CASH OR CONDITIONS? AN ANALYSIS OF CONDITIONAL CASH TRANSFER
PROGRAMS

BY

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ABSTRACT

UN member states have repeatedly sought to end poverty and gender inequality using global goals. Social protection programs are a necessary part of achieving the goals of a poverty-free and gender equal society. This dissertation participates in the ongoing debates around whether social protection programs, specifically cash-based ones, ought to provide benefits conditionally or unconditionally by examining conditional cash transfer programs (CCTs). I argue CCTs cannot and do not satisfy both UN goals, but rather attempt to accomplish the first at the expense of the second.

CCTs are anti-poverty programs that tie receipt of benefits to household compliance with program mandated activities intended to increase parental investment in children's human capital. CCTs are problematic in at least three ways. First, the logic behind these programs fails to provide a strong rationale for placing conditions on cash and is incompatible with the arguments traditionally offered in support of cash. Namely, CCTs are incompatible with a commitment to human rights, and to the political values of liberty, economic efficiency, and equality. Second, the programs conflict with the goal of gender equality because the state relies on women's care and domestic labour to serve the state. There is already a societal expectation that women will perform unpaid care and domestic work. The state reinforces this expectation through conditionalities that increase the amount of labour women are expected to perform by placing the responsibility on women for undertaking the tasks necessary for ensuring children are well fed, cared for, and taken to school, in the hopes of increasing their human capital and breaking the cycle of poverty. This leads to a third problem as the state exploits women through these programs by requiring them to perform labour to receive cash. In these exchanges the state takes advantage of gendered vulnerabilities to gain at the expense of the women who bear an unjust share of the burdens relative to the associated benefits of the transaction. Finally, having established why CCTs are unjustifiable, I suggest unconditional cash transfer programs ought to be preferred over CCTs because the former overcomes most of the challenges levelled against CCTs.

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1. INTRODUCTION

1.1. Introduction

In 2016 the United Nations (UN) committed itself to a series of goals that sought to end poverty and gender inequality, amongst other things, by 2030. These Sustainable Development Goals or SDGs require nations to develop nationally appropriate social protection systems while also ensuring these systems are compatible with the aims of gender equality and women's empowerment.¹ Those designing social protection programs are increasingly recognizing the value of using cash transfers to support the poor. Proponents argue that providing cash directly to the poor is an effective way of ending poverty and combatting the lack of investment in human capital that often accompanies it. While cash transfers have garnered support from all sides of the political spectrum, there is continued and rigorous debate about whether cash ought to be provided conditionally or unconditionally, whether the programs should target the poor alone or be universal, and whether cash transfers help or hinder progress towards gender equality.

On the one hand, advocates of conditional cash transfer programs of the kind I examine, hereafter known as CCTs, seek to end impoverishment by breaking the cycle of intergenerational poverty by implementing strict behavioural requirements on program beneficiaries to ensure parents invest in their children in accordance with the state's desires. Primarily found in Latin America, CCTs are targeted programs,² as they are

¹ United Nations General Assembly Resolution 70/1, *Transforming our World: the 2030 Agenda for Sustainable Development*, A/RES/70/1 (21 October, 2015).

² Literature on cash transfers refer to conditional programs in a broader sense and include programs such as Employment Insurance (EI) which, among other things, is conditioned upon willingness to work and having met the hours of work threshold. What I refer to as CCTs are a distinct kind of conditional cash program that differs from that of EI as the former is an anti-poverty strategy aimed at increasing human capital investments in children. I make these distinctions clearer in Chapter 4.

means-tested and explicitly aimed at the “deserving poor.” Proponents claim that conditions help to motivate the poor to modify their behaviour in ways that will lift them and their households out of poverty. Feminist development theorists, however, refute these claims arguing that CCTs pose a serious problem not only for women and girls, but also for global efforts to achieve gender equality and women’s empowerment. There are also worries about the extent to which these programs sustainably alleviate poverty given their conditional nature.

On the other hand, advocates of unconditional cash transfer programs, hereafter known as UCTs, claim it is the cash, and not the conditions, that improve the health and education status of children in low-income settings. They claim lack of financial liquidity is what prevents low-income parents from making adequate investments in human capital – not bad behaviour. Still, feminist concerns also arise with UCTs insofar as these programs may reinforce gender divisions of labour and roll back women’s progress in paid labour markets. It is at this juncture I situate my project, by seeking to determine the ways that cash or conditions might be troubling and, specifically, how conditions might be problematic for a commitment to ending poverty and achieving gender equality and women’s empowerment.

The purpose of this dissertation is to demonstrate that conditioning cash, rather than cash itself, is problematic in both theory and practice by drawing from literature on empowerment, distributive justice, gender, and exploitation. It is my view that the problem lies not with the cash itself, but with the conditions attached to it. I expressly articulate and defend the view that conditional cash transfer programs use women’s care and domestic work, a societal expectation, to serve the state. This program mandated

labour incentivizes women to comply with patriarchally prescribed behaviour in order to access the program and remain compliant with its mandates.³ The state benefits from CCTs because these programs enable the state to provide cheaper forms of welfare and shirk its responsibilities to create and maintain effective institutions and policies that will end poverty and achieve gender equality – both of which are international goals states have committed themselves to through the Sustainable Development Goals.

I argue that while cash is not a panacea, it is a necessary part of social protection programs and should not be offered conditionally. When states implement CCTs they do so in contravention of the spirit of the Sustainable Development Goals. Social protection programs protect the vulnerable from falling below the social minimum by providing them a floor to stand on. When policymakers place strict behavioural requirements on social protection programs, they seemingly endorse the worrisome view that poverty is an acceptable state for those who fail to or are unable to comply with program conditions. This makes access to public goods a matter of merit rather than need. This endorsement runs contrary to the assertions put forward by the UN through the SDGs that claim *all* poverty is unacceptable and must be ended. Those who support conditional cash programs as anti-poverty programs are asserting that only those who comply with program conditions are *deserving* of help. As articulated by Karl Widerquist, “if you want to address poverty with conditional programs, you want poverty to exist for the people who fail or refuse to meet your conditions.”⁴

³ Serene Khader calls this phenomenon the self-subordination social recognition paradox. See Serene J. Khader, “Empowerment Through Self-Subordination?: Microcredit and Women’s Agency,” in *Poverty, Agency, and Human Rights*, ed. Diana Tietjens Meyers (Toronto, ON: Oxford University Press, 2014), 223-248.

⁴ Karl Widerquist, Twitter Post, August 22, 2020, 2:26 PM. <https://twitter.com/karlwiderquist?lang=en>.

CCTs also violate the spirit of the SDGs in another way given the global commitment to end gender inequality. The programs reinforce sexist assumptions about women, namely that women are essentialized and maternalistic beings. They also exploit beneficiary women by requiring them to perform labour in exchange for cash through transactions where the women bear an unjust share of the burdens relative to the associated benefits. If states want to act in the spirit of the SDGs, then they would be wise not to implement conditional cash transfer programs.

My argument against conditional cash transfer programs advances in three forms aimed at (1) challenging the theory underpinning these programs and showing how the programs are incompatible with traditional defenses of cash; (2) demonstrating how these programs require beneficiary women⁵ to comply with patriarchally prescribed behaviour; and (3) establishing how CCTs are a form of Third-Party State Exploitation in which it is explicitly the state that exploits women as individuals and as a collective social group. I briefly outline each of these arguments below.

First, cash is often defended through appeals to human rights, liberty, economic efficiency, and equality. I establish that conditional cash transfer programs are theoretically inconsistent with the arguments used to support cash transfers in the first place. Additionally, a commitment to human rights and poverty eradication requires that states lift all persons, not just the supposedly deserving, out of poverty. A human rights-based approach, for example, argues rights specify the objects all persons are entitled to and, in doing so, generate the correlative duties necessary to ensure those rights are

⁵ Conditional cash transfers typically disburse the cash to women in a household, most often mothers, and require these women to perform the labour necessary for complying with program mandates. Beneficiary women refers to the women who receive the cash stipend and/or are responsible for fulfilling the programs conditions.

respected, protected, and fulfilled.⁶ If people have a right to a minimally decent life, then social protection programs may be an effective way for states to act on their duties to their citizens since such programs are meant to prevent individuals from falling below some prespecified minimum or what Henry Shue calls *a moral minimum*.⁷ A life characterized by poverty exists well below the moral minimum and threatens people's ability to live well and be full participants in their social, political, and cultural communities. In conditioning cash, states act contrary to the spirit of human rights by suggesting that at least some people – those who do not comply with program conditions – are deserving of their impoverishment.

One might also argue for cash through appeals to liberty, economic efficiency, or equality. Philippe Van Parijs argues a commitment to liberty requires states to provide cash to their citizens on the basis that cash enables people to pursue their conception of the good, even if that conception excludes productive labour.⁸ CCTs provide cash to beneficiaries which may seem compatible with a liberty-based conception but do so in a way that can restrict the beneficiary's conception of the good by forcing them to use the cash in program-mandated ways and endorse the state's conception of the good. States may act unjustifiably paternalistically when they impose conditions on cash. One might also argue for cash on the grounds of efficiency. Providing cash may be efficient insofar as it allocates resources in ways that maximizes value or “does the most good.”⁹ I argue

⁶ For Henry Shue rights generate duties (i) to avoid depriving; (ii) to protect from deprivation; (iii) to aid the deprived. Henry Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*. 2nd ed (Princeton, NJ: Princeton University Press, 1996). Especially pages 35-64.

⁷ Shue 1996.

⁸ Philippe Van Parijs, *Real Freedom for All: What (If Anything) Can Justify Capitalism?* (Oxford: Oxford University Press, 1995).

⁹ Peter Singer, *The Most Good You Can Do: How Effective Altruism is Changing Ideas About Living Ethically* (New Haven, CT: Yale University Press, 2015).

CCTs are not efficient programs as they require tremendous amounts of unpaid labour performed by beneficiary women. CCTs allow the state to free ride on the labour of women and girls. Finally, one might defend cash through an appeal to equality where all people should have a genuine opportunity to lead lives worth valuing in society.¹⁰ CCTs are at odds with egalitarian arguments since social egalitarians, especially, argue a just society is one where people are free from oppression and domination and CCTs, by their very design, tend to reinforce, exacerbate, and police norms that oppress women and girls.

Second, CCTs conflict with global and domestic obligations to women and girls by requiring women to comply with patriarchally prescribed behaviour by conditioning cash in ways that reinforce unjust gender relations. Through the SDGs the international community has committed itself to ending poverty and achieving gender equality and women's empowerment by 2030.¹¹ All goals contained in the SDGs must be completed with special attention paid to the effects on women and girls. All programs aimed at poverty eradication, for example, should undergo a rigorous gender-based analysis to determine whether the programs help or hinder progress toward gender equality and women's empowerment.

Programs that seek to end poverty at the expense of women and girls need to be carefully examined to determine whether alternative programs – ones that are better for

¹⁰ John Rawls, *Justice as Fairness: A Restatement* (Cambridge, MA: The Belknap Press of Harvard University, 2001); Ronald Dworkin, "What is Equality? Part 2: Equality of Resources," *Philosophy & Public Affairs* 10, no. 4 (1981): 283-345; Elizabeth S. Anderson, "What Is the Point of Equality?" *Ethics* 109, no. 2 (1999): 287-337;

For a quantitative assessment about the impacts inequality has on a society see Richard Wilkinson and Kate Pickett, *The Spirit Level: Why Equality is Better for Everyone* (Toronto, ON: Penguin Books, 2010).

¹¹ United Nations General Assembly Resolution 70/1, 2015.

women and girls - would be just as effective at combatting poverty. I argue CCTs fall short in their ability to combat persistent gender inequalities and to challenge the prevalence of harmful gender norms. CCTs are bad for women because they reinforce the view of the “selfless mother” who has an endless capacity for giving and whose primary role is reproduction by conditioning cash on gendered tasks, including but not limited to childcare, and cooking and cleaning for health clinics and schools. The programs are also troubling because this reliance on existing gender norms leads to a policing of gendered expectations in which the state punishes women who fail to fulfill the selfless mother ideal through sanctions and removal for noncompliance with program conditions.

Third, I argue conditional cash transfer programs are exploitative because the programs involve the state taking unfair advantage of beneficiary women who perform unpaid labour in service of the programs. To reach this conclusion, I develop a novel account of exploitation which I call *Third-Party State Exploitation* since I find traditional accounts of exploitation to be inadequate at explaining what goes on in CCTs. Third-Party State Exploitation occurs when (A) takes advantage of (B) for the sake of (C) where both (A) and (C) benefit at the expense of B, who bears an unjust share of the burdens relative to the benefits associated with the transaction. In the case of CCTs, it is the state (A), often acting via proxy or representative, who exploits some person or group (B) on behalf of/for the benefit of third party (C). I argue that it is not the case that the state simply allows exploitative transactions to occur or that the state maintains the structural conditions that enable exploitative practices: it is explicitly the state that exploits by relying on structural injustices and violating the consent and fairness conditions of non-exploitative transactions.

Having established the deeply problematic nature of conditional cash transfer programs, I consider whether the alternative, unconditional cash transfer programs, fare any better. UCTs are theoretically consistent with the traditional defenses of cash and can be defended by appeals to human rights, liberty, equality, and economic efficiency. UCTs also appear to fare better when it comes to their compatibility with gender equality and women's empowerment, although qualification is required. At the level of theory, there is nothing incompatible between cash and a commitment to gender equality and women's empowerment. However, UCTs can go wrong in their application when the programs maintain, magnify, and exacerbate existing gender inequalities. In these cases, the state may flout its duty to correct gender inequalities when it implements UCTs even while the state does not impose the harm – it simply fails to rectify the injustice. But there is nothing stopping governments from implementing UCTs while at the same time challenging the persistence of gender injustices. Thus, in my view, the major distinction between CCTs and UCTs is that the former goes wrong in theory and in practice whereas the latter go wrong in practice where a background of gender inequality exists.

1.2. Outline

This dissertation is divided into nine chapters and proceeds as follows. In the next chapter, I provide a brief overview of the international community's commitments to combatting poverty and gender inequality. In mapping this terrain, I offer a succinct summary of some of the United Nations' major commitments to poverty eradication and gender equality. I do so by examining the Universal Declaration of Human Rights, the Beijing Declaration and Platform for Action, the Millennium Development Goals, and the Sustainable Development Goals.

Having outlined the UN's commitment to gender equality and women's empowerment, Chapter 3 seeks to clarify these concepts and demonstrate how the international community has historically committed itself to achieving gender equality or women's empowerment. To do so I examine the two main conceptualizations of empowerment: (i) transforming power relations; and (ii) increasing agency or expanding choice.¹² Both conceptualizations are high standards, and it is unlikely that any one policy or program on its own is capable of fully transforming power relations or increasing agency in the way authors posit. This reality should not dissuade us from empowering women but requires that we are careful not to adopt policies that instrumentalize empowerment and gender equality for the sake of other policy commitments including poverty eradication. We must work towards empowerment by enacting social protection programs compatible with the advancement of women and girls and these programs must avoid the shortcomings of policies like the World Bank's Smart Economics or The Nike Foundation's Girl Effect. While our policies may fall short in capturing the full essence of empowerment, it is important that our policies act in the spirit of these ends, as some policies are far worse for women and girls. If we ever hope to realize gender equality and women's empowerment then we must ensure women's rights are recognized, protected, and promoted and that our social protection programs are designed in ways that encourage the advancement of women and girls.

¹² See Srilatha Batliwala, "Taking the Power out of Empowerment: An Experiential Account," *Development in Practice* 12, no. 4-5 (2007): 557-565; Naila Kabeer, "Resources, Agency, Achievements: Reflections on the Measurement of Women's Empowerment," *Development and Change* 30, no. 3 (1999): 435-464; Jay Drydyk, "Durable empowerment," *Journal of Global Ethics* 4, no. 3 (2008): 231-245; Christine Koggel, "A critical analysis of recent work on empowerment: implications for gender," *Journal of Global Ethics* 9, no. 3 (2013): 263-275; Serene J. Khader, *Adaptive Preferences and Women's Empowerment* (Toronto, ON: Oxford University Press, 2011).

