence in support of one view over the other. However, it is possible to suggest that a liberal contractarian approach is less likely to secure the forms of politics that have historically been associated with the development of progressive social contracts around social protection. Rather, a social approach seems to be more closely aligned to the challenge of promoting a more progressive politics of social protection in Africa, in that it engages more directly with the underlying causes of poverty and vulnerability and would involve enhancing the capacity of the state to intervene, a critical element of pro-poor politics over the long-run. These have been key elements of the few nationally-driven social protection schemes that have emerged in sub-Saharan Africa, including the social pension systems in Namibia and South Africa.

However, there are serious doubts as to whether donor agencies are well-equipped to play a role in deepening social contracts in developing countries, whether around social protection or otherwise. Social contracts are fundamentally concerned with the relationship between national governments and their citizens, and development agencies are in a structurally difficult position from which to promoting the types of political changes required to catalyse or strengthen social contracts and have a deeply problematic track record in this regard. Donors are more regularly associated with undermining rather than strengthening the types of state accountability and popular mobilisation associated with social contracts, and de Waal (1996) argues that no social contract ever emerged around food security in Africa where donor were present. Indeed, he argues that donors were far more likely to undermine and displace any contracts that existed with some level of external dependence and patronage-based system around the distribution of goods (de Waal, 1997).

Seeking first to understand and then support the progressive development of the contractual politics of social protection in Africa involves a series of important shifts, many of which chime with other calls for donors to become more politically attuned (for example Booth, 2005; Whitfield, 2009). This includes a stronger commitment to 'do no harm' and to move away from a model of promoting ownership of policy reforms that is based on securing donor influence, and towards one that is based on enabling countries to take 'control' of their own

policy agendas (Whitfield, 2009; Hickey *et al.*, 2008), whether or not this involves the donor's preferred instrument of social protection; or indeed, whether it involves social protection at all.

5 Conclusion

The discourse and practices associated with social protection and social contracts are already deeply entwined, both within developing countries and within international development debates. Applying a social contract perspective to the politics of how social protection unfolds and is practiced in particular places can offer important insights into the centrality of state-society relations and help identify the extent to which such contracts are progressive or not, and at which levels. However, more normative efforts to actually promote contractual forms of social protection are more controversial and require more unpacking. Different schools of contractual thought have different implications for what forms of social protection would emerge. For example, to promote liberal contractarian forms of politics may well be to promote liberal individualism in contexts in which other forms of political exchange and relationship might have greater resonance. The argument tentatively pursued here is that a right-based social contract approach is better suited to a progressive politics of social protection, involving a fuller recognition of the rights of citizens. However, for social protection to be effective in terms of challenging the social relations that underpin poverty, there is a case for going beyond contractarian views of social justice in favour of more radical and relational approaches.

Given that social contracts are determined by bargaining processes between governments, social groups and citizens within specific contexts, it seems very unlikely that donor agencies will be the main players here. This raises a number of challenges for donors, particularly concerning their engagement with issues of sovereignty, ownership and working in more politically attuned ways with regard to country systems, political discourses and existing policy channels. Although there are some signs that donors are moving in this broad direction, it is clear that more significant shifts are required if donors are both to avoid damaging social contracts for social protection where they exist, and to play some (modest) role in helping to strengthen and to extend them in pro-poor directions.

