

Workshop Paper



Gender and Corruption in Development Cooperation

Workshop: 10-11 November 2008

The following paper has been submitted to us and have been presented during our international workshop on “Gender and Corruption in Development Cooperation”, in Eschborn, Germany, 10-11 November 2008.

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Contact

For further information, please see/contact:

Mareike Zenker

Programme Promoting Gender
Equality and Women's Rights

Mareike.zenker@gtz.de

<http://www.gtz.de/gender>

Frédéric Boehm

German UNCAC Project

frederic.boehm@gtz.de

[http://www.gtz.de/anti-
corruption](http://www.gtz.de/anti-corruption)

Christine Müller

Convenor of EADI Gender &
Development Working Group

gender_development@eadi.org

<http://www.eadi-online.org>



Clientelism, poverty and gender: cash conditional transfers on the loop.

Authors: Victoria Pereyra Iraola and Christian Gruenberg

Abstract

Cash conditional transfers (CCT) have become one of the most important policy instruments used by governments to tackle poverty, vulnerability and social exclusion in Latin America and other developing countries for the past decade. Most CCTs, have been focalized on women as mothers, conditioning the subsidy to their children's attendance to school and health care facilities. Other CCTs, such as the *Plan Jefes y Jefas* in Argentina, conditions the subsidy to four-hour daily work on NGOs and other local organisations. Though not designed specifically for women, the low level of the subsidy (and its incompatibility with working in the formal sector) has implied that more than 75% of its beneficiaries are women.

In some countries, the design of CCTs was developed within the framework of a rights-based strategy, including accountability systems to prevent and control abuse of power, corruption and clientelism. However these programs have been generally implemented in countries that have trouble guaranteeing free access to public information, with restricted channels of participation and a weak, if not existent, tradition of institutional accountability. In addition, these targeted social programs are implemented in a decentralized way, providing local governments with great opportunities for using social resources as instruments for clientelism.

Indeed, in Latin America, and Argentina, the traditional response to poverty has been political clientelism. The extensive literature on clientelism has analysed this phenomenon from different sociological, anthropologic, economic and political science perspectives. However, a gender perspective of clientelism has been excluded and blinded. Political clientelism can be defined as personalized relationship between a person (the patron) that has access to power, resources and status and provides protection, services and favours to other persons (the clients) in exchange to social, political and electoral support. In the same way, gender inequality is constructed over unequal power relationships between men and women.

In this sense, our paper aims at analysing the impact on women welfare of the intersection of two unequal power systems: political clientelism and gender relationships. This paper is based on the preliminary quantitative and qualitative analysis of 450 judicial denounces of corruption and clientelism on two social programs in Argentina: *Plan Jefes y Jefas de Hogar* (PJyJ) and *Plan de Empleo Comunitario* (PEC).

A complex triangle: gender, poverty and clientelism

The relationship between poverty, gender and corruption is multi-faceted and profound. The contingent nature and poor enforceability of women's rights over property, in the labour market and in the home, mean that women are more vulnerable to poverty than men¹. On top of this, in many societies, women's level of health, education and social participation remain lower than men's due to the interaction of material poverty with gender-based discrimination². Furthermore, women's heavier burdens of reproductive and domestic labour (and the low social and economic value given to this labour) increase their dependence on public services. When corruption distorts the budget allocated to social services, diminishing the quality and quantity of public assets and services, and restringing access to them, public spending reaching poor women decreases. When women are denied access to basic public services -such as social programs, health services, education, housing or security- unless they consent to sexual favours, to active participation in clientelistic networks or to pay a bribe (in cash or kind) to a public official, they are deprived of their civic and economic, social and cultural rights, exacerbating poverty and inequality. Indeed, clientelistic networks function on the basis of economic, cultural and political exclusion denying the enjoyment of human rights.

The phenomenon of clientelism has been studied extensively for the past 50 years from different sociological, anthropologic, economic and political science perspectives. Though the practices of clientelism are diverse, most of the literature agrees that it is based on particularism, and produced through asymmetrical material and moral ties between a person with access to power, status and resources (the patron) who uses his influence to provide protection and services to a person with lower status (the client) who, for his part,

¹ Oxaal, Zoe and Baden, Sally (1996) *Human Rights and Poverty: A gender analysis*. Institute of Development Studies.

² Chant, Sylvia. (2003) *New contributions to the analysis of poverty: methodological and conceptual challenges to understanding poverty from a gender perspective*. CEPAL.

reciprocates by offering general support and assistance, including personal services, to the patron³.