Chapter 4 tackles the question of whether cash-based social protection programs are defensible. There is much debate as to whether social protection programs should take the form of cash or in-kind transfers. It is my view that cash can be defended on the grounds of human rights, liberty, equality, and economic efficiency. Cash is a crucial component of a social protection scheme when used in combination with other in-kind supports. Cash is not a panacea and should not be treated as such. Cash and in-kind transfers must work in tandem to create effective programs that protect the vulnerable. In this dissertation, I do not explicitly argue for in-kind transfers; instead, I argue we have good reasons for thinking cash transfers are effective forms of social protection but only when certain essential in-kind transfers, like health care and education, are also guaranteed. Some rights are best fulfilled in-kind as cash provision would not guarantee access to these vital goods while in other cases cash can provide meaningful access to existing in-kind programs. I conclude cash is a justifiable component of social protection programs and turn to the question of whether to provide it conditionally or unconditionally.

In Chapter 5, I introduce conditional cash transfer programs as a relatively new form of state-run social protection programs. While there are many kinds of cash transfer programs offered on a conditional basis, CCTs are a specific type of conditional programming. CCTs are targeted anti-poverty programs aimed at breaking the intergenerational transmission of poverty by providing cash to mothers on the condition that households make certain investments in the human capital of their children. I explore the three main arguments offered as justification of CCTs: (i) when parental investment in children is too low; (ii) when the political economy is uninterested in redistributing to the “non-deserving”; and (iii) when parental investment is not socially optimal due to

market failures.¹³ It is my view that none of these arguments are sufficient for establishing strong justifications for conditioning cash to the poor. Additionally, Chapter 5 argues conditional cash transfer programs are theoretically inconsistent with the arguments offered for cash. *The lines of reasoning used to justify support for CCTs stand in stark opposition to those used to support cash more generally.* The very act of conditioning of cash removes the original justifications for cash in the first place, and a commitment to human rights and poverty eradication requires states lift all persons, not just the supposedly deserving, out of poverty.

In Chapter 6, I explore the implications of conditional cash transfer programs on gender equality more deeply. Here, I offer the first of two arguments demonstrating how CCTs are inconsistent with the goal of gender equality and women's empowerment given the ways the programs rely on and exacerbate gendered vulnerabilities arising due to patriarchy. I argue CCTs are problematic insofar as the programs are built on essentialist and maternalist assumptions about women and go as far as to police these gendered expectations using conditions. Where women fail to comply with the patriarchally prescribed behaviour, they risk being sanctioned and removed from the programs for noncompliance. In mandating care and domestic labour, CCTs incentivize women to comply with conditions that are detrimental to gender equality initiatives. This chapter serves as an analysis of some of the tensions existing between anti-poverty and anti-inequality programs. CCTs are bad for women because they rely on patriarchal assumptions about women, and this hinders meaningful progress towards the goal of

¹³ Ariel Fiszbein and Norbert Schady, *Conditional Cash Transfers: Reducing Present and Future Poverty* (Washington, DC: The World Bank, 2009).

gender equality and women's empowerment as the programs fail to challenge existing power relations and do little to increase women's agency.

Chapter 7 raises the third concern about CCTs: the programs are exploitative. This chapter is best understood as a response to SDG Target 5.2 which seeks to eliminate sexual and all other types of exploitation women face. If states seek to end all forms of exploitation, then it is of grave concern that CCTs are promoted as a gender equality strategy given the way the programs take unfair advantage of beneficiary women. I argue states engage in a novel form of exploitation, Third-Party State Exploitation, when they implement CCTs. Third-Party State Exploitation occurs when (A) takes advantage of (B) on behalf of/for the benefit of (C) where both (A) and (C) benefit at the expense of (B), who bears an unjust share of the burdens relative to the benefits associated with the transaction. CCTs involve the state (A) taking advantage of poor women (B) to use their labour to the benefit of (A) and children (C), but not (B) since the state requires women to perform this labour as an extension of their gendered responsibilities. Even when CCTs are individually beneficial to the women the programs are collectively harmful to women as a social group.

Given the number of difficulties raised by CCTs, I turn to an examination of unconditional cash transfers as a policy alternative. In Chapter 8, I argue UCTs, as I define them, are superior to CCTs insofar as they overcome many, but not all, of the challenges levelled against CCTs. UCTs are superior to CCTs as these programs (i) align with the arguments offered in Chapter 4 in support of cash; and (ii) are more consistent with a commitment to gender equality and empowerment, and so are better for women and girls, comparatively speaking. UCTs are theoretically consistent with a human rights-

based approach and the political values of liberty, equality, and efficiency. UCTs also fare better when it comes to their compatibility with gender equality and women's empowerment, with some important qualifications. At the level of theory, cash is compatible with the goals of gender equality and women's empowerment. I argue, however, UCTs can go wrong insofar as they may maintain and magnify existing gender inequalities in society. In implementing UCTs, governments might be flouting their duty to correct gender inequalities stemming from unjust gender norms and may be benefitting from the existence of these norms, but the state does not impose the harm, nor does it exploit the women. The major distinction to be made is that CCTs go wrong in theory and in practice whereas UCTs go wrong in practice, where background conditions of gender inequality exist.

In sum, I argue that when states implement CCTs they do so at the expense of the arguments generally offered in support of cash *and* at the expense of women and girls. Many social protection programs are built on and supported by the unpaid care and domestic labour of women and girls, or labour that consists of unpaid activities carried out within and outside of households which, nevertheless, remain outside the purview of the market. Conditional cash transfer programs use women's care and domestic work to serve the state; the state benefits from this unpaid and unacknowledged labour by shirking its duty to provide more effective policies and/or institutions that advance the interests of women and girls. This results in poverty eradication being pursued at the expense of gender equality.

1.3. Some Preliminaries

Before moving into Chapter 2, I would like to say something about this dissertation's discussion of gender and patriarchy. For one thing, the reader will note how I use binary language in my analysis of conditional cash transfer programs (e.g. "woman" or "girl"). The reason for this is that much of the literature I rely on makes explicit reference to "women"; "mothers"; and "girls." The use of this terminology is, of course, problematic given its tendency to render some persons invisible in development processes.¹⁴ Specifically, this language excludes some members of the LGBTQ+ community including gender diverse people. These are persons who may benefit or be harmed by development processes, including through the use of CCTs, and their voices and perspectives ought to be included. In employing the term "woman" it is not my intention to exclude these persons from discussions on CCTs or cash transfers more broadly. I invoke this terminology because the programs and the SDGs use this language and because, however problematic it may be, many, but not all, patriarchal societies tend to hold rather dichotomous views about gender and sexuality. To this end, I employ the term "women" to refer to those who identify as or are misidentified as women.

Women, then, are members of a social group where a social group is a collective of persons that differs from at least one other group in its cultural forms, practices, and way of life. Members of a social group have a particular affinity with one another based on their life experiences or ways of life, and can be said to share some sense of identity.¹⁵

¹⁴ For more on gender and sexuality and the World Bank see Kate Bedford, *Developing Partnerships: Gender, Sexuality, and the Reformed World Bank* (Minneapolis, MN: University of Minnesota Press, 2009).

¹⁵ Iris Marion Young, *Justice and the Politics of Difference* (Princeton, NJ: Princeton University Press, 1990), 42-48.

Women may be more properly understood as belonging to an *involuntary social group* based on their gender even though some women “perceive this as a voluntary social group that shares an identity, common ideals, and common projects.”¹⁶ Of course, many may not perceive this social group as a community because of the diversity of life experiences and the lack of commonality in their needs and ideals. Still, because of patriarchy women as group cannot refer to a common past free from gender oppression, since gender inequality has persisted in most societies across in history. Men and women have always existed alongside one another in a way that can be distinguished from other groups who can refer to a specific history in which they were not oppressed and did not exist in relation to a would-be oppressor.

When I refer to women, I am referring to those persons who have been subject to the particular kind of oppression women face in identifying as a women or as being (mis)identified by society as a woman.¹⁷ On this basis, we can perhaps broadly claim women lack a “shared history” because of the prevalence of gender oppression – oppression that was maintained through patriarchal societies and often rendered women invisible from history by relegating them to the background. As Caroline Criado Perez notes, our history is disfigured by “a female-shaped absent presence” which she calls the gender data gap.¹⁸

¹⁶ Gila Stopler, “Countenancing the Oppression of Women: How Liberals Tolerate Religious and Cultural Practices that Discriminate Against Women,” *Columbia Journal of Gender and Law* 12, no. 1 (2003): 190.

¹⁷ LGBTQ+ persons may experience a similar form of gender oppression but may also experience different intersections of oppression that should be explored by authors far better suited to address these important problems than I.

¹⁸ Caroline Criado Perez, *Invisible Women: Data Bias in a World Designed for Men* (New York, NY: Abrams Press, 2019).

A major part of gender injustice is androcentrism which is an “institutionalized pattern of cultural value that privileges traits associated with masculinity, while devaluing everything coded as “feminine” paradigmatically – but not only – women.” See Nancy Fraser, “Social Justice in the Age of Identity

Second, in Chapters 2 and 3 I take for granted the existence of gender inequality and oppression because policymakers and feminist theorists seek to empower women and achieve gender equality in a world where women are unequal. Here, I want to briefly outline oppression and patriarchy to forecast later discussions found in Chapter 6.

According to Iris Marion Young, oppression is best understood as a family of concepts where it can be made visible by examining its faces: powerlessness, cultural imperialism, violence, exploitation, and marginalization.¹⁹ Oppression is a structural phenomenon when “its causes are embedded in unquestioned norms, habits, and symbols, in the assumptions underlying institutional rules and the collective consequences of following those rules.”²⁰ Oppression as a structural phenomenon “refers to the vast and deep injustices some groups suffer as a consequence of often unconscious assumptions and reactions of well-meaning people in ordinary interactions, media and cultural stereotypes, and structural features of bureaucratic hierarchies and market mechanisms – in short, the normal processes of everyday life.”²¹

Oppression can be caused by patriarchal views in society that treat women and girls as subordinate to men. While patriarchy itself is a contested concept, many feminist theorists identify it as the primary cause of women’s oppression whereby men are predominantly understood to hold leadership and authority roles and are perceived to be, and most often are, the wielders of power.²² According to Kate Millett, patriarchal power

Politics: Redistribution, Recognition, and Participation,” in *Redistribution of Recognition? A Political-Philosophical Exchange*, Nancy Fraser and Axel Honneth (New York, NY: Verso , 2003), 20-21.

¹⁹ Young 1990.

²⁰ Young 1990, 41.

²¹ Ibid.

²² Young 1990; Fraser 2003; Valerie Bryson, “‘Patriarchy’: A concept too useful to lose,” *Contemporary Politics* 5, no. 4 (1999): 311-324; Kate Manne, *Down Girl: The Logic of Misogyny* (New York, NY: Oxford University Press, 2018); Kate Manne, *Entitled: How Male Privilege Hurts Women* (New York, NY: Crown, 2020); Catharine A. MacKinnon, *Toward a Feminist Theory of the State* (Cambridge, MA: Harvard

is universal, ubiquitous and, consequently, appears natural and invisible.²³ This is what makes combatting patriarchy and oppression so difficult.

One final note is on the appeals made to human rights on the grounds of morality and legality. The Sustainable Development Goals, elaborated upon in the next chapter, rest on the notion of human rights as do other major UN documents including the Universal Declaration of Human Rights. While there are many accounts of rights, in Chapter 4 I defend an account of rights as given by Henry Shue. Shue's *Basic Rights* "gave shape to the subject of human rights as a coherent preoccupation of political philosophy" and "advances positions which, although heretical when the book was first published, have since become close to philosophical orthodoxy."²⁴ Shue argues everyone has what he terms "basic rights" to security and subsistence by demonstrating (i) how security and subsistence are equally basic; and (ii) how basic rights to subsistence and security serve as the grounds for duties to avoid depriving, to protect from deprivation, and to aid the deprived.²⁵ It is not enough that a right is simply not being violated at a particular moment in time. A right is only guaranteed when arrangements have been made for people with the right to enjoy it. Therefore, the proclamation of a right may be inadequate for securing the contents of a right.²⁶ This social guarantee, through the form of legal protection or other well-entrenched norms, requires others (state and individual actors) create and/or preserve effective institutions to secure the necessary preconditions for the enjoyment of our rights.

University Press, 1989); Susan Moller Okin, *Justice, Gender, and the Family* (New York, NY: Basic Books, 1989).

²³ Kate Millett quoted from Bryson 1999, 311-312.

²⁴ Charles R. Beitz and Robert E. Goodin, "Introduction: *Basic Rights and Beyond*," in *Global Basic Rights*, ed. Charles R. Beitz and Robert E. Goodin (Oxford: Oxford University Press, 2009), 2.

²⁵ Shue 1996, 35-64.

²⁶ *Ibid.*, 16.

With some of the preliminaries of the project laid out we can now move on to the more substantive arguments of the dissertation. We begin, in Chapter 2, with a look at the international community's commitment to combatting poverty and gender inequality.

2. INTERNATIONAL GOAL SETTING: POVERTY ERADICATION AND GENDER EQUALITY

2.1. Introduction

This dissertation takes place against the backdrop of international commitments to end poverty and to achieve gender equality and women's empowerment. Before proceeding with an analysis of conditional cash transfer programs and their compatibility with our international obligations, it is first necessary to outline what these obligations are and how they arose. In this chapter, I briefly highlight some of the United Nations' major declarations regarding poverty and gender. This chapter is not intended to be an in-depth analysis of the history of the UN's obligations, declarations, and treaties; instead, this chapter serves to provide some context on these international priorities through a summary of some of the UN's most influential documents.

This chapter proceeds as follows. First, I offer a brief history of the United Nations and its adoption of the Universal Declaration of Human Rights. I then proceed to explore how UN member states have sought to clarify their obligations and responsibilities towards ending poverty and gender inequality through the Millennium Development Goals (MDGs). Given the failures of the MDGs, section 2.3. offers an examination of the current global commitments to these goals – the Sustainable Development Goals. I conclude that progress towards poverty eradication must be done in ways that support the rights of women and girls.

2.2. The United Nations

A brief examination of the history of the UN takes us back to its inception in 1945 at the close of the Second World War – the deadliest military conflict in history.²⁷ In 1945, countries replaced the ineffective League of Nations with the United Nations (UN), aiming to prevent future wars and to protect citizens from human rights abuses. Coming into force on October 24, 1945, the UN Charter outlined the purposes of the UN and reaffirmed “faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women, and of nations large and small” and committed to promoting “universal respect for, and observance of, human rights and fundamental freedoms for all.”²⁸ As the details surrounding the atrocities committed by Nazi Germany came to be known post-1945, the global community came to realize more needed to be done to reaffirm a commitment to human rights for all. On its own, the UN Charter was no longer sufficient for protecting human rights and so needed to be expanded upon. The solution was the Universal Declaration of Human Rights.

The Universal Declaration of Human Rights, hereafter known as the Declaration, sought to clarify and define the rights the UN sought to defend to ensure these rights were legally protected for all persons, and that states could be prevented from engaging in the deplorable actions seen during the Second World War. Adopted on December 10, 1948, the Declaration represented an international standard for all nations through the protection of specified rights and freedoms. It was hoped that in formulating and

²⁷ It is estimated that between 70-85 million people lost their lives because of the war. See Neil Halloran, director, *The Fall of World War II*, *Youtube*, 26 Oct. 2016. www.youtube.com/watch?v=DwKPFT-RioU.

²⁸ United Nations, *Charter of the United Nations*. 24 October 1945. UNTS XVI, available at <https://www.un.org/en/charter-united-nations/index.html> [accessed 20 September 2020].

enforcing international norms, the Declaration would also promote international peace and security.²⁹ In its own words, the Declaration is

a common standard for achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.³⁰

The Declaration is comprised of 30 Articles and claims the rights and freedoms it protects are rooted in the inherent dignity of all persons, where dignity is understood to be a cornerstone of the foundation of freedom, justice, and world peace. Article 1, for example, states: “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”³¹ Indeed human dignity extended beyond an acknowledgement of the intrinsic value of human beings to securing the conditions necessary for living a dignified life or a life worthy of human pursuit as illustrated by Article 25. Article 25 states: “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or lack of livelihood beyond his control.”³²

The appeals to human dignity throughout the Declaration suggest a moral justification for the rights contained within it rather than a purely legal one. Still, the Declaration itself does not elaborate on the concept of dignity nor does it explain how dignity gives rise to

²⁹ James W. Nickel, *Making Sense of Human Rights*, 2nd ed. (Malden, MA: Blackwell Publishing, 2007).

³⁰ United Nations General Assembly, *Universal Declaration of Human Rights*, 1948.

³¹ *Ibid.*

³² *Ibid.*

human rights. While political theorists have attempted to explain the connections between dignity and rights,³³ I make no such attempt. As dignity is not a central component of this dissertation and the arguments made therein, I do not expand upon the concept and raise it only in that it suggests a moral, and not just legal, underpinning to the Declaration and this may mean the obligations of states go beyond what is currently legally required of them.

