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Social Protection as a Tool for Justice

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I. Making the Case for Social Protection as a Tool for Justice

Social protection is widely seen as a powerful set of tools for risk management and poverty alleviation. However, it is not always clear how these tools can be used to achieve just and sustainable development. Much of the international discussion on social protection has focused on targeting the poor and adopting universal social insurance schemes and social safety nets for the vulnerable; but it has only partially addressed the socioeconomic and political roots of poverty and vulnerability.¹ Despite growing interest in participatory politics, citizens' engagement in social

protection policy remains limited, which tends to undermine people's power and their capacity to hold their Governments accountable.

The debate on social protection is of particular significance to the Arab region, where social policy has mainly consisted in an extensive use of safety nets and assistance tools. This is the result of a deficient social contract where citizens forfeited their right to participate in decision-making in exchange for welfare and security. At the same time, the economic model adopted by many Arab States focused on remedial measures aimed at cushioning the impact of structural adjustments, with the assumption that growth benefits will automatically trickle down to the poor. The approach to

social protection in the region seemed delinked from citizenship rights and distributive justice and geared towards assistance rather than development.²

Box 1. Revisiting the concept of social justice

In late 2010, Arab citizens took to the streets demanding social justice, freedom and dignity, sparking a debate on the meaning and dimensions of social justice. While most approaches linked social justice to the concepts of fairness, equality, redistribution, cohesion and entitlements, a clear and unified definition is hard to reach. The Economic and Social Commission for Western Asia proposed the following definition of social justice: “social justice means equal rights and access to resources and opportunities for all, men and women, with particular attention to the removal of barriers that hinder the empowerment of disadvantaged groups to fulfill their potential to participate in decisions that govern their lives”.* In this definition, social justice is centered on the principles of equality, equity, rights and participation.

* E/ESCWA/28/8.

Addressing these deficits requires a transformative change in social policy in general and social protection policy in particular. This change should be accompanied by inclusive and sustainable economic strategies and governance reforms that integrate the principles of equality, equity, rights and participation, upon which social justice rests.

This issue of the Social Development Bulletin examines the mutually reinforcing relationship between social protection and social justice. It

promotes social protection as a transformative tool that can empower people, especially the poor, and enable them to become development actors rather than only service beneficiaries. It concludes with a set of recommendations on developing just and coherent social protection policies.

II. Social Protection and Social Justice: A Question of Rights?

The strong synergies between social justice and social protection were underlined in political philosophy, for example in the works of Rawls on the value of fairness and the just distribution of social goods such as rights, liberties, opportunities and wealth. For others, like Young, the relationship between social protection and redistribution takes a broader dimension resulting from the interplay of existing social structures, political institutions and power relations. Sen’s functional capability approach explains this relationship by linking access to welfare and the creation of just societies to individuals’ ability to engage in economic or political activities.³

The choice of social protection interventions and their perceived distributional impact

“Current efforts within international development to understand and promote social protection from a social justice standpoint are often biased towards particular ideological readings of justice, most notably from conservative and liberal perspectives. In different ways, these approaches offer limited frameworks for understanding how injustice occurs and how it might be tackled, through social protection.”

Sam Hickey, 2014.

depends largely on how stakeholders understand social justice.⁴ Whether protection is provided in the form of safety nets to mitigate the impact of economic shocks or in the form of transformative measures aimed at addressing structural deficits that lead to impoverishment and injustice rests upon decision-makers' approach to social justice.

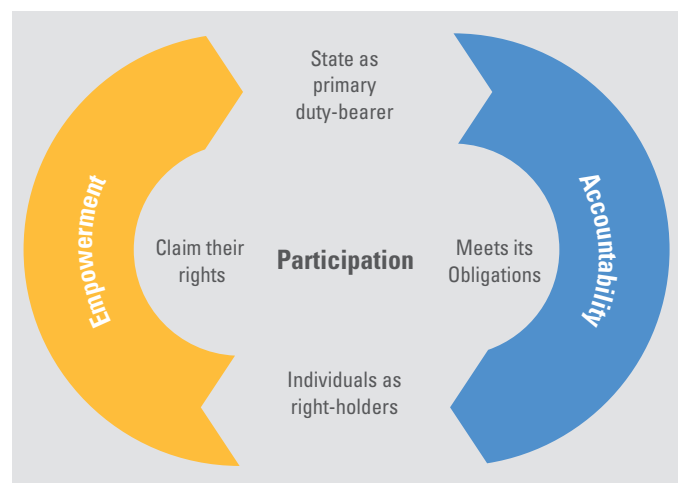
Moreover, social justice and social protection share a common denominator: rights. International human rights instruments, major United Nations documents and global processes, including internationally agreed development goals, explicitly provide for social protection as both a State obligation and a social right, and as an important element in the foundation of just, equal and peaceful societies.