References

- Addison, T. and Murshed, S. M. (2001), 'From Conflict to Reconstruction: Reviving the Social Contract'. UNU/WIDER Discussion Paper 48. Helsinki: UNU/WIDER.
- Black, S. (2001). 'The Rational and the Fair (Bilateral exchange, multilateral contexts, social contract)', *Pacific Philosophical Quarterly*, 82 (2), 115-44.
- CPRC (2008). *Chronic Poverty Report 2008-09: Escaping poverty traps*. Manchester, UK: Chronic Poverty Research Centre (CPRC).
- Craig, D. and Porter, D. (2006). *Development Beyond Neoliberalism? Governance, Poverty Reduction and Political Economy*. London, UK: Routledge.
- de Waal, Alex (1996). 'Social Contract and Deterring Famine: First Thoughts', *Disasters*, 20 (3), 194-205.
- de Waal, A. (1997). *Famine Crimes: Politics and the disaster relief industry in Africa*. Oxford, UK: James Currey/IAI.
- Devereux, S. And R. Sabates-Wheeler (2004). 'Transformative social protection', *IDS Working Paper* 232. Brighton, UK: IDS.
- de Waal, A. (2000). 'Democratic Political Process and the Fight Against Famine'. *IDS Working Paper* 107. Brighton, UK: Institute of Development Studies (IDS).
- Ferguson, J. (2007). 'Formalities of Poverty: Thinking about Social Assistance in Neoliberal South Africa', *African Studies Review*, 50(2): 71-86.
- Fraser, N. (1995). 'From Redistribution to Recognition? Dilemmas of Justice in a 'Post-Socialist' Age', *New Left Review*, 212, 68-93.
- Freeman, S. (2007). *Justice and the Social Contract: Essays on Rawlsian Political Philosophy*. Oxford, UK: Oxford University Press.
- Gauthier, D. (1977). 'The Social Contract as Ideology', *Philosophy and Public Affairs*, 130-64.
- Good, K. (1999). 'The state and extreme poverty in Botswana: the San and destitutes', *Journal of Modern African Studies*, 37(2): 185-205.
- Graham, C. (2002). 'Public Attitudes Matter: A Conceptual Frame for Accounting for Political Economy in Safety Nets and Social Assistance Policies', *Social Protection Discussion Paper Series*. Washington DC: World Bank.
- Haggard, S., MacIntyre, A. and Tiede, L. (2008). 'The Rule of Law and Economic Development'. *Annual Review of Political Science*, 11, 205-34.
- Haggard, S. and N. Birdsall (2002). 'After the Crisis: The Social Contract and the Middle Class in East Asia'. In Ethan Kapstein and Brako Milanovic (eds.), *When Markets Fail: Social Policy and Economic Reform*. New York, NY: Russell Sage Foundation.
- Haggard, S. and Kaufman, R.R. (2004). 'Revising Social Contracts: Social Spending in Latin America, East Asia and the Former Socialist Countries, 1980-2000', *Revista de Ciencia Política*, 24 (1), 3-37.

- (2008). *Development, democracy, and welfare states: Latin America, East Asia, and Eastern Europe*. Princeton, NJ: Princeton University Press.
- Hellsten, S. (2009: 75-100). 'Ethics, Rhetoric, and Politics of Post-Conflict Reconstruction: How Can the Concept of Social Contract Help Us in Understanding How to Make Peace Work?'. In Addison, T. and Brück, T. (eds.), *Making Peace Work: The Challenges of Social and Economic Reconstruction*. Basingstoke, UK: Palgrave MacMillan.
- Hickey, S. (2011). 'Towards a social justice approach to social protection: first thoughts'. Paper delivered at IDS Social Protection Conference. April.
- Hickey, S. (2010). The Politics of Social Protection in Africa: What Do We Get From a 'Social Contract' Approach?. Background paper to the European Report on Development 2010, European University Institute, Florence.
- Hickey, S. (2009). 'The Politics of Protecting the Poorest: Moving Beyond the 'Anti-politics Machine'?' *Political Geography*, 29, 473–483.
- Hickey, S. *et al.* (2007). 'The politics of what works in reducing chronic poverty: a synthesis report'. CPRC Working Paper 91. Manchester, UK: Chronic Poverty Research Centre (CPRC).
- Hickey, S. *et al.* (2008). [Promoting Social Transfers: DFID and the Politics of Influencing](#). Report for DFID Evaluation Dept.
- Hujo, K. (2009). 'Practical Strategies to Promote Social Integration: Lessons learned from existing policies and practices'. Background paper for Expert Group Meeting. 17-19 November, Accra, Ghana. UNRISD.
- Hulme, D. (2010). *Global Poverty*. London, UK: Routledge.
- International Labour Organization (ILO) (2000). Income security in old age Communication. Geneva: ILO.
- Jayaauriya, K. (2002), 'The New Contractualism: Neoliberal or Democratic?' *The Political Quarterly*, 73, 309-20.
- Lessnoff, M. (ed.), (1990). *Social Contract Theory*. Oxford, UK: Basil Blackwell Ltd.
- Mahon, R. (2008). Varieties of Liberalism: Canadian Social Policy from the 'Golden Age' to the Present. *Social Policy and Administration*, 42(4), 342–361
- Mahon, R. and S. McBride (2009). 'Standardizing and disseminating knowledge: the role of the OECD in global governance', *European Political Science Review*, 1(1) 83–101.
- McGregor, A. (2007) 'Researching Wellbeing: From Concepts to Methodology'. In I. Gough and A. McGregor (eds) *Wellbeing in Developing Countries: From Theory to Research*. Cambridge, UK: Cambridge University Press.
- Moore, M. (2008: 34-63). 'Between coercion and contract: competing narratives on taxation and governance'. In D. Bräutigam, O-H. Fjeldstad, and M. Moore (eds.), *Taxation and State-Building in Developing Countries: Capacity and Consent*. Cambridge, UK: Cambridge University Press.
- Nattrass, N. and J. Seekings. (2010). 'State, Business and Growth in post-apartheid South Africa', IPPG Discussion Paper 34. Manchester, UK: IPPG.