In the years since 1948 the UN has enacted numerous resolutions and treaties expanding upon and clarifying the rights and freedoms contained in the Declaration. Most recently, the UN has adopted goal-setting strategies to encourage member states to respect, protect, and fulfill the rights of people living within their borders. Through a series of binding and nonbinding resolutions and treaties, the international community has committed itself, amongst other things, to the aims of combatting global poverty and gender inequality. For instance, in 2015 the UN established the Sustainable Development Goals (SDGs) which seek to end poverty in all its forms and achieve gender equality and women's empowerment by 2030.³⁴ It is these two objectives that serve as the starting point of this dissertation which will explore the gendered impacts of CCTs to determine whether such programs advance or impede the status of women and girls when used to combat poverty.

³³ See Allen Buchanan, *The Heart of Human Rights* (New York, NY: Oxford University Press, 2013); Charles R. Beitz, "Human Dignity in the Theory of Human Rights: Nothing But a Phrase?" *Philosophy & Public Affairs* 41, no. 3 (2013): 259-290; Martha C. Nussbaum, *Creating Capabilities: The Human Development Approach* (Cambridge, MA: Harvard University Press, 2011); James Griffin, *On Human Rights* (Oxford: Oxford University Press, 2008).

³⁴ United Nations General Assembly Resolution 70/1, 2015.

2.2.1. Poverty

Poverty is defined by the UN as “a human condition characterized by the sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil, cultural, economic, political and social rights.”³⁵ The UN distinguishes between poverty and extreme poverty, with the latter defined as “the combination of income poverty, human development poverty and social exclusion.”³⁶ Those living in conditions of extreme poverty experience a life characterized by powerlessness, stigmatization, discrimination, exclusion, and material deprivation which are mutually reinforcing characteristics and persist through structural and systemic inequalities. While poverty does not discriminate against its victims, there are certain segments of the population who are more vulnerable to poverty, especially extreme poverty. This includes women, children, racialized groups, minorities, the aged, and other marginalized groups in society.

Poverty is not merely an economic issue; rather, it is a multidimensional problem whereby people lack the economics resources and basic capabilities to lead a dignified life, as explained by the UN, or lacking the capacities for a minimally decent life, in Shue’s account. Poverty is a problem of global justice since, although some individuals are better protected and insulated from economic shocks than others, everyone is vulnerable to the risk of impoverishment; and because the poverty problem in any one state is unresolvable without the cooperation of other states due to globalization.³⁷ Much

³⁵ United Nations Human Rights Office of the High Commissioner, *Guiding Principles on Extreme Poverty and Human Rights* (Geneva, Switzerland: OHCHR, 2012), 2.

³⁶ *Ibid.*, 2.

³⁷ See Gillian Brock, "Global Justice," *Stanford Encyclopedia of Philosophy*. March 06, 2015. Accessed August 25, 2017. <https://plato.stanford.edu/entries/justice-global/>.

of the rationale motivating social protection programs is rooted in the idea of securing citizens' most basic needs so they can be fully authenticated members of society.³⁸

After previous attempts to end global poverty failed, the UN adopted the Millennium Development Goals (MDGs) in 2000 and committed states to reducing extreme poverty by 2015.³⁹ The MDGs consisted of 8 goals, 21 targets, and 60 indicators aimed at combatting extreme poverty, with Goal 1 specifically focusing on eradicating extreme poverty and hunger.⁴⁰ The goal was measured through a series of three targets which watered down the original goal of eradicating extreme poverty and hunger to a more modest proposal, to halve the proportion of people living in poverty, and halve the proportion of people suffering from hunger between 1990 and 2015. The Targets for Goal 1 were as follows: 1A Halve the proportion of people whose income is less than \$1.00/day between 1990 and 2015; 1B Achieve full and productive employment and

³⁸ For John Rawls a prerequisite for the primary goods is that the basic needs of all citizens must be met. This is so that citizens can take part in political and social life. Below a certain threshold of material and social wellbeing, Rawls claims that "people simply cannot take part in society as citizens, much less as equal citizens." John Rawls, *Political Liberalism* (New York, NY: Columbia University Press, 1996), 166.

³⁹ United Nations General Assembly Resolution 55/2, *United Nations Millennium Declaration*, A/55/L2 (18 September, 2000), available at <https://undocs.org/A/RES/55/2>.

⁴⁰ The MDGs were not without criticism. Criticisms include: (1) the use of a baseline year of 1990 despite the goals being adopted in 2000; (2) the ease with which data was misrepresented and/or misreported; (3) the neoliberal nature of the goals; (4) the low benchmarks used for measuring poverty; (5) indicators and targets that poorly aligned with the essence of the goals; (6) treating the goals as isolated from one another despite obvious interactions; and (7) neglecting those most in need of equitable development.

See Z. Adeel et al. *Catalyzing water for sustainable development and growth: Framing water within the post 2015 development agenda: Options and considerations* (Hamilton, ON: UNU-INWEH and UNOSD), 2013; Thomas Pogge, "The First UN Millennium Development Goal: A Cause for Celebration?", in *Real World Justice: Grounds, Principles, Human Rights, and Social Institutions*, eds. Andreas Follesdal and Thomas Pogge (Dordrecht, The Netherlands: Springer, 2005), 317-338; Lisa Mills, *The Limits of Trust: The Millennium Development Goals, Maternal Health, and Health Policy in Mexico* (Kingston, ON: McGill-Queen's University Press, 2017); Sally Engle Merry, "Measuring the World: Indicators, Human Rights, and Global Governance," *Current Anthropology* 52, no. S3 (2011): S83-S95; Gita Sen and Avanti Mukherjee, "No Empowerment without Rights, No Rights without Politics: Gender-equality, MDGs and the post-2015 Development Agenda," *Journal of Human Development and Capabilities* 15, no. 2-3 (2014): 188-202; Thomas Pogge, "Developing Morally Plausible Indices of Poverty and Gender Equity: A Research Program," *Philosophical Topics* 37, no. 2 (2009): 199-221; Naila Kabeer, "Gender equality and women's empowerment: a critical analysis of the third Millennium Development Goal," *Gender and Development* 13, no. 1 (2005): 13-24.

decent work for all, including young people and women; and 1C Halve the proportion of people suffering from hunger between 1990 and 2015.⁴¹

Despite significant progress in some areas, extreme poverty and hunger were not eradicated by 2015. Target 1A was declared met in 2010, though there are serious concerns about the validity of this assertion, given the Target was narrower than the original goal, but neither Target 1B nor 1C were met. As of 2015, more than 300 million workers continued to live in extreme poverty with the number of unemployed people rising to over 204 million. Data from 2015 reported 795 million people remained undernourished with 780 million going hungry.⁴²

Despite the failures of MDG 1, projections from the World Bank in 2015 claimed it was possible to end extreme poverty if the number of people in poverty decreased by 50 million each year until 2030, or roughly 1 million people per week.⁴³ Jason Hickel, however, argued it would take much longer to eradicate poverty, given our current rate of progress. Between 1993 and 2008 the average income of the world's poorest individuals increased by only 1.29%. Hickel maintained that at this rate, it would take over 100 years to eradicate poverty, even if the poverty line were set at the SDG benchmark of \$1.25 per day. Hickel suggested a higher poverty line set at \$5.00 per day was needed for people to meet most of their basic needs, but this would mean it would take up to 207 years to end extreme poverty.⁴⁴

⁴¹ For more on the targets see United Nations General Assembly Resolution 55/2, 2000; United Nations, *The Millennium Development Goals Report 2015* (New York, NY: United Nations, 2015).

⁴² United Nations 2015, 14-22.

⁴³ The World Bank, *Ending poverty requires more than growth, says WBG*, [Press release], 10 April 2014. Accessed at <https://www.worldbank.org/en/news/press-release/2014/04/10/ending-poverty-requires-more-than-growth-says-wbg>.

⁴⁴ Jason Hickel, "It Will Take 100 Years for the World's Poorest People to Earn \$1.25 a Day," *The Guardian*, March 30, 2015, <https://www.theguardian.com/global-development-professionals-network/2015/mar/30/it-will-take-100-years-for-the-worlds-poorest-people-to-earn-125-a-day>.

2.2.2. Gender Equality

Since its inception the UN has also been committed to equality as evidenced by the Declaration which applies to *all* persons. Though the Declaration does not explicitly recognize gender equality as a human right, recent decades have seen the explicit recognition of gender equality and women's empowerment as part and parcel of human rights discourse. Indeed, since the 1940s, the UN has expressly committed itself to the cause of gender equality. The years between 1975-1985, for example, were recognized as the "Decade for Women", and brought about significant changes in the legal and bureaucratic processes needed for the advancement of women's status in society. In 1979 the UN adopted the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) – an international bill of rights for women that has been ratified by 189 states.⁴⁵ Comprised of 30 Articles, CEDAW was intended to provide an agenda for action to guarantee women's rights.

UN member states further committed themselves to the cause of gender equality at the Fourth World Conference on Women held in Beijing, China in 1995. The Fourth World Conference on Women marked another important milestone in the fight for gender equality and culminated in the Beijing Declaration and Platform for Action, hereafter referred to as the Beijing Platform for Action, which was subsequently endorsed by the UN General Assembly through Resolution 50/203. It was here that Hillary Rodham

⁴⁵ "Chapter IV Human Rights: 8. Convention on the Elimination of All Forms of Discrimination against Women," United Nations Treaty Collections (United Nations, January 25, 2021), https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-8&chapter=4&lang=en.

Clinton famously proclaimed, “human rights are women’s rights... And women’s rights are human rights.”⁴⁶

The Beijing Platform for Action stressed the importance of combatting gender inequalities and sought to improve the situation of all women, even while acknowledging the different inequalities women face as barriers to their rights.⁴⁷ This global consensus represented the most progressive blueprint for advancing women’s rights and involved the collaboration of 189 governments. The Beijing Platform for Action sought to achieve women’s empowerment by “removing all the obstacles to women’s active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making.” It also sought to establish the principle of shared power and responsibility between men and women at home, in the workplace, and in international and national communities.⁴⁸

While significant, the commitments made in the Beijing Platform for Action were not actionable. There were few specific targets to be reached, no timeframes attached, and no indicators outlined on how to measure progress towards their achievement. Additionally, the Beijing Platform for Action was non-binding and did not bring about legal obligations

⁴⁶ Hillary Rodham Clinton, “Remarks for the United Nations Fourth World Conference on Women” (speech, Beijing, China, September 5, 1995), United Nations, <https://www.un.org/esa/gopher-data/conf/fwcw/conf/gov/950905175653.txt>.

⁴⁷ United Nations, *The Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women* (27 October, 1995), available at <https://www.un.org/womenwatch/daw/beijing/platform/>.

⁴⁸ *Ibid.*, 7.

for states under international law or create international legal rights; instead, the Beijing Platform for Action was a “policy framework document.”⁴⁹

More recently, the UN prioritized the goals of gender equality through the Millennium Development Goals (2000-2015). Goal 3 prioritized gender equality and women’s empowerment and portrayed these goals, at least initially, as intrinsically valuable rather than instrumentally valuable in the fight against poverty. In combatting gender inequality, Goal 3 specifically focused on eliminating gender disparities in primary and secondary education by 2005 and in all levels of education by 2015. This much narrower goal was measured in terms of three indicators: (1) the ratio of girls to boys in all levels of education; (2) the share of women in non-agricultural wage employment; and (3) the proportion of seats held by women in national parliament.⁵⁰

Despite the problematic framing of Goal 3 significant progress was made towards the goal even though it ultimately went unmet. For instance, a majority of regions achieved gender parity in primary education, but disparities continued to exist at secondary and tertiary levels. The share of women engaged in non-agricultural wage employment rose from 35% in 1991 to 41% in 2015. Still, women remained less likely to be employed in the formal labour market (50%), as compared with men (77%), and this remained

⁴⁹ Commission on the Status of Women, *FULL IMPLEMENTATION OF 1995 BEIJING ACTION PLAN FOR WOMEN ESSENTIAL TO ACHIEVING GLOBAL ANTI-POVERTY GOALS, WOMEN’S COMMISSION DECLARES*, [Press release WOM/1496], 4 March 2005. Accessed at <https://www.un.org/press/en/2005/wom1496.doc.htm>.

⁵⁰ MDG 5 also focused on women. It prioritized maternal health and measured the maternal mortality ratio and women’s access to reproductive health. While this goal is not the focus of this dissertation, it is useful to note that the goal focused on maternal health rather than women’s health and access to reproductive services. This highlights one of the ways international policy on women has tended to view women in terms of their reproductive capacities and reduced their health to maternal health and fetal development.

United Nations 2015, 28-31; “United Nations Millennium Development Goals,” United Nations (United Nations), accessed March 2, 2020, <https://www.un.org/millenniumgoals/>.

especially true in the North African, Southern Asian, and Western Asian regions. More limited progress was made toward indicator 3.3 with representation in national parliaments remaining predominantly male.⁵¹

Progress for women and girls remains slow and uneven at best – no country has achieved gender equality. According to a 2017 UN Women report it will take 82 years to close the gender gap in political participation, 95 years to achieve gender parity in lower secondary school education, and almost 170 years to close the economic gap.⁵² An even starker picture is painted by the World Economic Forum (WEF) in its 2020 Global Gender Gap Report which tracks progress towards gender parity in 153 countries. According to the WEF report, global gender parity stands at 68.6%. Closing the economic participation gender gap will take 257 years and closing the global gender gap will take 99.5 years. There is also no country in which men spend the same amount of time engage in unpaid work as women.⁵³

2.3. The Sustainable Development Goals: A Recommitment to Ending Poverty and Gender Inequality

The MDGs came to an end in 2015 and were replaced by the more ambitious Sustainable Development Goals in 2016 through UN Resolution 70/1.⁵⁴ Comprised of 17

⁵¹ United Nations 2015, 28-31.

⁵² UN Women, United Nations, *UN Women Strategic Plan 2018-2021*, UNW/2017/6/Rev.1 (1 August, 2017), available at <https://www.unwomen.org/en/digital-library/publications/2017/8/un-women-strategic-plan-2018-2021#view>.

⁵³ The WEF measures gender parity along four dimensions: Economic Participation and Opportunity; Educational Attainment; Health and Survival; and Political Empowerment. The Report states that “At the current pace, gender gaps can potentially be closed in 54 years in Western Europe, 59 years in Latin American and the Caribbean... 71 and a half years in South Asia, 95 years in Sub-Saharan Africa, 107 years in Eastern Europe and Central Asia, 140 years in the Middle East and North Africa, 151 years in North America... and 163 years in East Asia and the Pacific.”

See World Economic Forum, *Global Gender Gap Report 2020*, Cologne/Geneva, (16 December, 2019). <https://www.weforum.org/reports/gender-gap-2020-report-100-years-pay-equality>.

⁵⁴ United Nations General Assembly Resolution 70/1, 2015.

goals and 169 targets, the SDGs are far broader than their predecessor and attempt to balance the economic, social, and environmental dimensions of sustainable development, opting for SMART (specific, measurable, achievable, realistic, and timebound) indicators. Recognizing that eradicating poverty in all its forms and dimensions “is the greatest global challenge and an indispensable requirement for sustainable development”, the SDGs seek to build on the MDGs, realize the rights of all, and achieve gender equality and women’s empowerment. All countries and stakeholders are to act in collaboration to implement this plan and endeavour to reach the “furthest behind” so that “no one will be left behind.”⁵⁵ The SDGs are envisaged as the pathway to ensuring

a world free of poverty, hunger, disease and want, where all can thrive... A world which invests in its children and in which every child grows up free from violence and exploitation... A world in which every woman and girl enjoys full gender equality and all legal, social and economic barriers to their empowerment have been removed.⁵⁶

The SDGs prioritize poverty reduction but through a more refined approach than their predecessor. The SDGs have the overall goal of *ending global poverty in all its forms* but are also implemented with the crosscutting theme of gender equality and women’s empowerment, claiming “the systematic mainstreaming of a gender perspective in the implementation of the Agenda is crucial.”⁵⁷ Eradicating poverty and achieving gender equality are, thus, both high level themes on the Sustainable Development Agenda as well as specific goals contained *within* the Agenda. In implementing policies aimed at

⁵⁵ Ibid., 1.

⁵⁶ Ibid., 3-4.

⁵⁷ Ibid., 6.