Under these frameworks, social protection is an indispensable ingredient of the social contract in which State parties are legally bound to respect, protect and fulfill their

obligations by ensuring the provision of basic subsistence, essential primary health care, basic shelter or housing and basic education. State parties also have the specific obligation to protect vulnerable groups and to use available resources to realize the right to social protection of all members of society.

Anchoring the linkages between social justice and social protection in a system of rights and corresponding obligations contributes to people's (rights holders) empowerment to participate in policymaking and hold accountable those who have to fulfill their obligations (duty bearers), thus ensuring ownership and sustainability of social protection schemes. These schemes should not only be aimed at reducing vulnerability in times of crisis but also at promoting equity, equality and participation and enabling beneficiaries of social assistance to become active members in society. To ensure that the rights to social protection are attained, social goods and services have to meet the standards of availability, accessibility, and acceptability, and the accountability of the duty bearer must be ensured.

Social protection and social justice in a system of rights



Source: Adapted from United Nations Population Fund, "The human rights-based approach", <http://web.lb.unfpa.org/rights/approaches.htm>.

Box 2. Examples of human rights and other instruments that promote social protection

- 1948 Universal Declaration of Human Rights: Articles 22-25
- 1966 International Covenant on Economic, Social and Cultural Rights: Articles 9-12
- 1979 Convention on Elimination of All Forms of Discrimination against Women: Articles 11 and 14
- 2006 Convention on the Rights of Persons with Disabilities: Article 28
- International Labour Organization (ILO) Decent Work Standards (various years)
- 2008 ILO Declaration on Social Justice for a Fair Globalization
- 2010 General Assembly resolution 65/1 on Keeping the promise: united to achieve the Millennium Development Goals (A/RES/65/1)

III. Social Protection and Justice in a Post-2015 Development Agenda

Social protection continues to be considered as a core priority in ongoing discussions on the post-2015 agenda and the sustainable development goals (SDGs). The United Nations Conference on Sustainable Development (Rio+20) Outcome Document, "The Future We Want", for example, recognizes the importance of promoting universal access to social services and stresses "the need to provide social protection to all members of society, fostering growth, resilience, social justice and cohesion" and strongly encourages "national and local initiatives aimed at providing social protection floors for all citizens".⁵

Similarly, the Open Working Group on Sustainable Development Goals underscored social protection as an effective response to address poverty, inequality and vulnerability and decided to include it in its proposed goals and targets.

The synthesis report of the United Nations Secretary-General on the post-2015 agenda⁶ placed social protection among the key sustainable development gaps left by the Millennium Development Goals that member States will need to fill. The report also explicitly called for ensuring a social protection floor as an indispensable means to remedy exclusion.

IV. Social Protection and Social Justice in the Arab Region: Significant but Incomplete Strides

The Arab region continues to face significant challenges to social justice including low labour

force participation rates, particularly among youth and women; increased informality and social exclusion; varying levels of poverty and inequality based on wealth, gender and geographical location; poor governance; water scarcity; and conflict. In the absence of adequate citizenship rights and of the structural reforms required for inclusive growth, the links between social protection and social justice remain weak in the region. Collectively, these and other challenges such as demographic changes result in an increase of vulnerable populations in need of protection against poverty, economic and natural shocks and life-cycle risks.

These challenges have been recently compounded by the Syrian crisis that resulted in the exodus of millions of citizens. As of 14 April 2015, the Office of the United Nations High Commissioner for Refugees (UNHCR) recorded more than 3.9 million refugees and others are still awaiting registration.⁷ This situation is placing unprecedented pressures on communities, infrastructure, economic opportunities and social protection services in neighboring host countries such as Lebanon and Jordan.