- Nussbaum, M. (2003). 'Capabilities as Fundamental Entitlements: Sen and Social Justice', *Feminist Economics*, 9 (2/3), 33.
- Pateman, C. (1988). *The Sexual Contract*. Cambridge, UK: Polity Press.
- Pelham, L. (2007). 'The politics behind the non-contributory old age social pensions: in Lesotho, Namibia and South Africa'. CPRC Working Paper 83. Manchester, UK: Chronic Poverty Research Centre (CPRC).
- Ramia, G. (2002), 'The 'new contractualism', social protection and the Yeatman thesis', *Journal of Sociology*, 38 (1), 49-68.
- Rawls, J. (1972) *A Theory of Justice*. Oxford, UK: Clarendon Press.
- Rawlings, L. B. and Rubio, G. M. (2005). 'Evaluating the Impact of Conditional Cash Transfer Programs', *The World Bank Research Observer*, 20 (1), 29-55.
- Robertson, J.(1996). 'Citizen's income. Towards a new social compact: citizen's income and radical tax reform', *Political Quarterly*, 67 (1), 54-58.
- Rose, N. (2000). 'Community, Citizenship and the Third Way'. *American Behavioural Scientist*, 43 (9), 1395-1411.
- Rousseau, J. J. (1961). *The Social Contract: Discourses*, London, UK: J. M. Dent & Sons Ltd.
- Sagner, A (2000). 'Ageing and social policy in South Africa: Historical perspectives with particular reference to the Eastern Cape'. *Journal of Southern African Studies*, 26 (3).
- Schild, V. (2000). 'Neo-liberalism's New Gendered Market Citizens: The 'Civilizing' Dimension of Social Programmes in Chile'. *Citizenship Studies*, 4(3), 275-305.
- Teichman, J. (2008). 'Redistributive Conflict and Social Policy in Latin America'. *World Development*, 36(3), 446-460.
- Whitfield, L. (ed) (2009). *The Politics of Aid: African Strategies for Dealing with Donors*. Oxford, UK: Oxford University Press.
- Yeatman, A. (1998). 'Interpreting contemporary contractualism'. In M. Dean and B. Hindess (eds) *Governing Australia: Competing Rationalities of Government*. Cambridge, UK: Cambridge University Press.
- Young, I.M. (2008). 'Structural injustice and the politics of difference'. In D. Craig., T. Burchardt and D. Gordon (eds) (2008). *Social Justice and Public Policy: Seeking fairness in diverse societies*. Bristol, UK: Policy Press.



Chronic Poverty Research Centre

www.chronicpoverty.org

The Chronic Poverty Research Centre

(CPRC) is an international partnership of universities, research institutes and NGOs, with the central aim of creating knowledge that contributes to both the speed and quality of poverty reduction, and a focus on assisting those who are trapped in poverty, particularly in sub-Saharan Africa and South Asia.

Partners:

Bangladesh Institute of
Development Studies (BIDS),
Bangladesh

Brooks World Poverty Institute,
University of Manchester, UK

CEDRES, University of
Ouagadougou, Burkina Faso

Development Initiatives, UK

Development Research and
Training, Uganda

Economic Policy Research
Center, Uganda

Gujarat Institute of Development
Research, India

HelpAge International, UK

IED Afrique, Senegal

IFAN, Université Cheikh Anta
Diop, Senegal

Indian Institute of Public
Administration, India

Institute for Development Policy
and Management, University of
Manchester, UK

Jawaharlal Nehru University,
India

National Council of Applied
Economic Research, India

Overseas Development Institute,
UK

Programme for Land and
Agrarian Studies, South Africa

Réseau MARP, Niger

Université Cheik Anta Diop,
Senegal

University Abdou Moumouni,
Niger

University of Ghana, Ghana

University of Manchester, UK

University of Sussex, UK

Contact:

cprc@manchester.ac.uk

© Chronic Poverty Research
Centre 2011