Gender mainstreaming became official UN policy in 1997. It is a “strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programs in all political, economic and societal spheres so that women and men benefit equally, and inequality is not perpetuated.” Emebet Mulugeta, “Gender mainstreaming in teacher education policy: a training module,” UNESCO International Institute for Capacity-Building in Africa, 2012, 6.

achieving each goal, stakeholders ought to do so in a way that assesses the gendered implications and makes central women and men's concerns and experiences so that inequality is not perpetuated.⁵⁸

Significantly, while the SDGs are global in nature they are constrained by national realities. To this end, the targets are aspirational and global, leaving each government to set its own national planning processes, policies, and strategies that are guided by the Agenda. This leaves room for policymakers to interpret the goals in ways consistent with the realities and agendas of governments and states. As will be demonstrated in Chapter 3, this can be highly problematic from a gender equality perspective since some nations enact policies that are detrimental to the status of women and girls despite being outwardly committed to the SDGs.

As it pertains to this project, UN Resolution 70/1 committed member states and stakeholders to ending poverty in all its forms by 2030, stating: "All people must enjoy a basic standard of living, including through social protection systems."⁵⁹ Goal 1 seeks to "end poverty in all its forms everywhere" and is measured through the following targets:

- 1.1.By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than \$1.25 a day.⁶⁰
- 1.2.By 2030, reduce at least by half the proportion of people living in poverty in all its dimensions according to national definitions.
- 1.3.Implement nationally appropriate **social protection** systems and measures for all, including [social protection] floors, and by 2030 achieve substantial coverage of the poor and vulnerable.
- 1.4.By 2030, ensure that all men and women, in particular 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,

⁵⁸ For more on gender mainstreaming see Rebecca Tiessen, Jane Parpart, and Marianne H. Marchand, "Gender and Development: Theoretical Contributions, International Commitments, and Global Campaigns," in *Introduction to International Development: Approaches, Actors, Issues, and Practice*, ed. Paul A. Haslam, Jessica Schafer, and Pierre Beaudet (Don Mills, ON: Oxford University Press Canada, 2017), 84-101.

⁵⁹ Ibid., 7.

⁶⁰ The international poverty line has since risen to \$1.90 per day.

inheritance, natural resources, appropriate new technology and financial services, including microfinance.

1.5. By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure to climate-related extreme events and other economic, social, and environmental shocks and disasters.

1.A Ensure significant mobilization of resources from a variety of sources, including through enhanced development cooperation, in order to provide adequate and predictable means for developing countries, in particular least developed countries, to implement programmes and policies to end poverty in all its dimensions.

1.B Create sound policy frameworks at the national, regional, and international levels, based on pro-poor and gender-sensitive development strategies, to support accelerated investment in poverty eradication actions.⁶¹

Recognizing the importance of gender equality and women's empowerment, UN Resolution 70/1 acknowledges sustainable development and the achievement of full human potential "is not possible if one half of humanity continues to be denied its full human rights and opportunities."⁶² Thus, Goal 5 seeks to achieve gender equality and women's empowerment for all women and girls by 2030. This goal is best understood as a tool for delivering on the promises of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Declaration and Platform for Action.⁶³

The targets for Goal 5 are as follows:

- 5.1. End all forms of discrimination against all women and girls everywhere.
- 5.2. Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.
- 5.3. Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation.
- 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.

⁶¹ Ibid., 15; United Nations General Assembly Resolution 71/313, *Global indicator for the Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development* (6 July, 2017), 1-2.

⁶² United Nations General Assembly Resolution 70/1, 2015, 6.

⁶³ Daniela Rosche, "Agenda 2030 and the Sustainable Development Goals: gender equality at last? An Oxfam perspective," *Gender & Development* 24, no. 1 (2016): 111-126.

- 5.5. Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.
- 5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences.⁶⁴

The SDGs represent a significant improvement in terms of their scope and actionability but the goals are not without criticism. Some worry the SDGs do not go far enough in acknowledging the global commitment to human rights, since the goals are not explicitly linked to the relevant human rights enshrined and protected in other UN documents.⁶⁵ Others worry the SDGs are neither visionary nor ambitious in ways that inspire action. There are also worries that the poverty thresholds are set too low. If, for example, member states focus on eradicating extreme poverty (defined as less than \$1.25 per day) then they may only be successful in moving such individuals above this threshold. This would leave those individuals living in poverty, *though not extreme poverty*, and especially susceptible to economic shocks that could easily push them back into extreme poverty.⁶⁶

Another issue raised against the SDGs lies with their focus on economic growth as the driver of social progress in a way that means the global goals do not “respond to, or challenge, the macroeconomic and structural driver of current patterns of growth – including the structural role of unpaid care and domestic work in supporting economic growth.”⁶⁷ To be sure, economic growth can contribute to gender equality when it

⁶⁴ United Nations General Assembly Resolution 70/1, 2015, 18; United Nations General Assembly Resolution 71/313, 2017, 6-7.

⁶⁵ Valeria Esquivel, “Power and the Sustainable Development Goals: a feminist analysis,” *Gender & Development* 24, no. 1 (2016): 12.

⁶⁶ Gabriele Koehler, “Tapping the Sustainable Development Goals for progressive gender equity and equality policy,” *Gender & Development* 24, no. 1 (2016): 53-68.

⁶⁷ Esquivel 2016, 11.

creates decent employment opportunities for women. The SDGs, however, are concerned with redistributive policies only after economic growth is guaranteed. Economic growth takes priority over redistribution of resources. This negatively impacts gender equality because redistributive policies tend to be cut first when economic growth is insufficient. Importantly, cuts to social welfare programs often rest on the assumption that women will make up for any shortfalls with their unpaid labour.⁶⁸ Economic growth may, thus, be pursued to the detriment of women and girls in society.

Further concerns are raised about the Agenda's commitment to gender equality and women's empowerment. When discussing unpaid care and domestic work, Target 5.4 employs the verbiage of "shared responsibility within the household and the family", rather than "redistributing responsibility" and adds the proviso "as nationally appropriate." The latter qualification suggests a state can defend or fail to challenge the gender division of labour and the subordinate status of women if the social protection program is consistent with the social and cultural values of a region it is implemented in. This may allow countries to design policies that are oppressive to women and girls. Moreover, the focus on shared responsibility within the household and family is exacerbated by the increased privatization of public services. The reality is that this privatization often leads to cuts to services and increases gendered labour demands since households often cope with a lack of state provision by increasing the labour burdens of women. This burden is rarely shared with male members of a household.⁶⁹ Speaking in

⁶⁸ Esquivel 2016, 17; Kalpana Wilson, "Towards a Radical Re-appropriation: Gender, Development and Neoliberal Feminism," *Development and Change* 46, no. 4 (2015): 803-832

⁶⁹ See Indira Hirway, "Translating the SDG Commitments into Reality: Time Use Data for Gender Equality and Women's Empowerment in the Global South," *Perspective* 12, no. 1 (2018): 93-108; Colleen O'Manique and Peter Fourie, "Affirming Our World: Gender Justice, Social Reproduction, and the Sustainable Development Goals," *Development* 59, no. 1 (2016): 121-126; Shahra Razavi, "The 2030

terms of shared responsibility renders gendered divisions of labour an intra-household problem in which male members fail to do their fair share of the domestic labour. Doing so ignores and trivializes the crises of social reproduction by treating it as an individual problem rather than a structural one.⁷⁰

Gendered critiques, like the ones offered against the SDGs, are especially salient since the argument I advance is that conditional cash transfer programs rely on and increase women's unpaid care work and domestic labour, and require women to perform this labour in order to serve the interests of the state. Assessing social protection programs against the background of gender inequality serves to highlight the ways the state may take unfair advantage of structural injustices or, in the case of unconditional cash transfers, maintain the structural conditions that enable exploitative practices to occur. There is already a societal expectation that women will do unpaid domestic and care work. Using the conditions attached in CCT programs, the state reinforces that expectation, and increases the amount of labour women must perform, by placing the responsibility on women for undertaking the tasks necessary for ensuring that children are well-fed, cared for, and taken to school, in the hope of increasing their human capital and ending the intergenerational transmission of poverty.

2.4. Conclusion

I have demonstrated the ways the international community is committed to ending poverty and achieving gender equality and women's empowerment. Setting aside the problems associated with the framing of the SDGs' targets and indicators, the aims of

Agenda: challenges of implementation to attain gender equality and women's rights," *Gender & Development* 24, no. 1 (2016): 25-41.

⁷⁰ See Bedford 2009.

ending poverty and achieving **gender equality** are crucial in working towards a more just world. Given the topic of this dissertation, which is to evaluate cash transfer programs along gender dimensions, both of these goals are pertinent; the cash programs I examine are typically aimed at combatting poverty *and* working towards gender equality by providing cash to women and/or by helping the girl child realize her full potential through parental investments in her health and education. In the remaining chapters, *I intend to show however that CCTs cannot and do not satisfy both of these goals, but rather attempt to accomplish the first at the expense of the second.*

While there are good reasons to remain skeptical of the SDG Agenda, for some of the reasons mentioned above, this has been the focus of other important research projects and is not the essence of mine. There is something commendable about enacting frameworks that attempt to work towards a gender just world free from poverty and hunger, even if there is disagreement about how these aims are best demarcated or achieved. In what follows, I am not offering a criticism of the SDGs or their commitments, but an analysis of how well CCTs, as social protection programs, stack up against these commitments. The underlying conclusion I make is that if we are committed to ending poverty and achieving gender equality, then conditional cash transfers are not the kind of social protection program that states ought to be implementing. CCTs should not be held as the ‘gold standard’ or ‘best practice’ of poverty eradication. To effectively combat poverty and gender inequality at once we must enact good social protection programs capable of satisfying both SDG 1 and SDG 5; I will demonstrate that CCTs do not qualify as such a program.

3. GENDER EQUALITY AND WOMEN'S EMPOWERMENT: THEORY & PRACTICE

3.1. Introduction

The UN has set gender equality and women's empowerment as goals through the SDGs. However, there remains disagreement about what constitutes empowerment and how best to achieve it. In thinking critically about empowerment, we must remember to ask, "empowerment of whom, by whom, and for what... and what kind of power."⁷¹ Settling the conceptual debates on empowerment is important so that we can measure progress, but that is not the aim of this chapter. This chapter has the more modest objective of (i) outlining the different approaches to empowerment, (ii) noting some of the difficulties associated with measuring empowerment, and (iii) examining how the international community has tended to apply empowerment in practice, however problematically, through initiatives like Smart Economics and the Girl Effect. In what follows, I demonstrate how empowerment and gender equality have been coopted from empowerment discourse by examining notable UN documents on the subject. I argue that although no one single policy will "empower women and girls" or "achieve gender equality" on its own our anti-poverty programs must at least be compatible with – and not hinder progress towards – these ends as this is what the SDGs require. I conclude that neither of the UN's policy documents (CEDAW and the Beijing Platform for Action) meet the high threshold set by empowerment theorists, nor do Smart Economic or Girl Effect policies.

⁷¹ Andrea Cornwall and Nana Akua Anyidoho, "Introduction: Women's Empowerment: contentions and contestations," *Journal of International Development* 53, no. 2 (2010): 148.

This chapter proceeds as follows. In section one, I explore the theoretical conceptualizations of gender equality and empowerment, noting how empowerment is often theorized as being about (i) transforming power relations or (ii) increasing agency. In section two, I investigate how the UN has pursued the goals of empowerment and gender equality. I highlight some of the major criticisms launched against the UN's approach through an exploration of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action to show how the approaches contained in these documents have failed to embody the theoretical ideals of empowerment. In the final section, I examine two prominent ways that the international community and other non-governmental organizations have attempted to address the rights of women and girls: Smart Economics and the Girl Effect. Both strategies are contained in the rationale of conditional cash transfer programs and pose interesting problems for feminist thinkers who can neither accept the narrow prescriptions of empowerment embodied in these strategies nor can they completely disavow them. Policies of this sort prioritize economic empowerment, which may not be enough to increase agency or challenge power relations, and view girls as the solution to poverty which can be deeply problematic for realizing gender equality and empowerment.

3.2. Gender Equality and Women's Empowerment: A Review of the Literature

General consensus exists on certain core aspects of empowerment though there remains much disagreement on the finer details of empowerment. There is, for example, agreement that (i) women's empowerment is distinct from other kinds of empowerment because of distinct issues women face; (ii) agency is a central component of

empowerment; and (iii) empowerment is a process that occurs over time rather than a specified endpoint.⁷² Still, disagreement remains with determining what constitutes empowerment or an empowering policy. In this section, I explore some of the most prominent conceptualizations of empowerment and highlight some of the difficulties associated with setting indicators and measuring progress towards something like gender equality or empowerment. It is my view that theorizations around the nature and precise definition of empowerment may be far too idealized to be practically applicable. This is not to say these conceptualizations are therefore unable to provide guidance about gender equal or empowering policies. It does mean, however, that any one policy or program is unlikely to ever capture the entire essence of empowerment and that it may be necessary to take a less-than-ideal standard when it comes to examining the gendered effects of different programs and policies.

3.2.1. Terms Defined

The terms gender equality and empowerment are often used interchangeably despite representing two distinct ideas. As will be argued in section 3.3., there are times when the international community conflates the two concepts even while differentiating between them, as when states are called upon to achieve gender equality and empower women and girls. These concepts can and should be distinguished from one another.

Fundamentally, gender equality is about challenging the relationships between men and women in ways that advance the position of women and, in doing so, equalize the playing field between men and women in society. Gender equality presumes “a set of hierarchical and oppositional relationships between women and men in which women are

⁷² Robin A. Richardson, “Measuring Women’s Empowerment: A Critical Review of Current Practices and Recommendations for Researchers,” *Social Indicators Research* 137 (2018): 539-557.

structurally inferior.”⁷³ However problematically, gender equality tends to centre on hierarchies of gender, typically male domination over women, and may do so at the expense of other hierarchies of relations that render some in society structurally inferior and others superior (and which often compound gender hierarchies).⁷⁴

Unlike gender equality, the concept of empowerment is not limited to an examination of the hierarchical relationships between men and women. Empowerment has come to be understood through two broad conceptualizations:⁷⁵ (i) as transforming power relations; and (ii) as increasing agency or expanding choice. Empowerment is not confined to the traditional analysis of the male-female hierarchy. Instead, empowerment gives us the tools to expose and challenge other kinds of hierarchies that negatively impact the lives of women allowing for a more holistic and multidimensional analysis.⁷⁶ Thus, empowerment can be applied to examinations of a variety of different power dynamics (not just male vs. female) and can be useful in a wide assortment of cases where agency or choice may be limited.

Empowerment was originally conceptualized as a political and transformatory idea to describe struggles challenging patriarchy and other social structures that negatively impact women’s conditions and status in society such that they are often disadvantaged and marginalized. According to Srilatha Batliwala, empowerment was conceived of as a *socio-political process* where “the critical operating concept within empowerment was *power*,” and where power might represent *power-over* or the *power-to do something*. This

⁷³ Andrea Cornwall and Althea-Maria Rivas, “From ‘gender equality’ and ‘women’s empowerment’ to global justice: reclaiming a transformative agenda for gender and development,” *Third World Quarterly* 26, no. 2 (2015): 403.

⁷⁴ Cornwall and Rivas 2015.

⁷⁵ Batliwala 2007; Cornwall and Rivas 2015; Drydyk 2008; Khader 2011; Kabeer 1999; Koggel 2013;

⁷⁶ Cornwall and Rivas 2015, 402-404.

interpretation of empowerment is relational and fundamentally about “shifts in political, social, and economic power between and across *both* individuals *and* social groups.”⁷⁷

The early successes of the empowerment approach contributed to its rapid uptake and instrumentalization in development making the term a “buzzword”⁷⁸ and “a magic bullet for poverty alleviation and rapid economic development, rather than a multi-faceted process of social transformation.”⁷⁹ The term empowerment gained increasing attention during the 1980s. By the 1990s the term had become a catch-all phrase for any development projects focused on women and equality. This widespread usage was complicated by the fact that the designers of development projects for women often failed to specify what precisely empowerment meant or how it was useful in the context of their project and its aims.

During the mid-1990s, the definitional understanding of empowerment began to shift. Programs and policies that sought to transform power relations fell out of fashion as microfinance programs rose in popularity as the fastest route to empowerment. By the early 2000s, empowerment came to be understood as less about transforming power relations and more about expanding choice and increasing agency. According to Naila Kabeer, for example, empowerment is “the process by which those who have been denied the ability to make strategic life choices acquire such an ability,” including choices about

⁷⁷ Batliwala 2007, 558-559. Quotation at 559 – emphasis in original.

⁷⁸ Buzzwords are terms that are or were ‘contested concepts’ that combine general agreement on an abstract notion, despite there being disagreement about what the concepts might mean in practice. Buzzwords are often used ambiguously to secure widespread endorsement and provide room for political manoeuvring while still securing broad acceptance.