Addressing the manifestations rather than the root causes of poverty has resulted in a number of key deficits:

1. Existing contributory social insurance schemes benefit, for the most part, the armed forces, civil servants and private sector employees while excluding large swathes of workers in the informal sector and temporary, agricultural and migrant workers. Only one third of people in the region are covered by pension schemes, with proportions ranging from as low as 8 per cent in Yemen to 87 per cent in Libya.⁸ More importantly, maternity insurance in

Social protection in sustainable development goals and targets

Goal	Target
Goal 1. End poverty in all its forms everywhere	<p>1.3 Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable</p> <p>1.4 By 2030, ensure that all men and women, particularly the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership, and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance</p> <p>1.5 By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters</p>
Goal 3. Ensure healthy lives and promote well-being for all at all ages	<p>3.8 Achieve universal health coverage, including financial risk protection, access to quality essential health-care services, and access to safe, effective, quality and affordable essential medicines and vaccines for all</p>
Goal 5. Achieve gender equality and empower all women and girls	<p>5.4 Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies, and the promotion of shared responsibility within the household and the family as nationally appropriate</p>
Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all	<p>8.5 By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value</p> <p>8.8 Protect labour rights and promote safe and secure working environments of all workers, including migrant workers, in particular women migrants, and those in precarious employment</p>
Goal 10. Reduce inequality within and among countries	<p>10.4 Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality</p>
Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels	<p>16.6 Develop effective, accountable and transparent institutions at all levels</p> <p>16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels</p>

Source: Report of the Open Working Group of the General Assembly on Sustainable Development Goals, A/68/970.

- most Arab countries seems inadequate and the coverage of female workers is low due to their overrepresentation in the informal sector and in unpaid family work.
2. Non-contributory social protection schemes or social safety nets (SSNs) have so far had an insufficient impact on poverty, most likely due to poor targeting and low coverage. In fact, SSN programmes in the Arab region reach only 23 per cent of the bottom quintile and their coverage is consistently lower than the world average.⁹
 3. Arab countries heavily rely on subsidies, despite their little distributive impact. In Egypt, for example, the poorest 40 per cent of the population received only 3 per cent of gasoline subsidies in 2008, while in Tunisia the richer households benefit 40 times more from energy subsidies than their lowest-income counterparts.¹⁰ More critically, the annual expenditure on energy subsidies accounted for 8.5 per cent (\$240 billion) of the region's gross domestic product (GDP) in 2011, while food subsidies accounted for 0.7 per cent of GDP.¹¹ Some countries such as Egypt

- and Morocco recently took steps to reduce the dependency on energy subsidies; but high spending on them in many other Arab countries has been the subject of constant criticism by international development agencies, as it diverts investment away from more effective social programmes such as conditional cash transfers.
4. The multiplicity of social service providers, which include government entities, the private sector, faith-based organizations and various international and local non-governmental organizations, can become a challenge, as these entities often operate without any coordination.

Many Arab States are making commendable efforts to improve their social protection policies. Below are some examples:

- **Jordan** has launched a strategy to build a national social protection floor and has expanded its social security framework. In addition, the Government has mainstreamed a gender perspective into social insurance reform processes; it has introduced key policy changes aimed at advancing gender equality and increasing women's participation in the workforce.¹²
- The **Tunisian** Government has recently announced its plan to raise the retirement age to 62 years in 2015 in order to reduce deficits in the pension fund, alleviate the fiscal burden and free up resources for other types of social spending.¹³
- **Morocco** plans on raising the retirement age to 62 in 2015 and to 65 by 2021, and maternity benefits have been expanded. The country is considered one of the Arab region's pioneers in that area¹⁴ and has received the 2014 International Social Security Association Good Practice Award for Africa, with special mention for fully flexible customer relationship management and pension reforms.

Box 3. Economic and social repercussions of the Syrian crisis on Lebanon

- 30 per cent increase in total population since 2011
- Two-thirds increase in number of poor people compared to pre-2011 levels
- Unemployment has doubled
- 70 per cent of the total registered Syrian refugees in Lebanon require assistance to meet basic needs
- 29 per cent of these are categorized as severely vulnerable

Source: UNHCR and Lebanese Government, *Lebanon Crisis Response Plan 2015-2016* (2014). Available from https://docs.unocha.org/sites/dms/Syria/LCRP_document_EN_26Mar2015.pdf.