Clientelistic networks are nurtured from structural inequality, social exclusion and rising unemployment⁴. In contexts pervaded by lack of access to essential physical survival needs, clientelistic practices function as real problem-solving machineries mediated through personalised political relationships and re-signified through symbolic promises. There are two main types of clientelism⁵, with a variety of intermediate and blended patterns in between. *Dense clientelism* occurs when the exchange between the goods and services of the patron and the votes and political support expected from clients is explicit. *Institutional clientelism* occurs when the exchange is not explicit, but is mediated and channelled through bureaucratic and legal arrangements from the local and central State⁶. A novel aspect of *institutional clientelism* is the inclusion of practices of co-management with civil society organisations and the recognition of social, cultural and economic rights. This contradiction, between clientelistic practices and the encouragement of greater civic participation is resolved through an ambiguous legal framework where co-management only operated formally and social rights become unenforceable through a rhetoric discourse without real consequences in practice. In this sense, clientelism reproduces itself on the basis of dependency and particularistic arrangements hindering the implementation of any social policy based on a human rights approach.

Corruption and clientelism on social programs deny each one of the human rights principles of non-discrimination, equality, transparency, participation and accountability. The principle of *non-discrimination* is denied by conditioning the access to the program to binding to the informal rules designed by the patron. The hierarchy designed, enforced and maintained between clients and patrons goes against the principle of *equality*. The discretionary power held by the patron, who can distribute public goods in the form of direct exchange maintaining dependence on the network and preventing anyone to seek other alternatives

³ Scott, James. (1977) *Friends, followers and factions: a reader in political clientelism*. Berkeley, University of California.

⁴ See James Robinson and Thierry Verdier. (2001) *Political economy of clientelism*.

⁵ See Gay, R. (1997) *Between clientelism and universalism, reflection of popular politics in urban Brasil* in Auyero, *¿Favores por votos?* Editorial Losada. Buenos Aires.

⁶ See Trotta, M (2003) La metamorfosis del clientelismo político. Editorial Espacio. Buenos Aires

undermines *transparency* and increases the vulnerability of the clients. Institutional clientelism promotes co-optation of civil society *participation* by public officials, which silences the voices of those who do not agree with them. Finally, clientelism hinders *accountability* by limiting the possibility to effective mechanisms to redress where necessary and appropriate.

The difference between *dense* and *institutional clientelism* throws light to the adaptability of clientelism arrangements across political, economic and social change. Many analysts have alleged that gradual social changes, such as urbanization and education, or structural economic shifts, such as the downsizing of government, can erode clientelism. But these secular trends are not sufficient explanation, since political action can either inhibit or accelerate the weakening of clientelism. Thus, where “traditional” patterns of deference erode, the political effectiveness of clientelistic controls can be bolstered by threats of violence⁷.

Clientelism and gender

Feminist scholars have been leaders in bringing attention to men’s violence against women and the relationship of this violence to power, inequality and social structure⁸. In this sense, the use of violence (physical, psychological, emotional, sexual) under clientelistic arrangements unveil the dual matrix of domination (patriarch and clientelism) that women living in poverty face in their search to secure a living and solve their basic survival needs.

However, mainstream research on clientelism has blinded gender differences, assuming that women and men are affected in a similar way. Indeed, most of social and scientific analysis accepted as valid has been constructed around an androcentric conception of knowledge. Against the mainstream, a primary principle of feminist research methodology is a commitment to the empowerment of women and other oppressed people: lesbians, indigenous people, black people, etc. In this way, we believe that knowledge can be produced from women’s experiences, visibilising their voices and critically examining these neglected

⁷ See Fox, Jonathan (1994) *The difficult transition from clientelism to citizenship. Lessons from Mexico*. World Politics. Vol. 46, No 2, January.

⁸ Hollander, Jocelyn *Vulnerability and Dangerousness*. in Hesse-Biber, (2004) Feminist perspectives on Social Research. Oxford University Press.

facets of social life by unveiling the complex web of power relations formed upon race, class, sexuality and gender⁹.

From this perspective, it is essential to develop a feminist critique of cash conditional transfer programs focalized (directly or indirectly) on women¹⁰. By focusing on the differential ways in which clientelism and corruption in social programs affects women living in poverty we aim to contribute to the design of anti-corruption and accountability mechanisms that take into account gender equality and women empowerment¹¹.