See Andrea Cornwall, “Buzzwords and fuzzwords: deconstructing development discourse,” *Development in Practice* 12, no. 4-5 (2007): 471-484; Rosalind Eyben and Rebecca Napier-Moore, “Choosing Words with Care? Shifting Meanings of Women’s Empowerment in International Development,” *Third World Quarterly* 30, no. 2 (2009): 285-300.

⁷⁹ Batliwala 2007, 561.

resources, agency, and achievements.⁸⁰ Through this lens, disempowerment is the failure to achieve one's goals because of constraints on one's ability to choose as might be characterized by those who are powerless or less powerful. Of course, what counts as a valuable choice is subject to some debate.⁸¹ Nevertheless, it is Kabeer's conception of empowerment as the process of enabling individuals to make strategic life choices that has been taken up by the World Bank. In doing so, however, the World Bank has dropped the relational component of empowerment and focused instead on assets and opportunity structures.⁸²

3.2.2. Measuring Gender Equality and Empowerment

While disagreement remains about how to best conceptualize empowerment, a more pressing problem arises: both conceptions set a high bar for what constitutes empowerment - a bar that any one policy or program is unlikely to reach. This is a concern that readers may be aware of in terms of ideal versus non-ideal theorizing. Ideal theory provides us with a view on how society ought to be and the kinds of principles that ought to be put in place. It is best understood as an end-state theory. But ideal theory has been criticized by non-ideal theorists like Amartya Sen and Charles Mills who claim such theories are unrealistic, abstracted away from important realities, and rest on false assumptions about the world.⁸³ They advocate for the use of non-ideal theory or a

⁸⁰ Kabeer 1999, 435.

⁸¹ Informing passengers of the sinking *Titanic* that they may now arrange the deck chairs would increase their agency but does not usefully contribute to their wellbeing and we would not say this was empowering. On this example, see Jay Drydyk, "Empowerment, Agency, and Power," *Journal of Global Ethics*, 9, no. 3 (2013): 249-262.

⁸² Andrea Cornwall, "Women's Empowerment: What Works?" *Journal of International Development* 28, no. 3 (2016): 342-359.

⁸³ Amartya Sen, *Development as Freedom* (New York, NY: Alfred A. Knopf, 1999); Charles Mills, "'Ideal Theory' as Ideology," *Hypatia* 20, no. 3 (2005): 165-184.

transitional theory. A non-ideal approach to development and justice examines social issues through incremental improvements based on social realities rather than idealized and out-of-reach visions.

While I do not intend to enter this debate and settle questions of whether ideal or non-ideal theory is superior, I do think either approach of empowerment can encounter difficulties in their application and assessment of programs. In this section, I briefly examine some of the reasons that it may be difficult for policies and programs to do precisely what empowerment theorists hope that they will do – empower women and girls – and to measure progress. This paves the way for what is to come in section 3.3 where I examine how the UN has sought to achieve gender equality and empowerment. I assess some kinds of programs (Smart Economics and Girl Effect policies) arising from these policy commitments which may reveal highly non-idealized interpretations of empowerment processes; interpretations that often involve trade-offs to garner political consensus.

Indicators have become especially prevalent at the national and international levels, particularly when it comes to global governance. NGOs and other organizations in civil society face tremendous pressure to be “evidence-based”, quantifiable, and measurable. In development, indicators are used to compare and then rank states based on their ability to show progress towards the stated indicators. This creates quantifiable data and often drives decision-making. The SDGs rely on SMART indicators in measuring progress towards the goals. SMART indicators are ones that are specific, measurable, achievable, realistic, and timebound.⁸⁴ As described in Chapter 2, Goal 5 seeks to achieve gender

⁸⁴ United Nations General Assembly Resolution 70/1, 2015.

equality and women's empowerment for all women and girls through a series of SMART targets and indicators.

Given the high bar set by empowerment theorists for programs to transform power relations or increase agency, we might rightfully query whether it is even possible to accurately measure these ends, especially given that empowerment is a process rather than an endpoint. Goal setting agendas, like the SDGs, are useful for achieving consensus, but it is often more difficult to establish targets and indicators that adequately reflect the essence of the initiative.⁸⁵ Still, it is necessary to set goals and working towards a goal involves setting milestones so progress can be properly tracked. This is where a reliance on ideal theory can be useful in terms of clarifying concepts despite its potential lack of realizability or measurability.

Since poor measurement can hamper effective research studies making it difficult and nearly impossible to compare studies, there is a tendency for indicators to create universal categories. The creation of universal categories, however, hides local particularities and idiosyncrasies to create standardized data that can be used to make comparisons across nations and regions.⁸⁶ Indicators often homogenize groups, thereby disguising individuals' multiple and intersecting identities.⁸⁷ This creates quantifiable data used to make policy decisions, even while those making the decisions know the numbers they rely on are superficial, misleading, and possibly incorrect. Nevertheless, decisions are

⁸⁵ Recall the challenges raised against the MDGs and SDGs in Chapter 2.

⁸⁶ Adeel et al. 2013; Merry 2011; Sally Engle Merry and Susan Bibler Coutin, "Technologies of truth in the anthropology of conflict," *American Ethnologist* 52, no. 3 (2013): 1-16.

⁸⁷ Merry 2011; Laura Parisi, "Gender mainstreaming human rights: a progressive path for gender equality?" In *Human Rights: The Hard Questions*, eds. Cindy Holder and David Reidy (New York, NY: Cambridge University Press, 2013), 436-457.

evidence-based and funding or aid disbursement is often contingent on states making progress towards certain goals by providing quantifiable evidence of this improvement.

Indicators are often thought to be objective, especially those measuring quantitative data (like the SDGs). In reality, indicators may simply portray a false sense of objectivity. This is because indicators are shaped by political, economic, and social factors.⁸⁸ For Sally Engle Merry, at least some of the concerns about the false sense of objectivity that indicators provide is linked to how and why certain indicators are chosen over others. This concern effectively culminates in questions concerning the extent to which the availability of data drives certain “evidence-based” choices.⁸⁹

There are also concerns about how indicators may change behaviour for better and for worse. According to Merry, actors may shift their behaviours in ways that improve their score, insofar as meeting or progressing towards a goal. But actors may do so in undesirable ways by *gaming the indicator* since indicators push responsibility onto individuals who may face pressure to mis-record, misrepresent, or misreport data.⁹⁰ In measuring poverty-related deaths in children, a country might skew its data by advising doctors to report such deaths as the result of some other cause.⁹¹ Similarly, doctors might misreport the cause of death for women who die during childbirth to avoid being stigmatized as “the doctor that killed a woman.”⁹²

Let’s look at an example. Concerns about targets and indicators can be explored through SDG 5.2 – eliminating all forms of violence against women and girls. The

⁸⁸ Merry 2011.

⁸⁹ Merry 2011.

⁹⁰ Merry 2011; Mills 2017.

⁹¹ Thank you to Jorge Sanchez-Perez raising this point as it relates to Peruvian doctors being advised not to record childhood deaths as poverty-related during the MDGs.

⁹² Mills 2017.

indicators for this target measure (i) the proportion of ever-partnered women and girls over age 15 who have been subjected to physical, sexual, or emotional violence at the hands of an intimate partner in the last year; and (ii) the proportion of women and girls over age 15 subjected to sexual violence by persons other than an intimate partner in the last year.⁹³ Setting aside the limitations of these indicators, we can opt to measure violence in two ways. We could measure the number of acts of violence and the severity of the resulting injury (objective) or we could measure the woman's level of fear of violence (subjective). The SDGs have largely stuck with the former approach to measurement. In measuring the former we are likely to generate a list of violent acts and rank them in terms of their severity (e.g. punching is likely more severe than threatening to punch). In doing so, however, we lose critical information about the experience and perspective of the woman on whom the violence is perpetrated. This results in is called the paradox of quantification, where the objective measurement acts as a proxy for the actual experience of violence.⁹⁴

If we opt to measure the latter, women's level of fear of violence we may still encounter difficulties because of the existence of adaptive preferences. Those with adaptive preferences "experience deprivation partly as a result of their own behaviours or desires – behaviours and desires that have been shaped by unjust social conditions."⁹⁵ As a consequence of adaptive preferences, a woman may be accustomed to violence and so report less fear or fail to report the incident as a result.

⁹³ United Nations General Assembly Resolution 71/313, 2017, 6.

⁹⁴ Merry and Coutin 2013.

⁹⁵ Khader 2011, 4.

In the case of empowerment, it can be especially difficult to ascertain whether women who follow a state's program directives are exercising agency or challenging power relations. Indonesia's PKK (*Pembinaan Kesejahteraan Keluarga*), a family welfare program encompassing 10 programs, essentially functions as a program of state-mandated domesticity for women where the state mobilizes women as unpaid community development workers. This mandated domesticity may present serious problems for something like gender equality and empowerment. However, Janice Newberry argues the women may act as "good terrorists" by subverting and challenging the social norms attached to the program even while still following its directives.⁹⁶

While it is useful and necessary to set targets and indicators to measure progress towards a goal, the goals of gender equality and women's empowerment may be especially susceptible to misreporting or misrepresentation not least of which because there is dispute about what empowerment entails. One way around this concern might be to focus our attention on measuring progress towards gender equality which tends to be perceived as more objective than empowerment. Recall that gender equality focuses on challenging the relationships between men and women in ways that advance the position of women and thereby equalize the playing field by providing equal opportunity to men and women. This may seem easier to measure or more easily quantifiable since we can measure the rates at which men and women engage in certain activities. Take for example SDG 5.5 which seeks to "ensure full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life."⁹⁷

⁹⁶ Janice Newberry, "The Good Terrorist: Domesticity and the Political Space for Change." In *Moral Issues in Global Perspective II: Human Diversity and Equality*, ed. Christine M. Koggel 2nd ed., (Peterborough, ON: Broadview Press, 2006), 196-212.

⁹⁷ United Nations General Assembly Resolution 71/313, 2017, 6.

The indicators for this target measure the proportion of seats held by women in national and local governments, and the proportion of women in managerial positions. The more women in leadership and governance positions, the more equal a society would be since barriers to accessing these positions would be removed ensuring equal opportunity. But is it really that straightforward?

Getting more women in leadership positions is beneficial but may not necessarily translate into a closure of the gender gap in something like political participation. For one thing, women may hold office or be members of decision-making bodies as mere tokens meant to agree with the male officials. The women may only be in those roles to meet some local, national, or international quota. For another, women may hold political office but only at significantly lower levels than men. More women in politics may not be enough to challenge patriarchy. Indeed, studies show “people tend to assume that men in historically male-dominated positions of power are more competent than women, unless this assumption is explicitly contradicted by further information.” And even when this assumption is explicitly contradicted, “women are liable to be disliked and regarded, in particular, as ‘interpersonally hostile.’”⁹⁸ Measuring gender parity can be a useful marker for measuring progress towards equality, but it is not the same as equality and likely fails to capture the extent to which women’s oppression might still be present in society.⁹⁹

All of this to say, it can be especially difficult to measure gender equality or empowerment through quantitative and qualitative analysis – though the latter is certainly more useful than the former. It is not that we shouldn’t set goals regarding gender

⁹⁸ Manne 2020.

⁹⁹ Gender parity, for example, will show at what rates boys and girls attend schools but does not capture the different kinds of education they may receive. Girls may only be taught skills that will make them good wives while boys may be taught mathematics or science.

equality or empowerment; rather, these goals are intrinsically valuable and admirable ends despite problems that may arise with defining and measuring them. The indicators we use may not necessarily reflect the essence of the goal – especially when viewed in isolation. Achieving gender equality and empowering all women and girls are laudable goals despite the associated difficulties.

When examining programs we must bear this in mind by paying careful attention to the ways programs impact women and girls, especially in their ability to transform power relations and/or increase their agency and expand their choices. Policies claiming to empower while failing to challenge power relations or increase the number of meaningful choices available to women and girls are not the kinds of gender-sensitive programs we ought to be employing. The kinds of policies and programs states ought to implement are ones that make meaningful progress towards the ends of equality and empowerment. States should opt to implement those programs that are more likely than others, given the preponderance of evidence and theorization, to move us closer to the benchmark of a gender just society. Programs or policies demonstrating an inability to do so or that clearly conflict with these aims should be avoided, especially when alternatives exist that are better suited to advancing the needs of women and girls.

3.3. In Pursuit of Gender Equality and Women's Empowerment

As discussed in Chapter 2, the 1948 Universal Declaration of Human Rights recognized 30 rights and freedoms all people are entitled to. The era post-1948 has seen clarification and expansion of these rights through a series of treaties, international bills, and conventions. This has led to international agreements that both acknowledge the inequalities women and girls face around the world and offer advice on how to resolve

these issues. Having established the two major conceptualizations of empowerment, in this section I examine how the UN has sought to remedy the problem of gender inequality through an evaluation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action. I demonstrate how these documents fall short of idealized notions of empowerment. Such a discussion is a necessary precursor to section 3.4. as many of the main tenets from these documents are found in contemporary policies and programs.

3.3.1. The Convention on the Elimination of All Forms of Discrimination Against Women

Despite the Declaration's recognition of equality as a human right, it was not until the 1970s that profound measures were introduced to address gender inequality. These new measures were in part thanks to the UN "Decade for Women" (1975-1985) and led to the creation of programs aimed at addressing women's status in society and their invisible labour.¹⁰⁰ The UN Development Fund for Women, the Commission on the Status of Women, the United National International Research and Training Institute for the Advancement of Women, and CEDAW all came about during the Decade for Women and continue to shape international discourse on gender equality and empowerment.

Presented to the UN General Assembly on December 18, 1979, CEDAW, comprised of 30 Articles, entered into force on September 3, 1981.¹⁰¹ CEDAW was intended to provide an agenda for action so that women's rights would be guaranteed. It is perhaps the most important bill of rights for women. There are three main areas of focus

¹⁰⁰ See Mark DaCosta Alleyne, "The Global Promotion of Gender Equality – A Propaganda Approach," *Human Rights Review* 5, no. 3 (2004): 103- 116.

¹⁰¹ There are 99 signatories to CEDAW and 189 parties to the convention. Some states did not sign the Convention at the time of its adoption and have since agreed to be bound by its terms. This explains why there are more parties to the Convention than there are signatories.

contained in CEDAW: (i) the legal status of women; (ii) women's reproductive rights; and (iii) "enlarging our understanding of the concept of human rights, as it gives formal recognition to the influence of culture and tradition on restricting women's enjoyment of their fundamental rights."¹⁰² The Convention defines discrimination against women, condemns it, and commits states to combatting discrimination. States Parties expressly commit:

to pursue by all appropriate means and without delay a policy of eliminating discrimination against women by embodying the principle of equality in their national legislation, adopting appropriate legislative measures prohibiting discrimination against women, establishing legal protection of the rights of women, refraining from engaging in practices that discriminate against women, to take all appropriate measures to modify or abolish existing laws customs etc. that discriminate against women, and repeal all national penal provisions that discriminate against women.¹⁰³

While the terms of CEDAW clearly state that all States Parties bound by its terms are mandated to take all appropriate measures to end discrimination based on sex, some nations expressed reservations about the Convention and, in doing so, excluded themselves from following certain Articles contained within it. This has been one of the largest criticisms raised against CEDAW: it is non-binding.

Indeed, many nations have cited religious and cultural beliefs to claim the provisions of CEDAW contradict domestic or religious laws. Oman, Pakistan, Qatar, Bahrain and Bangladesh all expressed reservations about provisions conflicting with Sharia Law or other Islamic beliefs. Algeria raised concerns that it would only be prepared to apply the provisions of Article 2, on the condemnation of discrimination against women and call to

¹⁰² UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women*, A/RES/34/180 (18 December, 1979), available at <https://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article2>.

¹⁰³ Ibid.

action to end this discrimination, provided the provisions did not conflict with the Algerian Family Code. New Zealand expressed reservation about how Article 2 (f) and 5 (a) might conflict with the Government of the Cook Islands and the customs governing the inheritance of certain Cook Island chief titles.¹⁰⁴ The United Kingdom of Great Britain and Northern Ireland even expressed reservations that Article 1, which defines discrimination against women, should not apply to matters of succession, possession, and enjoyment of the Throne.¹⁰⁵ Nations have essentially been able to exempt themselves from provisions that are, in some way, incompatible with their own laws, religions, or cultural traditions, and so are able to implement, or leave unchanged, policies, practices, and laws that stand in opposition to gender equality and the elimination of discrimination against women.