- **Bahrain** was the first Arab country to establish an unemployment insurance scheme as part of its labour market reforms, providing benefits to civil servants, private sector workers and all jobseekers without discrimination between nationals and non-nationals. The scheme covers first-time job seekers, thus addressing the youth unemployment problem.¹⁵
- **Palestine** improved the coverage of its National Cash Transfer Programme using a targeting mechanism and a unified payment scheme. The programme was complemented with an assistance package involving in-kind support through education, food and health services.¹⁶
- Active labour market policies are other forms of social protection programmes designed to generate employment and reintegrate the unemployed into the workforce. *Tanmia*, a public employment service in the **United Arab Emirates** aimed at developing highly qualified human capital through career guidance and skills-training, is an example of the implementation of such policies.¹⁷

V. Social Protection and Social Justice: Lessons from Other Developing Countries

Experiences from around the world demonstrate that countries that have successfully reduced income poverty and enhanced social cohesion have integrated social protection interventions into broader strategies of social and economic development. In contrast, countries that have implemented more targeted interventions have tended to be less effective in reducing poverty. **Some of the successful social protection experiences are illustrated below; they reflect how social protection can contribute to social justice.**

These innovative practices can be tailored to Arab countries' needs.

- **Bolivia** has established a universal non-contributory pension scheme for older persons, *Renta Dignidad* or "Dignity Pension", to compensate for the very low coverage rate of the existing contributory pension. Financed primarily from oil revenues, the *Renta Dignidad* had covered 91 per cent of the population aged over 60 by 2012 at the cost of 1 per cent of GDP.¹⁸
- Countries such as **Costa Rica**, the **Republic of Korea** and **Taiwan, Province of China** have introduced universal health schemes. To expand the coverage of public assistance schemes, the **Republic of Korea**, for example, has introduced a non-contributory means-tested Minimum Living Standard Guarantee for people living under the poverty line and labour insurance programmes for temporary unemployed workers.¹⁹
- **Brazil** succeeded in extending universal health and primary education services through a mix of public and private partnerships in health care, and the investment of tax revenues and of contributions from the business sector in education services.²⁰
- Targeted social assistance is increasingly applied in low-income countries characterized by a large informal sector. In 2010, for example, conditional cash transfer programmes alone, such as the acclaimed *Bolsa Familia* in **Brazil** and *Oportunidades* in **Mexico**, were supporting 129 million people in 18 Latin American countries.²¹
- **China** has established the urban Minimum Living Standards Scheme or *Di Bao* to provide cash and in-kind assistance to the urban poor. The programme was later extended to cover the long-term unemployed. More than 110 million citizens are currently covered by the scheme and

the Government is reportedly planning to reach 1.3 billion people by 2020, making it the largest targeted programme in the world.²²

- In **South Africa**, a quarter of the population relies on income transfers such as the Child Support Grant, Old-age Social Pension and other social grants.²³ The Child Support Grant covers over 10 million children up to 18 years of age and is considered as one of the most comprehensive types of child benefits in the world.

VI. People Power: Participatory Approaches to Social Protection

From a social justice perspective, citizens' participation is at the core of social policy success, particularly when it comes to social protection and especially in contexts where informality and poverty are widespread, governance structures are weak and administrative competencies are lacking. There is no standard way for ensuring that people's voices are heard. Moreover, participatory approaches are shaped by the prevailing social contract, the type of social protection programmes in place and the extent of administrative decentralization.

Following are some cases where important strides in participatory social protection were made:

- **Rwanda** developed the *Ubudehe* programme to empower citizens and engage them in national participatory poverty assessments. Citizens were involved in mapping the level of poverty and exclusion in their communities and helped identify the potential beneficiaries of a given public intervention. In 2009, *Ubudehe* mapped

15,000 rural communities in Rwanda, with sorting based on socioeconomic indicators (e.g. wealth and well-being). Results were used to identify potential beneficiaries for the national health insurance scheme.²⁴

- In **India**, social audits where civil society organizations and citizens review local authorities' actions are in place. Authorities are held accountable for injustices through public hearings. The 2005 Mahatma Gandhi Rural Employment Guarantee Act, for example, provided for periodical social audits of the programme to ensure that beneficiaries have equal access to information and employment opportunities.²⁵
- **Brazil** pioneered the practice of participatory budgeting, which came in the context of transition to democracy and decentralization of services. Since 1989, this process allowed citizens in several municipalities to take part in decisions affecting social spending. Similar initiatives have been implemented in several African and European countries, and in India.²⁶