Cash conditional transfers

Cash conditional transfers (CCT) have become one of the most important policy instruments used by governments to tackle poverty, vulnerability and social exclusion in Latin America and other developing countries for the past decade. Most CCTs, have been focalized on women as mothers, conditioning the subsidy to their children's attendance to school and health care facilities. Other CCTs, such as the *Plan Jefes y Jefas* (PJJ) in Argentina, conditions the subsidy to four-hour daily work on NGOs and other local organisations. Though not designed specifically for women, the low level of the subsidy (and its incompatibility with working in the formal sector) has implied that more than 75% of its beneficiaries are women.

In some countries, the design of CCTs was developed within the framework of a rights-based strategy, including accountability systems to prevent and control abuse of power, corruption and clientelism. However these programs have been generally implemented in countries that have trouble guaranteeing free access to public information, with restricted channels of participation and a weak, if not existent, tradition of institutional accountability. In addition, these targeted social programs are implemented in a decentralized way, providing local governments with great opportunities for using social resources as instruments for clientelism. In an institutional context of local governments with a pronounced patriarchal

⁹ Hess-Biber (2004)

¹⁰An essential debate in this line is the relevant critique of feminism to the design of cash conditional transfers. In the context of this paper, we will only focus on the gendered aspects of corruption and clientelism found in the implementation of this program. Some relevant readings on the gender implications of the design of these programs are Chant, Sylvia (2003), Molyneux, M. (2007) and Bobonis, Gustavo. (2004 and 2006), between others.

¹¹ See reference number 10, above.

and authoritarian structure, and in a wider framework of Latin American social policies in which the perspective of gender is practically ignored or underestimated in the design and management of targeted social programs.

The PJJ was created in the year 2002 by the Federal Government of Argentina. The program was implemented in record time with a view to reducing the impact of one of the worst institutional and economic crisis in Argentinean history¹². PJJ had an annual planned budget of 3.500 million dollars targeting almost 2 million unemployed. The program established a single monthly stipend of \$150 (circa 50 dollars) for all heads of households, men and women alike, who were unemployed and had children under 18 years of age. The monthly stipend was conditioned to four-hour daily work on NGOs and other local organisations. As mentioned before, the PJJ was not designed specifically for women, but it soon transformed itself in a merely women targeted program. Soon after the launch of the PJJ, the government closed inscriptions to the program. Soon after, a new program (the Plan de Empleo Comunitario (PEC)) was launched with the same characteristics in order to permit the unemployed (those who had been excluded from the PJJ) to obtain the subsidy. In practice, however, the PEC was used as a discretionary instrument for the government to open beneficiary lists under lower conditions of transparency and accountability that those imposed on the PJJ by international organizations¹³.

Very few social programs in Argentina include formal accountability mechanisms. Some progress has being made, however, to promote accountability within the framework of the implementation of PJJ. In this program, there is a Commission for Handling Denunciations Involving Employment Programs (CODEM, in its initials in Spanish). CODEM receives complaints and denunciations through four channels: by telephone (through a call center), in writing (by mail or by internal reference from other areas of the Ministry of Labour), personally (from people who approach the Commission), other (CODEM can intervene in cases it hears about through the press or the media). Complaints and denunciations are made directly in the offices of CODEM or else through the Employment and Training Offices (GECAL, in their initials in Spanish) located in the provinces throughout the country.

¹² See Carrillo and Gruenberg (2005), Fighting Clientelism.

¹³ World Bank financed the PJJ as a strategy to tackle the economic and political crisis of 2001.

When these denunciations, which can be anonymous, involve a crime, CODEM refer them to the Social Security Prosecutory Investigation Unit (UFISES, in its initials in Spanish), which investigates the case and handles it under the jurisdiction of the Criminal Procedural Code of the Nation. When a denunciation is presented to the Unit, it notifies the Consulting Boards, as a first instance, and Municipalities to corroborate the information. UFISES also carried out their own investigations, cross-checking beneficiary lists from different social plans with the payroll of municipal employees, provincial police, and other public officials to detect irregularities.

This following account is based on the preliminary quantitative and qualitative analysis of 450 judicial complaints of corruption and clientelism on two social programs in Argentina: *Plan Jefes y Jefas de Hogar (PJyJ)* and *Plan de Empleo Comunitario (PEC)*.

Corruption and clientelism complaints involved in the implementation of cash conditional transfers can deal with three main aspects. The first one concerns *entrance* to the program (beneficiaries without requirements), the second one concerns with the *maintenance* of the program (threats, demand for money, demand of inappropriate work, or sexual harassment), and the third one relates to *payment procedures* (irregularities in payment procedures).