In allowing countries to opt out of CEDAW's provisions the UN created the illusion that the Convention is non-binding. This maintains the belief that nations opting out of specific provisions of CEDAW should not be subject to scrutiny about their failure to meet international standards of women's equality because of the nation's religious and cultural beliefs regarding the status of women. This toleration of different cultural and religious attitudes regarding women can be detrimental to the status of women as individuals and as a collective.¹⁰⁶ It can also create the perception that ending sex discrimination is less important than ending other forms of discrimination, such as racial discrimination.

¹⁰⁴ "Chapter IV Human Rights: 8. Convention on the Elimination of All Forms of Discrimination against Women," United Nations Treaty Collections.

¹⁰⁵ Ibid.

¹⁰⁶ Stopler 2003, 169.

On the multiculturalism and gender equality debate see Susan Moller Okin, *Is Multiculturalism Bad for Women?*, ed. Joshua Cohen, Matthew Howard, and Martha C. Nussbaum (Princeton, NJ: Princeton University Press, 1999).

While CEDAW explores and attempts to explain the many and different forms of discrimination women face, it has been criticized for not going far enough in terms of addressing sex discrimination. One of the most troubling aspects of the Convention is that it discusses sex discrimination as a factual problem rather than an intrinsic one.

Discrimination against women is said to be problematic insofar as it hinders women's equal participation in the life of their countries, hampers the growth and prosperity of the family and society, and decreases women's ability to contribute to society.¹⁰⁷ This, along with other wording found in the Convention, suggests the main victim of sex discrimination is not the woman who is subject to unfair treatment, but the society that misses out on women's productivity when they are excluded from equal participation in society.¹⁰⁸

The strongest language contained in CEDAW states discrimination against women

violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity.¹⁰⁹

Even the strongest language contained in CEDAW fails to condemn the justifications for sex discrimination. This is especially pertinent given the way other conventions addressing discrimination opt to focus on the intrinsic nature of the discrimination.

For comparison, the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) uses much stronger language in condemning race-based discrimination. Adopted in 1969, ICERD holds that discrimination based on one's race

¹⁰⁷ Stopler 2003, 167-168.

¹⁰⁸ Stopler 2003, 154-221, especially 167-168.

¹⁰⁹ UN General Assembly 1979.

and the belief in racial supremacy are not only intrinsically bad but also morally repugnant. The Convention states, “any doctrine based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice, anywhere.” Continuing, “the existence of racial barriers is repugnant to the ideals of any human society.”¹¹⁰ ICERD offers a much stronger position on the wrongness of discrimination based on race than CEDAW offers regarding sex-based discrimination. Thus, CEDAW did not empower women or achieve gender equality even though it did provide incremental progress towards gender equality and empowerment.

3.3.2. The Beijing Declaration and Platform for Action

The Beijing Platform for Action offers yet another attempt to address the problem of gender inequality from an international standpoint. Recall from Chapter 2 that the Beijing Platform for Action was introduced in 1995 and stressed the importance of fighting gender inequalities by seeking to improve the situation of all women. The driving force behind the document was to empower women and girls and so is best interpreted as an attempt to challenge and transform existing power relations, however imperfectly it may do so.¹¹¹ Commitments included: (i) empowering women; (ii) encouraging women’s full participation in society; (iii) advancing the view that women’s rights are human rights; (iv) achieving more equal distribution of domestic and caring activities; (v) recognizing women’s role in poverty alleviation; and (vi) demanding gender sensitive policies and

¹¹⁰ UN General Assembly, *International Convention on the Elimination of All Forms of Racial Discrimination*, 21 December 1965, United Nations, Treaty Series, vol. 660, p. 195, available at: <https://www.refworld.org/docid/3ae6b3940.html> [accessed 11 May 2021].

¹¹¹ The Beijing Declaration refers to “gender equality” 10 times, “equality” more generally over 130 times, and “empowerment” or similar derivatives less than 40 times. See United Nations 1995.

sexual and reproductive health policies.¹¹² UN member states were also called upon to (i) take action to eliminate all forms of discrimination against women and girls; (ii) remove any obstacles hindering gender equality and women's empowerment; (iii) promote women's economic independence; (iv) eradicate poverty by addressing the structural causes of poverty; and (v) develop the full potential of women and girls.¹¹³ Despite being endorsed by the UN General Assembly through Resolution 50/203, the Beijing Platform for Action is not a legally binding document in the same way other human rights conventions are and so falls prey to similar worries raised by CEDAW.¹¹⁴ It is essentially a policy framing document.

While the global commitment to the Beijing Platform for Action represented the most progressive blueprint for advancing women's rights it is, nevertheless, subject to serious criticisms for its framing of the issues women and girls face and its calls for action. First, the Beijing Platform for Action takes for granted certain assumptions about women and labour, and in doing so fails to challenge the existence of gender norms, many of which are unjust. For example, the document acknowledged the vital roles of maternity, motherhood, and parental roles in childrearing. And while this is a factual reality it may have inadvertently resulted in confirming that a woman's primary role is that of mother and that mothers, rather than women more generally, must be empowered.

These assumptions are further evidenced by the distinctions made throughout the document between so-called "productive" and "reproductive" labour where the call for women to engage in "productive labour" is coded as income-earning labour in the formal

¹¹² Ibid.

¹¹³ United Nations 1995.

¹¹⁴ Parisi 2013.

market sphere. Rather than challenging assumptions about what counts as productive labour or what is excluded from consideration, the Beijing Platform for Action was concerned with “inequality in economic structures and policies, in all forms of productive activities and in access to resources.”¹¹⁵ The central aim was to increase the productive capacity of women through improved access to resources, capital, and land. This, it was posited, would break the cycle of poverty such that women would share the full benefits of development and the products of their own labour.¹¹⁶

This kind of economic empowerment is not necessarily a bad thing. Increased access to capital, land, and resources are important components of combatting pervasive gender inequality. Still, the Beijing Platform for Action could have gone further to capture the process of empowerment more fully and to challenge the categorization of labour relations since, as discussed in section 3.4., a singular focus on economic inequality may be problematic for women and girls. Nonetheless, the focus on economic empowerment as a primary locus of development was strengthened by the policy agenda of the Beijing Platform for Action and likely played a key role in the uptake of so-called “Smart Economics” policies as the most effective way of empowering women and achieving gender equality.

Second, in calling for the transformation of power relations between men and women, the Beijing Platform for Action predominantly focused on girls and young women where “special measures must be taken to ensure that young women have the life skills necessary for active and effective participation in all levels of social, cultural, political and economic leadership.” Since “[t]he girl of today is the woman of tomorrow”, the

¹¹⁵ Ibid., 16.

¹¹⁶ Ibid., 20.

international community sought to ensure girls develop the skills necessary to become full and effective participants and leaders in their communities.¹¹⁷ This focus on the importance of empowering girls spawned a series of global campaigns from NGOs and corporations and has led to the “Girl Effect” phenomenon which holds that girl children possess the unique ability to transform their societies and end poverty. Like the concerns flagged by a focus on economic empowerment, a commitment to girls and young women is not inherently problematic. Still, as will be discussed in 3.4., a focus on girls at the expense of women is concerning as is the instrumentalization of girls for the sake of economic growth.

Empowerment has become a popular policy intervention in the fight against global poverty. Empowering women, specifically mothers, is said to be the key to ending childhood poverty since it is the mothers, and not the fathers, who will lift their families out of poverty.¹¹⁸ Far too often, however, economic empowerment is prioritized above all other forms of empowerment. Over the years, different policy strategies have attempted to rectify the problem of gender inequality, including through microfinance programs.¹¹⁹ Today, prominent social policies tend to prioritize empowering the next generation of women – today’s girls – at the expense of advancing the position of current women by prioritizing Girl Effect policies. Older women are especially neglected by these two kinds of empowerment programs as the programs focus on efficiency considerations and economic growth rather than the intrinsic value of empowering all women and girls. For

¹¹⁷ Ibid., 14.

¹¹⁸ General Assembly Resolution 70/1 2015; Nicholas D. Kristof and Sheryl WuDunn, *Half the Sky: Turning Oppression into Opportunity for Women Worldwide* (New York, NY: First Vintage Books, 2010); Fiszbein and Schady 2009.

¹¹⁹ Kabeer 1998.

Chant and Sweetman this raises important questions about why the empowerment of women ceases to be an issue when women move into adulthood or go beyond their reproductive years and whether only young women are worthy of empowering and development assistance. Such policies also neglect men and boys who play a crucial role in ending poverty and achieving gender equality and women's empowerment.¹²⁰

Unfortunately, many of today's programs often use empowerment as a policy tool for achieving other ends like economic growth and poverty eradication. This has meant that empowerment tends to be interpreted as being instrumentally valuable rather than intrinsically valuable. This is at odds with idealized conceptions of empowerment which see the inherent value of challenging power relations and increasing women's choices. This is true even though the UN-Strategic Plan 2018-2021 states "the achievement of gender equality and women's empowerment is an end in itself and brings mutually-reinforcing benefits in all areas of sustainable development."¹²¹ The Strategic Plan goes on to provide instrumental arguments for empowering women as doing so is claimed to be essential for combatting poverty and achieving peace, human rights, and sustainable development

¹²⁰ See Sylvia Chant and Caroline Sweetman, "Fixing women or fixing the world? 'Smart economics,' efficiency approaches, and gender equality in development," *Gender & Development* 20, no. 3 (2012): 517-529.

¹²¹ Executive Board of the United Nations Entity for Gender Equality and the Empowerment of Women UNW/2017/6/Rev.1, *United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women): Strategic Plan 2018-2021*, 2017, 11.

The UN-Strategic Plan also offers instrumental arguments for empowering women as doing so is essential for combatting poverty and achieving peace, human rights, and sustainable development. So even while claiming these ends are intrinsically valuable the document offers instrumental arguments in defense of this claim. Rather than appealing to justice considerations where gender equality and women's empowerment is a matter of justice.

3.4. Smart Economics and the Girl Effect: Empowerment in Practice?

Many anti-poverty programs and policies focus on *empowering women and girls* insofar as doing so is the best and most effective way of combatting poverty. This has often meant gender equality gets sidelined when tensions arise between effectively combatting poverty and advancing the needs of women and girls. Thus, the pledge to eradicating gender inequality may at times be one of rhetoric rather than an actual policy commitment. More problematically, Chapters 6 and 7 will demonstrate how anti-poverty strategies like CCTs have served to reinforce gender inequalities through what Serene Khader calls the “self-subordination social recognition paradox” where women may be incentivized to comply with patriarchally prescribed behaviour in order to access the anti-poverty program or comply with its mandates.¹²² Where CCTs are concerned this not only reinforces and exacerbates gender inequalities and promotes classist and racist ideals of mothering, but also results in exploitation.

Appeals to economic empowerment and the transformative potential of girls are found through the gender justifications for conditional cash transfer programs discussed in Chapter 6 and 7. In this section, I examine Smart Economics and the Girl Effect as manifestations of a commitment to gender equality and empowerment that is rooted in the international community’s perception of economic empowerment and the transformative potential of young girls. In doing so, I problematize these two instantiations of empowerment processes as they are unable to meet the threshold set by conceptualizations of empowerment.

¹²² Serene J. Khader 2014, 223-248.

Gender equality and women's empowerment have become vital tools in the struggles against poverty and emphasis is often placed on female agency as the solution to many of the problems in the Global South.¹²³ Economic empowerment, in particular has garnered increasing attention in the policy and development spheres as a way of increasing agency. However, these kinds of approaches tend to be too narrow and are based on at least three dubious assumptions and essentialisms about women: (i) women and girls are untapped resources; (ii) women and girls represent value for money; and (iii) women are better able to incorporate compassion and humanitarianism within business practice.¹²⁴

While policies that facilitate economic empowerment are not new, the World Bank's endorsement of the slogan "Gender Equality is Smart Economics" beginning in 2007 led to a shift in the way empowerment is viewed in development.¹²⁵ This endorsement led the way for so-called "Smart Economics" in public policy and development that highlighted the ways gender inequality is *bad economics*. The exclusion of women from the labour market is bad for economic growth since it leaves half the world's population unable to contribute to the labour processes that support a robust economy.¹²⁶ The argument is that states should empower women, by increasing their access to the formal market, because this is good for the economy and good for women's choices.

Increasing women's participation in the formal labour market is posited to be an investment in gender equality that will result in significant impacts on economic growth. According to the World Bank and other development agencies endorsing Smart

¹²³ For a critique of agency see Serene Khader, "Passive Empowerment: How Women's Agency Became Women Doing It All," *Philosophical Topics* 46, no. 2 (2018): 141-163.

¹²⁴ Sylvia Chant, "Women, girls and world poverty: empowerment, equality or essentialism?" *IDPR* 38, no. 1 (2016): 1-24.

¹²⁵ World Bank, *The World Development Report 2012: Gender Equality and Development* (Washington, DC: World Bank, 2011).

¹²⁶ See Kristof and WuDunn 2010.

Economics, women's entry into the formal market is supposed to liberate or "empower" women by providing them with access to cash which can increase their bargaining power in the household and community. This in turn enables women to lift their households out of poverty. Advocates of Smart Economics posit that since women make up roughly half of the global population, unlocking the economic potential of women would result in emancipating women, fighting global poverty, and women's empowerment.¹²⁷

Another policy strategy commonly deployed is that of the "Girl Effect" in which girls are made responsible for and seen as the key to ending poverty. As noted in section 3.3.2., the Beijing Platform for Action paid particular attention to the girl child in terms of acknowledging the ways inequality and discrimination affect her life. The document also highlighted how girls can be the solution to global problems. The Girl Effect, as it has come to be known, was originally initiated at a policy level by corporate organizations, especially Nike and the Nike Foundation, and slowly came to inform other corporatized development strategies and global development processes.¹²⁸ Girl Effect policies tend to endorse the view that economic empowerment is the best practice when it comes to empowering women and on this basis claim the earlier you can intervene in a girl's life the more likely she will become an economically productive worker and consumer. This is why adolescent girls are the focal point for Girl Effect strategies: they alone have the power to transform the world.

According to Jason Hickel, the Girl Effect rests on the idea that investing in the skills and labour of young girls is "the key to stimulating economic growth and reducing

¹²⁷ Kristof and WuDunn 2010.

¹²⁸ See Wilson 2015; Kathryn Moeller, *The Gender Effect: Capitalism, Feminism, and the Corporate Politics of Development* (Oakland, CA: University of California Press, 2018).

poverty in the Global South.”¹²⁹ Widely popular, the Girl Effect approach views girls as the solution to problems in international development and an especially useful tool in the fight against poverty. The education of girls, for example, is instrumentalized by Smart Economics for economic efficiency and profit maximization considerations, while the Girl Effect points to the ways that educating girls can enable girls to lift their households out of poverty. The Girl Effect model is predicated on the idea the hardworking and altruistic nature of girls should be used as tools to lift their current and future families out of poverty.

Smart Economics and the Girl Effect are two examples of a growing trend of globally dominant institutions pushing an explicitly neoliberal approach to gender and poverty. Neoliberalism refers to a particular set of policies, ideas, and practices that are associated with policies of economic liberalization in state, civil society, and market relations. Neoliberal ideology “rests in the theory that the best approach to securing and protecting human well-being is through individual economic and social freedoms and that state interventions in market activities should be kept to a minimum.”¹³⁰ While my arguments do not rest on the neoliberal critique, it is still useful to briefly engage with this critique as it relates to empowerment and the concerns generated by Smart Economics and Girl Effect policies.¹³¹

¹²⁹ As elucidated by Jason Hickel, “The ‘girl effect’: liberalism, empowerment and the contradictions of development,” *Third World Quarterly* 35, no. 8 (2014): 1355.

¹³⁰ Marjorie Griffin Cohen and Jane Pulkingham, “Introduction: Going Too Far? Feminist Public Policy in Canada,” in *Public Policy for Women: The State, Income Security, and Labour Market Issues*, eds. Marjorie Griffin Cohen and Jane Pulkingham (Toronto, ON: University of Toronto Press, 2009), 16.

¹³¹ For the most part, I do not engage directly with the neoliberal critiques in subsequent chapters. For many the use of cash transfers is neoliberal insofar as the transfers are meant to secure human well-being through individual economic freedom. My opposition to CCTs rests on arguments establishing that the programs are theoretically inconsistent with arguments used to defend cash; require women to comply with patriarchally prescribed behaviour by conditioning cash in ways that reinforce unjust norms; and exploit beneficiary women.