VII. Financing Social Protection: A Challenge or an Opportunity?

One of the most frequently asked questions is how to finance social protection, especially during economic downturns. The answer may not be straightforward but the international experiences highlighted earlier demonstrate that social policy can play an instrumental role in social and economic development even when national resources are limited. ILO has identified a set of options for financing social protection policy and achieving social justice including: (a) reprioritizing public expenditures; (b) increasing tax revenues; (c) extending social



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security contributions; (d) borrowing or restructuring existing debt; (e) reducing illicit financial flows; (f) drawing upon official development aid and transfers; (g) making use of fiscal and central bank foreign exchange reserves; and (h) adopting a more accommodating macroeconomic framework.²⁷

Arab countries spend an average of 13.8 per cent of GDP on social services, which is half of developed countries' spending but slightly exceeds Latin American countries' spending (13.6 per cent).²⁸ **Two frequently used approaches to expand fiscal space for social protection can be of relevance to Arab countries. They are illustrated in the following examples.**

- Governments in **Cambodia, Costa Rica, Mauritius and Sri Lanka** have reduced expenditures in the defense and security sectors to invest in social programmes. Other countries such as **Ghana** and **Mozambique** have used savings from phased-out subsidies to finance more efficient social programmes.²⁹ In the Arab region, Morocco has recently phased out

a 40-year-old reliance on fuel subsidies in favour of social spending.³⁰

- **Norway** taxes oil and gas revenues and uses surplus wealth to finance one of the most generous and sustainable social welfare systems in the world, namely the Government Pension Fund of Norway.
- To promote redistributive justice, some Governments adopt pro-poor taxation such as progressive income tax or wealth-based tax. In **Norway**, for example, the progressive tax system has demonstrated that lower taxation on low- and middle-income groups can positively affect their economic participation and ensure a more equitable distribution of income. High levels of taxation were paired with comprehensive social security schemes. Taxes have accounted for 39 to 45 per cent of the country's GDP since 1980, and for 41 to 51 per cent of GDP in **Denmark**.³¹
- **Bolivia** uses the tax imposed on gas extraction to sponsor a universal old-age pension scheme. **Brazil** and **China** have, in turn, expanded rural pensions using general taxation.³²



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VIII. Towards Comprehensive, Coherent and Just Social Protection Policies in the Arab Region

Despite multiple challenges, social protection in the Arab region is making positive strides, inspired by successful experiences in other regions and global frameworks and guiding principles of human rights and social justice. To address the demands of Arab citizens for social justice and establish fair systems of social protection, Arab States may wish to consider the following:

1. Enshrining the right to social protection in constitutions, policies and legislations in order to establish it as an inalienable right for all and to further enhance social solidarity. This will not only set an ethical, legal and fiscal framework for implementing social protection policy; it will also ensure participatory and accountable governance of social protection.
2. Expanding social protection through progressive universal coverage for all and complementary benefits, ensuring that all persons in need—including older persons, the unemployed, persons with disabilities, women and informal workers—receive sufficient income support and have access

- to education and health services. This should be part of an agenda that puts the four pillars of social justice, namely equality, equity, rights and participation, at the centre of public policy objectives.
3. Considering different approaches for implementing a social protection floor, with a view to implementing the most effective combination of benefits in the national context.
 4. Linking social protection interventions to larger structural interventions, such as governance reforms, employment and anti-discrimination policies. Social protection policies and programmes are successful and sustainable only when they contribute to tackle the structural factors and root causes of poverty and inequality.
 5. Developing mechanisms for social inclusion, accountability and social cohesion through innovative public-private partnerships and platforms for citizens' engagement, while nurturing responsible citizenship.
 6. Strengthening State's involvement in the financing, provision and management of social services, and in the regulation of social services by non-State actors, ensuring quality and accessibility, especially in remote or conflict-ridden areas.
 7. Expanding fiscal space for social protection through politically and fiscally sustainable measures. The choice of a particular financing scheme should be weighed against potential trade-offs and backed by broad societal consensus. This implies that fiscal reforms should be adapted to national contexts and take into account strengths and weaknesses of the prevailing social protection systems.

Endnotes

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