Seven percent of complaints that reach UFISES relate to the inclusion of beneficiaries without the necessary requisites to be enrolled in the program¹⁴. Most of this complaints relate to municipal employees (and in some case their direct families) which were registered as beneficiaries of the program. UFISES cross-checked data from municipal employees, police officers and the military with the beneficiary lists of the PJJ to find that nearly 3,000 government employees were listed as beneficiaries of the program. The diversion of public resources to the hands of municipal employees highlights the weaknesses that can incur in the operation of the program when strict controls and cross-check of inscription databases are not in place. Irregularities in payment procedures (8%) also show a weakness in the control

¹⁴ The requirements to access the program were to be unemployed not registering any income from other pension or social program,, have at least one child bellow 18 years of age, and be prepared to work 4 hours a day, 5 days a week in a local organization or NGO allocated by the consultative councils and/or municipality.

mechanisms of the PJJ and the possibility of illicit association between bank employees and patrons in order to exclude beneficiaries that do not form part of the clientelistic network.

During the next section, I will mainly concentrate on the second (and largest group, 85% of total complaints) which relates to the maintenance of the program. As mentioned before, the strength of the patron is based on the political effectiveness of its clientelistic controls. The uncertainty of the beneficiaries regarding their right to obtain the program, makes them vulnerable of clientelistic manipulation and threats of loosing the program if they do not comply with the patron demands.

Gendered clients, patrons and mediators

A preliminar¹⁵ analysis of the complaints shows a gendered pattern of clientelism, with most of the complaints made by women and against men.

Table 1	<u>PLAINTIFF</u>	<u>DEFENDANT</u>
WOMEN	49%	34%
MEN	21%	40%
BOTH SEXES	12%	7%
NOT APPROPRIATE (INSTITUTION)	2%	7%
N/D	16%	12%
TOTAL	100%	100%

In regards to plaintiffs, women are over two times more likely to be a victim of clientelistic manipulation of the CCT than men. There are two main explanations for this pattern. The first one relates to the over-representation of women listed as beneficiaries of the PJJ and PEC. A second explanation, confirmed during our qualitative analysis, refers to lack of gender perspective of the programs and the strong patriarchal institutional framework under which they are being implemented. From this perspective, a social program that is strongly focused on women but is not sensitive to unequal gender relations would produce a

¹⁵ The following data is prepared base on an ongoing qualitative and quantity research based on 450 judicial complaints investigated and filed by UFISES. Please do not quote.

differentiated impact between men and women. This pattern is even stronger when we look at the relational¹⁶ aspect of clientelism (see Table 2).

<u>Table 2</u>		
<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>Percentage*</u>
WOMEN	MEN	38%
WOMEN	WOMEN	28%
MEN	MEN	17%
MEN	WOMEN	8%
WOMEN	BOTH	7%
MEN	BOTH	3%
<i>TOTAL</i>		<i>100%</i>

While table 1 showed a relatively small difference between defendants gender, the chart above shows how men are more likely to exercise clientelism on women than on beneficiaries of their same sex. The predominant male profile of the patron and mediators is confirmed by the dominant role that men play in the implementation of these social programs at municipal and local institutions. Furthermore, the cases where women exercise power over men constitute only a marginal number of total complaints. This preliminary analysis permits us to build a profile of the mediator and/or patron in the PJJ and PEC. The great majority of demandants are the coordinators of the plan (72%) who have the closest contact with the beneficiaries of the program, followed by municipal employees (20%, this includes the major and other municipal employees). Despite this distinction, the qualitative research shows that clientelistic networks are reinforced by a complex web of relationships between the coordinators of the plan (which act as mediators in this relationship) and their patrons in municipal, provincial, and national levels.

Clientelistic flows: money demands

What do patrons want from clients in the context of cash conditional transfers? One of the main complaints received by CODEM are the demand for money, demand of inappropriate work, and/or sexual harassment as threats to take them out of the lists of beneficiaries of the program if they do not comply with these demands. In most cases, plaintiffs present a

¹⁶ Charles Tilly. (1998) Durable Inequality.

combination of complaints where a patron starts asking the beneficiaries to participate in political parades, and later asks for a monthly payment of the CCT, or viceversa.

The money demanded to clients in the context of cash conditional transfers is invested in a number of different political and personal needs. The qualitative research showed how money extracted from the beneficiaries could be used to fuel the political machinery of clientelism, going from the coordinator of the plan to their political bosses, or be used as a personal reward for the mediator.