By focusing on a more material understanding of empowerment, policies like Smart Economics and the Girl Effect instrumentalize and dilute the real objectives of gender equality and empowerment. According to Andrea Cornwall and Nana Akua Anyidoho, the concept of empowerment has been taken up by neoliberalism in disturbing ways that further distort its original meaning of transforming power relations.¹³² This is disheartening and disappointing to many feminists who feel the gender agenda has been diluted from its original purpose of radical and collective transformation of economic, political, and social relations. This is partly due to the fact that international development agencies promote anaemic forms of empowerment and because national governments fail to acknowledge global inequities. This gives rise to questions about how women can be empowered within disempowering structures and systems and the way systemic injustices may be hidden behind the façade of individual failings.

Neoliberal approaches to gender inequality tend to focus on rectifying these inequalities by increasing a person's participation in paid labour markets and thereby increasing a person's income and choice, often while cutting social welfare measures. The prioritization of economic empowerment means women are trained and educated in preparation for formal employment especially as neoliberalism tends towards individual participation and co-responsibility. This is problematic, Molyneux claims, because empowerment construed so narrowly, and co-opted by neoliberals, fails to account for the structural injustices women face, including the fact that gaining formal employment may do little to change a woman's position in the home or society.¹³³ For example, evidence is

¹³² Cornwall and Anyidoho 2010, 147.

¹³³ Maxine Molyneux, "The 'Neoliberal Turn' and the New Social Policy in Latin America: How Neoliberal, How New?" *Development and Change* 39, no. 5 (2008): 775-797; Andrea Cornwall, "Historical

mixed about the extent to which economic empowerment decreases the rate of intimate partner violence with some evidence suggesting increased capital results in higher rates of violence.¹³⁴

UN Women's latest strategic plan stresses the importance of women's full participation in the labour force, citing possible output increases of 25% in some nations and economic sectors.¹³⁵ Women should not be prevented from joining the formal economy as being a member of the labour force can offer women access to cash that they might otherwise lack, but formal employment is not a panacea for gender equality and empowerment. This recent shift in the celebration of "girl power" ignores the impact gender relations and structural inequality have on women and girls by making them individually responsible for poverty eradication. This is in part because wage employment is said to be liberating and empowering on its own. Wage employment can be liberating under many circumstances by expanding the range of options available to women or enabling them to challenge power relations. But one must stop and ask whether it is the cash or the act of labouring that is liberating and empowering. If it turns out that cash is the driving force, then there are strong reasons for thinking that some form of unconditional cash transfer may be a superior way of liberating and empowering women— and not employment per se.

Additionally, Smart Economics policies exclude from consideration all the labour that women perform in informal marketplaces as well as labour performed without pay, such

Perspectives in Development," *Commonwealth & Comparative Politics* 44, no. 1 (2006): 62-83; Nancy Fraser, "Feminism, Capitalism and the Cunning of History," *New Left Review* 56, no. 56 (2009): 97-117.

¹³⁴ Bedford 2009; Shane Wright, "When Women Earn More than Their Male Partners, Domestic Violence Risk Goes up 35 per Cent," *The Sydney Morning Herald*, March 30, 2021, <https://www.smh.com.au/politics/federal/when-women-earn-more-than-their-male-partners-domestic-violence-risk-goes-up-35-per-cent-20210329-p57ewb.html>.

¹³⁵ UN Women 2017.

as domestic and care labour. This is arbitrary and misleading since many people, but especially women, perform unpaid activities within and outside the home and because gender norms contribute to the invisibility of women in economics and labour statistics further reinforcing traditional views between paid and unpaid work.¹³⁶ This is true even though the full realization of women's rights requires that women are able to enter paid labour markets should they desire to do so. Seeing markets as purely agency increasing perpetuates rather than challenges gendered assumptions and views women and girls as subjects who possess a seemingly infinite capacity for labour.

Further complicating the importance of increasing women's participation in the formal market is the fact that these markets often rely on exploitation and other gender injustices.¹³⁷ Neoliberal approaches to gender development have been criticized for deepening existing inequalities, upholding unjust global processes of capital accumulation, fostering exploitation, and responsabilizing the poor by making them responsible for lifting themselves and their families out of poverty.¹³⁸ Even more explicitly, a focus on empowering girls can result in girls being viewed as agents of development. This shifts responsibility for development and social progress "onto the individualized figure of the girl after the initial investment in her human capital" where "she will do the rest."¹³⁹

¹³⁶ Jim Stanford, *Economics for Everyone: A Short Guide to the Economics of Capitalism* (Ottawa, ON: Fernwood Publishing, 2015); Marilyn Waring, *Counting for Nothing: What Men Value and What Women Are Worth* (Toronto, ON: University of Toronto Press, 1999); Lourdes Beneria, "Paid and Unpaid Labor: Meaning and Debates" in *Gender Development, and Globalization: Economics as if All People Mattered* (London: Routledge, 2003), 131-160.

¹³⁷ See Wilson 2015.

¹³⁸ For in-depth critiques see Wilson 2015; Bedford 2009.

¹³⁹ Wilson 2015, 819.

Despite the concerns raised against Smart Economics as a public policy priority, international financial institutions (IFIs) and corporations continue to endorse the view that investing in the education of women and girls is an investment with high rates of return.¹⁴⁰ Focusing attention on the ability of gender equality initiatives to promote economic growth, has resulted in the sidelining of the moral imperative of empowering women to achieve their full rights and freedoms, and equal status to men.¹⁴¹ The empowerment of women and girls becomes instrumentally valuable, rather than intrinsically valuable, regardless of whether empowering processes would actually benefit the economy.¹⁴² Here, empowerment is coopted for the sake of efficiency in ending poverty and contributing to economic growth.

According to critics of neoliberalism, promoting economic empowerment as the key to ending gender inequality and poverty hides the ways international institutions, global relations, and disparities in state power play a role in maintaining structural injustices. Economic empowerment strategies shift the state's responsibility to eradicate poverty and end gender inequality onto the individuals, who are most affected by these injustices, and this tends to mean the state reduces its provision of welfare services. These shifts are based, Kalpana Wilson argues, on the premise that women's unpaid labour can and will compensate for government cuts to social spending and social policies.¹⁴³

More to the point, Smart Economics and the corporate-initiated global development focus on adolescent girls and "the specific models of material development they are embedded in, rely on, and actively reinforce and extend, existing patriarchal structures

¹⁴⁰ Moeller 2018.

¹⁴¹ Chant 2016.

¹⁴² See Chant and Sweetman 2012.

¹⁴³ Wilson 2015.

and gendered relationships of power.”¹⁴⁴ Claiming that adolescent girls from the Global South are the solution to the world’s greatest challenges not only creates an “individualized, girl-centered solution to ending poverty” but also “positions Black and Brown girls as disproportionately responsible for solving the structural conditions and problems of poverty created by histories of exploitation in capitalist development.”¹⁴⁵

By focusing on the transformative power of girls and women, international organizations and governments can shirk their global responsibilities for the structural violence that causes poverty, oppression, exploitation, and disempowerment. This also hides the fact that many organizations and corporations are responsible for the position of the poor. To give an example, the World Bank claims to support improvements and investments in the education and health status of women, through Smart Economics or Girl Effect activities and campaigns, while simultaneously implementing policies in the Global South that demonstrably prevent women from accessing health and education services.¹⁴⁶ Similarly, powerful corporations like Nike often exacerbate inequalities and vulnerabilities through their business practices while also claiming their programs are good for women and girls.¹⁴⁷

While Smart Economics and the Girl Effect as policy strategies can be problematic, part of the difficulty with challenging these strategies lies in the fact that economic empowerment is good for women and that focusing on improving the lives of girls is necessary for long term and sustainable improvements. Many advocates of empowerment

¹⁴⁴ Wilson 2015, 807.

¹⁴⁵ In some cases, certain girls and young women are prevented from enrolling in Girl Effect programs because they do not represent the right kind of girl (e.g. are young mothers or pregnant). They are excluded so they do not skew the results of the study by failing to become economically productive. See Moeller 2018, 137.

¹⁴⁶ Hickel 2014, 1365.

¹⁴⁷ Moeller 2018, 3.

processes find themselves stuck between a rock and a hard place in terms of choosing to challenge these strategies while at the same time not undermining the overall goals of empowering women and girls. Advocates of empowerment strategies cannot disavow either of these strategies in their entirety because both are necessary tools for increasing agency and transforming power relations. And yet, viewed in isolation and construed narrowly, economic empowerment and the Girl Effect can be deeply problematic for the position of women and girls.

3.5. Conclusion

Empowerment is primarily explained by its ability to either increase agency or challenge and transform power relations. In this chapter, I argued both understandings of empowerment are high bars and may only be realizable in ideal theory given the difficulties associated with measuring progress towards this end. It seems unlikely that any one policy will result in empowerment or contribute to the empowering process, but some policies will move us incrementally closer to the ideal. I reached this conclusion by demonstrating that the UN's commitment to gender equality and empowerment as evidenced by CEDAW and the Beijing Platform for Action falls short of the idealized conception of empowerment. I also demonstrated that Smart Economics and Girl Effect policies arose out prominent UN documents and that they too fall short of reaching the ideal of empowerment as shown by the neoliberal challenges to these policies of economic empowerment. My conclusion does not, however, mean that our policies do not need to be compatible with these aims; instead, our policies should act in the spirit of the empowerment and the SDGs.

Development practitioners and policymakers have strayed from the original meaning of empowerment – to challenge power relations – opting to focus on empowerment as agency through an investment in women and girls. We must ask ourselves what the goal of investing in women and girls is. Are these investments done to promote gender equality or women’s empowerment or to “facilitate development ‘on the cheap’, and/or to promote economic liberalisation”? It is important that we ask these questions because “the actual lived experience of women in poor households and communities suggests that a win-win scenario in which poverty is alleviated, economic growth is assured, and gender equality is attained, is very far from the truth.”¹⁴⁸ While the neoliberal concerns raised in 3.4. are valid ones, they are not the subject of this dissertation; instead, I provide a novel way of criticizing social policy and its impacts on women and girls.

With less than 10 years remaining until the SDGs end in 2030, it remains unlikely that the world will meet SDG 5 in any meaningful way. Still, progress can and should be made towards this goal. To do so we must analyze our programs to see if some are better than others at advancing the status of women and at combatting persistent gender norms, and adopt only those policies most likely to benefit women and girls over both the short and long terms. Social protection policies must act in the fullest spirit of these terms with anti-poverty programs being designed and implemented with gender equality and empowerment in mind. Some programs will fare better at advancing the position of women and these are the programs we ought to implement so that poverty eradication is not pursued at the expense of women and girls.

¹⁴⁸ Chant and Sweetman 2012, 521.

4. SOCIAL PROTECTION PROGRAMS: THE CASE FOR CASH AND IN-KIND PROVISIONS

4.1. Introduction

Poverty prevents people from leading minimally decent lives; it is also the cause of countless preventable deaths each year. As of 2019, roughly 8.2% of the global population living was living below the international poverty line of \$1.90 per day.¹⁴⁹ Social protection programs are an integral part of a state's response to poverty insofar as these programs can be designed in ways to ensure individuals are able to lead a life worth valuing. While there is disagreement about how to justify social protection programs or what goods and services ought to be provided, there is consensus that these programs should provide a moral or social minimum.¹⁵⁰ This social minimum is perhaps best understood to represent the bundle of resources a person requires to lead a minimally decent life in their society. Social protection programs are the institutional social policies a society opts to introduce to secure every member reasonable access to that bundle of resources.¹⁵¹ These programs can be targeted to specific populations, e.g., “the poor”, or they can be provided universally to all persons.¹⁵² Anti-poverty programs tend to target those who earn less than a certain threshold since the aim of these programs is to assist people in getting above the poverty line. Sadly, more than 4 billion people did not benefit from any form of social protection in 2016.¹⁵³

¹⁴⁹ *The Sustainable Development Goals Report 2020*. New York. NY: United Nations, 2020.

¹⁵⁰ Shue 1996; Robert Goodin, for example, argues the central task of the welfare state is to meet people's needs. Robert E. Goodin, *Reasons for Welfare: The Political Theory of the Welfare State* (Princeton, NJ: Princeton University Press, 1988), 27-50.

¹⁵¹ Stuart White, “Social Minimum,” *The Stanford Encyclopedia of Philosophy* (Winter 2015 Edition). Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/win2015/entries/social-minimum>

¹⁵² This distinction is discussed further in Chapter 5.

¹⁵³ United Nations, *The Sustainable Development Goals Report 2020*, 2020.

In this chapter, I tackle the question of whether cash-based social protection programs are defensible. I argue they are by demonstrating why monetary benefits are a necessary component of these programs and how cash can be used to complement other in-kind transfers. This is because neither cash nor in-kind benefits alone can provide sufficient levels of comprehensive protection. It is worth noting, however, that this chapter does not contain an argument for precisely which goods make up the moral minimum as this remains disputed. In arguing that cash and in-kind transfers are both required, I make the case that we often cannot take advantage of our in-kind goods without cash to support and facilitate access to in-kind transfers.

This chapter proceeds as follows. First, I briefly establish the basis of social protection through appeals to its normative basis and the factual reality that the SDGs advocate for the use of these programs. This raises the question of whether social protection programs ought to be provided through cash or in-kind transfers. Second, I outline some the major arguments offered in defense of cash transfers: liberty-based; equality-based; and efficiency-based. I conclude there is a strong case for cash transfers. Third, I challenge the conclusion reached in the previous section by considering the normative appeal of in-kind transfers. Namely, that we have rights to certain goods and services and not to the cash equivalent of those goods insofar as our rights guarantee access to the contents of those rights. I move on to problematize the view that social protection programs should be provided only through in-kind transfers. In the final section, I make the case that in order to guarantee the moral minimum – and whatever goods it contains – we need both cash and in-kind transfers. This lays the groundwork for

what is to come in the remainder of this dissertation where I consider whether the provision of conditional cash transfers is justifiable.

4.2. Two Arguments for Social Protection Programs

In this section, I consider two arguments for the necessity of social protection programs. First, I appeal to a normative foundation in claiming rights generate duties for the relevant others to respect, protect, and fulfill a person's right. In this way, social protection programs can either be understood as something a person has a right to or as a necessary precondition for the fulfillment of other rights. Second, I present an argument for social protection rooted in the international community's pledge to end poverty.

4.2.1. The Normative Argument

As discussed in Chapter 2, there is a normative underpinning to this project just as there is a normative theme running through the UN appeals to human dignity in the Universal Declaration of Human Rights (1948) and the Sustainable Development Goals. Here, I want to unpack one moral argument that can be used to defend social protection programs using the influential work of Henry Shue.¹⁵⁴

According to Henry Shue, there are different kinds of rights. Basic rights act as a shield for the defenseless by guaranteeing a moral minimum beneath which no one should be allowed to sink.¹⁵⁵ Basic rights like rights to physical security and subsistence are necessary for the fulfillment of all other rights. Subsistence rights,¹⁵⁶ Shue argues, are intended to secure the conditions necessary for a reasonably healthy life of average

¹⁵⁴ For another human rights-based approach to social protection see Magdalena Sepúlveda Carmona, "From Undeserving Poor to Rights Holder: A Human Rights Perspective on Social Protection Systems," Development Pathways Working Paper (February 1, 2014).

¹⁵⁵ Shue 1996.

¹⁵⁶ Also known as a right to economic security.

length, barring tragic interventions and include access to unpolluted air, safe water, minimal preventative health care, and adequate food, shelter, and clothing.¹⁵⁷ Appeals to subsistence rights provide strong reasons for thinking persons are entitled to a life worth valuing: a life free from poverty and its damaging effects.¹⁵⁸

Shue claims moral rights, of which basic rights are a category of, provide us with “(1) the rational basis for a justified demand (2) that the actual enjoyment of a substance be (3) socially guaranteed against standard threats.”¹⁵⁹ This is crucial since “a right is guaranteed only when arrangements have been made for people with the right to enjoy it... But a right has not been fulfilled until arrangements are in fact in place for people to enjoy whatever it is to which they have the right.”¹⁶⁰ This means rights enable individuals to make specific demands of others when their rights are unmet or being violated.¹⁶¹ For example, an individual’s subsistence rights may go unrealized because they live in poverty and this would generate the moral obligation on the part of others to avoid depriving; (ii) to protect from deprivation; (iii) to aid the deprived.

Importantly, social guarantees can extend beyond the realm of morality and move into the realm of legality, but this may not be essential to their fulfillment. The right to be free from poverty and gender inequality, for example, need not be legally protected as long as effective institutions are in place that secure access to the contents of these rights (i.e. that one could lead a life worth valuing free from poverty and gender

¹⁵⁷ Of course, we may wish to expand upon Shue’s list but this points towards the sorts of goods people are owed at the very minimum by their governments.