Body currency: gendered clientelism over women bodies

As mentioned before, the use of violence (physical, psychological, emotional, sexual) under clientelistic arrangements unveil the dual matrix of domination (patriarch and clientelism) that women living in poverty face in their search to secure a living and solve their problems. In this sense, the particular arrangements of the PJJ (conditioning cash transfers to a 4 hour daily work in NGO and other local organisations) provide a valuable tool for patrons and mediators. Our study shows how demands for inappropriate work as a threat to maintain the subsidy differ whether the client is a woman or a man. While men are normally asked to work on the private business of mediators, and/or contribute with construction activities on their own homes or rooms used for political meetings, women can also face sexual harassments (0.5% of total plaintiffs), and are used as cleaning ladies for different politicians and mediators. The lack of attendance the implementation authorities give to these issues show the lack of recognition of these harms against women and the extent of state complicity in gender-based violence.

Some preliminary conclusions

The preliminary findings presented in this paper were based on the information provided by plaintiffs through CODEM and UFISES. While they do not serve as a probabilistic sample of all clientelistic and corruption arrangements that take place in the implementation of the plan, they should serve as key information to implement needed reforms and changes to improve transparency, participation, and accountability mechanisms that take into account gender differentials.

A system of complaints and denunciations should aim at guarantee the rights of the people entitled to social programs that face corruption and abuse of power by clientelistic networks. In order to be successful, the system should attend both the input (the way complaints can reach the system) and its output (the ways in which the issues can be resolved and the rights of the people reinstated). In general, an input system should consider the capacity to install safe, accessible channels to promote the presentation of complaints. In this sense, a system of complaints and denunciations should have various channels, both centralized and decentralized to receive input as well as mechanisms to guarantee the confidentiality (and anonymity wherever necessary) of the plaintiff. As mentioned before, in general most reports on corruption and clientelism in social programs are associated with local leaders who have direct contact with the intended recipient of the social benefit. This evidence coincides with the specialized literature of political clientelism which warns about the dangers that the victims of corruption and clientelism face when denouncing those responsible. An input system for denunciations set up by CCTs should try to minimize these risks by gaining the victims' confidence. In this sense, the use of free telephone hotlines offers a depersonalized and direct channel to reassure victims.

These systems also require investment in training for the operators so that they can receive, reassure and inform the people who call. The ideal profile for this kind of system is generally a professional in the area of social work and/or psychology, since the operator must provide attention to the beneficiaries and listen to their problems. It is also essential that operators are trained on gender issues and the differential effects of clientelism and corruption for women. Many of the complaints presented by beneficiaries arise from disinformation, which puts them in a situation of extreme vulnerability with regards to others with greater local power. Disinformation is a key tool for mediators and patrons which can threaten beneficiaries with the cancellation of their access to the social program, even when – in practice and given the needed controls at the central level- they might not have any influence over the final lists of beneficiaries.

A challenge ahead regards to the “output” of the system. These challenges can relate to the investigation of cases and the effective application of sanctions. At first glance this reveals two main challenges. One of them has to do with the application of administrative and criminal sanctions. Empirical evidence in Latin America, Africa and Asia shows that criminal

justice systems have a marked tendency of patriarchal ruling, repressing and prosecuting women living in poverty, instead of protecting them as victims of corruption and clientelism. The second challenge is linked to the development and application of alternative sanctions other than criminal sanctions.

Another challenge is related to the juridical frameworks in which this type of system is inserted. A paradox of the systems for investigating denunciations against social systems is that while they are supposed to reassure the denouncers, thereby increasing the number of anonymous denunciations and protecting the denouncers' identity, they do not then criminally prosecute or investigate these charges due to lack of information or they simply do not guarantee the denouncer's identity. The challenge that is still pending is to create more efficient, gender-sensitive output systems that manage to protect the identities of those entitled to the social programs and to discourage those who abuse public power.

Finally, the output strategy should include a human rights perspective to complement and reinforce the fight against corruption and clientelistic arrangements in the implementation of CCTs. This should entail the integration and operationalization of human rights principles into the design and implementation of diagnoses, promoting participation, transparency, accountability from a gender perspective and combining the work of anti-corruption programmes with that of women's organisations. In this sense, generating information about the impact of corruption and clientelism on women and examining and measuring how corruption affects men and women differently is only the first step towards reforming and transforming the underlying power structures that create and reproduce the opportunities for corruption and discrimination against women. The challenge lies ahead.

	<u>TOTAL COMPLAINTS*</u>
DEMAND OF MONEY	45.45%
THREATS	21.59%
SEXUAL HARASSMENT	0.49%
DEMAND OF UNAPPROPRIATE WORK	19.64%
OTHER	4.55%
IRREGULARITIES IN PAYMENT PROCEDURES	8.28%
BENEFICIARIES WITHOUT REQUIREMENTS	7.31%

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