¹⁵⁸ Shue 1996, 22-29.

¹⁵⁹ Shue 1996, 13.

¹⁶⁰ Shue 1996, 16.

¹⁶¹ There is disagreement about who bears responsibility for rights fulfillment as well as *who* has what duties *to whom*. See. Beitz and. Goodin 2009; Diana Tietjens Meyers, *Poverty, Agency, and Human Rights* (Toronto, ON: Oxford University Press, 2014); Thomas Pogge, *Freedom from Poverty as a Human Right: Who owes what to the very poor?* (Toronto, ON: Oxford University Press, 2007).

discrimination). The moral guarantee often precedes the legal one insofar as a moral obligation might be in place to establish institutions of protection which could later provide legal protection for rights. In the case of the rights to be free from poverty and gender inequality, both are legally protected through international conventions that are both binding and non-binding. But these rights may not be guaranteed at the domestic level or by countries that do not sign on to international agreements for reasons explained in Chapter 3. The moral underpinning to rights is crucial as it can provide the justification for intervention when state's fail to meet the basic needs of their citizens or explicitly engage in rights violations. It can also provide the basis from which we can judge or condemn the actions and omissions of other states.

Social protection programs are unique in that they can be interpreted as being both a right in their own, where individuals have a right to social protection, but they can also be understood as one of the conditions necessary for the fulfillment of other rights like a right to subsistence. In the case of the latter, one of the duties generated by the right to subsistence is the provision of social protection programs to ensure individuals have access to their most basic needs. The social guarantee proves invaluable in contexts where individuals are unable to secure the contents of their rights because it requires agents and/or institutions to act on the duties generated by a rights claimant.¹⁶² The development of effective social protection policies is a crucial part of socially guaranteeing the rights of all citizens against standard threats. This protection against standard threats is meant to be a reasonable guarantee that “the relevant other people have

¹⁶² For rights and the positive and negative duties they generate see Shue 1996; Elizabeth Ashford, “The Alleged Dichotomy Between Positive and Negative Rights and Duties,” in *Global Basic Rights*, ed. Charles R. Beitz and Robert E. Goodin (Oxford: Oxford University Press, 2009), 92-112.

a duty to create, if they do not exist, or, if they do, to preserve effective institutions for the enjoyment of what people have rights to enjoy.”¹⁶³ A right to subsistence or an adequate standard of living entails a duty to create or maintain social protection programs to prevent individuals from falling below the moral minimum, and to raise those who fall below this threshold above it so that their subsistence rights are fulfilled.

4.2.2. The Factual Argument

There is another justification for the necessity of social protection programs. Through various documents, including the SDGs, UN member states have committed themselves to creating social protection programs as a way of addressing poverty and ensuring rights are respected, protected, and fulfilled. Article 25 of the Universal Declaration of Human Rights can be interpreted to represent an international acknowledgement of the significance of ensuring adequate social protection programs. According to Article 25 of the Declaration,

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or lack of livelihood in circumstances beyond his control.¹⁶⁴

In the years since 1948, the UN has repeatedly sought to clarify what Article 25 encompasses paying particular attention to those living in poverty. October 17 has, for example, been declared the “International Day for the Eradication of Poverty” and we are currently in the middle of the “Third United Nations Decade for the Eradication of Poverty” (2018-2027) the latter of which is meant to maintain momentum and support progress towards the Sustainable Development Goals.

¹⁶³ Shue 1996, 17.

¹⁶⁴ United Nations General Assembly 1948.

The international community is committed to eradicating poverty and part of the way the SDGs attempts to end poverty is through the use of social protection programs. SDG 1.3, specifically, seeks to end poverty by encouraging states to “[i]mplement nationally appropriate social protection systems and measures for all” including social protection floors, and to achieve substantial coverage of the poor and vulnerable by 2030.¹⁶⁵ This target is to be measured by tracking the “proportion covered by social protection floors/systems, distinguishing children, unemployed persons, older persons, persons with disabilities, pregnant women, newborns, work-injury victims and the poor and the vulnerable.”¹⁶⁶ SDG 1.3 does not explicitly outline what sorts of social protection programs or “floors” are needed to protect the rights of the poor. This means the programs can be designed in a variety of ways depending on a government’s goals, priorities, financial capacity, and political ability.

In sum, appeals to moral rights or UN documents can be used to demonstrate the importance and necessity of social protection programs, especially when it comes to combatting poverty. But neither approach clarifies what bundle of resources are needed to lead a life worth valuing. More centrally for this project, neither provide an answer to the question of whether social protection programs should be provided in cash or in-kind. It is to this question I now turn.

4.3. The Case for Cash Provisions

Combatting poverty requires the introduction of social protection programs and, indeed, social protections programs are both a right and a necessary condition for

¹⁶⁵ United Nations General Assembly resolution 70/1, 2015, 15; United Nations General Assembly Resolution 71/313, 2017, 1-2.

¹⁶⁶ United Nations General Assembly resolution 71/313, 2017, 1.

fulfilling many of our other rights. UN member states have also committed to implementing social protection programs for all as part of the SDGs. I now turn to an analysis of the arguments grounding cash transfers and examine whether states should “just give money to the poor.” It is my view that there are strong reasons to implement cash-based social protection programs grounded in the political values of liberty, efficiency, and equality. However, these three political values are by no means the only avenues for defending cash-based social protection programs; instead, they offer a sampling of the ways one might argue for the priority of cash over in-kind benefits.

4.3.1. Liberty-Based Arguments

The first political value one might invoke in support of cash-based social protection programs is liberty. Here, liberty might be distinguished in two ways. On the one hand, negative liberty is conceived of as the absence of obstacles, barriers, or constraints. Right-libertarians, for example, tend to argue for the superiority of individual rights, especially the right to self-ownership and liberty, holding that such rights should not be violated. Individuals have rights to the products of their labour since self-ownership extends to property ownership through the process of labouring, and the state is not justified in redistributing the resources that individuals have worked for.¹⁶⁷ Robert Nozick, for example, appeals to negative conceptions of liberty in arguing that individuals own themselves and have rights to private property. The state should only be concerned with maximizing the liberty of their citizens through non-interference and are

¹⁶⁷ See John Locke, “Chapter V. Of Property,” in *Second Treatise of Civil Government*, 1690.

only justified in intervening in cases of protection against force, theft, fraud, and contract enforcement.¹⁶⁸

On the other hand, positive liberty is about ensuring one can act in ways that one can control their life and pursue their own life goals. Theorists appealing to positive liberty are concerned with ensuring substantive freedom and not just formal freedom. A growing number of theorists appeal to positive liberty in defense of cash benefits. Left-libertarians or liberal-egalitarians, for example, support some of Nozick's claims about the right to self-ownership but do so while arguing for an egalitarian principle that divides unowned external resources equally amongst individuals. According to Philippe Van Parijs and Yannick Vanderborght, distributive justice requires not a maximin of real freedom per se, but "the maximin of the gifts that form the substratum of this freedom." That is to say, the chief concern is "the maximization of what is received by those who receive least by way of material basis for the exercise of their real freedom."¹⁶⁹ Since external resources are unfairly shared, "we benefit very unequally from what was freely given us by nature, technological progress, capital accumulation, social organization, civility rules, and so on."¹⁷⁰ Real freedom or substantive freedom involves not only the absence of barriers, obstacles and constraints; it also requires that one possesses the resources or capacities to carry out one's will or pursue their conception of the good.¹⁷¹ What matters is real freedom for all that is substantively, and not just formally, guaranteed.

¹⁶⁸ Robert Nozick, *Anarchy, State, and Utopia* (New York, NY: Basic Books, 1974). Nozick would not support governments providing social protection beyond these minimal cases.

¹⁶⁹ Philippe Van Parijs and Yannick Vanderborght, *Basic Income: A Radical Proposal for a Free Society and a Sane Economy* (Cambridge, MA: Harvard University Press, 2017), 105.

¹⁷⁰ Ibid.

¹⁷¹ Van Parijs 1995.

According to Philippe Van Parijs there are many competing conceptions of the good life, and any defensible liberal theory of justice must be “one that is truly committed to an equal concern for all and to non-discrimination among conceptions of the good life.”¹⁷² This is why cash is needed and not in-kind transfers or other supports since the latter may unnecessarily limit the freedom of individuals to pursue their conception of the good. In opting for in-kind or other provisions, the state would be prioritizing certain conceptions of the good over others. This could unjustifiably infringe on the pursuits of free people by limiting the range of options available to them. For Van Parijs, this remains true even in cases where the goods and services in question are ones all individuals could reasonably be expected to want, such as food, shelter, and health care. These items are ones “of which it is plausible that no one in her right mind would not want to buy them out of her basic income were she given the whole of it in cash.”¹⁷³ Still, these items cannot be provided in-kind because individuals value them in different degrees and in different proportions making cash the ideal mode of delivery.

If we care about freedom for all, explain Van Parijs and Vanderborght, then states ought to implement cash transfer programs, especially in the form of universal basic incomes. In doing so, they “appeal to an egalitarian conception of distributive justice that treats freedom not as a constraint on what justice requires but as the very stuff that justice consists in distributing fairly.”¹⁷⁴ A basic income, then, is an individual entitlement paid in cash that is universal and obligation free. A basic income may not be sufficient to cover basic needs. It is meant to be a “floor on which one can stand because of its very

¹⁷² Philippe Van Parijs, “Why Surfers Should Be Fed: The Liberal Case for an Unconditional Basic Income,” *Philosophy and Public Affairs* 20, no. 2 (1991): 102.

¹⁷³ Van Parijs 1995, 44.

¹⁷⁴ Van Parijs and Vanderborght 2017, 104.

unconditionality... a foundation on which people can build their lives in various ways, including topping it up with income from other sources.” This “firm floor that is provided to all is not there for us to lie on and indulge ourselves, but for us to stand on and do things that make sense to us as well as to others.”¹⁷⁵ A basic income ensures everyone receives their fair share of “what none of us today did anything for, of the huge present very unequally incorporated into our incomes.”¹⁷⁶ Of note, is the fact that a basic income is not intended to equalize outcomes or achievements for everyone. Instead, a basic income aims “to make less unequal, and distribute more fairly, real freedom, possibilities, and opportunities” since “granting a basic income helps equalize what people are given – the material substratum of their real freedom – and only as a consequence, indirectly and more roughly, what they achieve with what they are given.”¹⁷⁷

4.3.2. Efficiency-Based Arguments

The second political value one might invoke in support of cash transfers is efficiency. When economists refer to the concept of efficiency, they do so in fundamentally utilitarian terms, where one is concerned with how much good can be done for the least cost, with much of the “the good” explained in purely economic terms. Efficient allocations are generally understood to be ones where the allocation of resources is such that value is maximized.¹⁷⁸ Efficiency is sometimes referred to as Pareto-superior when a purely voluntary transaction occurs where at least one person is made better off and no one is made worse off, though such transactions are rare in practice as most transactions

¹⁷⁵ Ibid., 10 and 214.

¹⁷⁶ Ibid., 105

¹⁷⁷ Ibid., 107.

¹⁷⁸ Richard A. Posner, *Economic Analysis of Law*, 4th ed. (Toronto, ON: Little, Brown and Company, 1992).

involve third parties. A clearer and more useful explanation of efficiency is the Kaldor-Hicks concept of wealth maximization. According to the Kaldor-Hicks concept:

If A values the wood carving at \$5 and B at \$12, so that at a sale price of \$10 (indeed at any price between \$5 and \$12) the transaction creates a total benefit of \$7 (at a price of \$10, for example, A considers himself \$5 better off and B considers himself \$2 better off), then it is an efficiency transaction, provided that the harm (if any) done to third parties (minus any benefit to them) does not exceed \$7. The transaction would not be Pareto superior unless A and B actually compensated the third parties for any harm suffered by them.¹⁷⁹

Those who argue for efficient policies do so because such policies can achieve an objective at the lowest cost. It is, however, important to note that technical efficiency will not tell us what policies to design but only that we should get from A to B with the least amount of effort. If combatting poverty is the goal then an appeal to efficiency tells us to do so in the way that requires the least amount of effort and is the least costly, but it does not specify whether cash or in-kind transfers are always more effective. In this way, efficiency is not necessarily a goal, but is useful in helping us to do more of the things we value – individually and as a society.¹⁸⁰ To this end, Deborah Stone argues, economists often interpret efficient allocations of resources as “ones that yield the most total value for society from existing resources” with efficient choices being ones that “result in the largest benefit for the same cost, or the least cost given the benefit.”¹⁸¹

In designing efficient social protection programs, it is likely in at least some cases cash is more efficient than in-kind transfers. Effective altruists, like Peter Singer, seek to end poverty in the most efficient manner arguing that cash transfers are more effective

¹⁷⁹ Posner 1992, 13-14.

¹⁸⁰ Deborah Stone, *Policy Paradox: The Art of Political Decision Making* (New York, NY: W. W. Norton & Company, 2002), 61.

¹⁸¹ Ibid.

than in-kind transfer since the poor generally use the money responsibly.¹⁸² Appeals to efficiency suggest cash is superior to in-kind benefits because it allows individuals to choose how to allocate their resources and to use the cash in the most efficient ways to maximize their personal wellbeing. This has the added effect of being not only efficient, but also liberty-respecting.

Consider the following examples on anti-poverty strategies. Organization A and Organization B both seek to combat poverty but do so in different ways. Organization A allows donors to purchase cows, goats, and other livestock to be given to impoverished families in the Global South. For only \$600, donors can purchase this livestock under the belief that “few things transform a family’s future like the incredible bounty of a cow” since the cow provides milk and calves which can be consumed or sold.¹⁸³ Organization B, on the other hand, allows donors to give cash directly to the poor. Arguably, Organization B is functioning more efficiently than Organization A because the latter requires the organization to buy and then transport cows to impoverished families. This means at least some of the donors’ cash is being spent on administrative tasks and transportation costs and this may be highly inefficient. As explained by Singer,

If donors had the option of giving their money directly to the poor, then traditional organizations would face more pressure to show that they were creating so much more value for the poor that it justified the additional costs involved – for example, spending thousands of dollars to deliver a cow.¹⁸⁴

A further benefit of organizations allowing donors to give directly to the poor is that it would eliminate the fear that the money never gets to the people who need it. This is said

¹⁸² Effective altruism is the view that each of us should do the most good we can do where a world characterized by less suffering and more happiness is better than one characterized by more suffering and less happiness. See Singer 2015.

¹⁸³ See World Vision www.worldvision.ca/gifts.

¹⁸⁴ Singer 2015, 63-64.

to be one of the most common rationales for not giving in the first place. Finally, cash in the context of international aid may represent a superior solution to in-kind transfers precisely because it allows for greater diversity in the ways institutions are established. Cash respects state sovereignty by allowing governments the ability to choose how to meet their citizens' needs most effectively. Thus, cash can be defended by appeals to efficiency.

4.3.3. Equality-Based Arguments

A third political value one might invoke in support of cash transfers is equality. Egalitarians offer a wide variety of interpretations of equality and its importance with varying takes on the significance of formal versus substantive equality. Those endorsing the former see fairness as treating people equally at all times while those endorsing the latter require all people have a genuine opportunity to lead lives worth valuing in society.¹⁸⁵ The principle of equality is generally thought to encompass the belief that the state should treat all individuals equally by providing them with the equal means for pursuing their own conceptions of the good. Typically, Joseph Heath and Vida Panitch claim, this has meant that egalitarians opt to redistribute resources in the most abstract way possible through the use of cash transfers which are said to be neutral insofar as this system of redistribution “would allow individuals as much choice as possible with respect to the ends pursued.”¹⁸⁶

The egalitarian theories of John Rawls and Ronald Dworkin can both be used to support arguments for cash transfers as forms of social protection. Part of Rawls' theory

¹⁸⁵ See Rawls 2001; Dworkin 1981; Anderson 1999; Sen 1999.

¹⁸⁶ Joseph Heath and Vida Panitch, “Why Cash Violates Neutrality,” *Basic Income Studies* 5, no. 1 (2010): 3.

of justice – *Justice as Fairness* – requires not only that the two principles of justice guide institutions by guaranteeing certain liberties and securing a public education system that fosters equal opportunity, but also that a social minimum be implemented. This social minimum is intended to maximize the wealth and income of the least advantaged in society and is to be paid as a “family allowance” or through unemployment or sick benefits.¹⁸⁷ The social minimum for Rawls is intended to increase the worth of freedom and so must be provided in cash “because cash is something all rational individuals are presumed to want” and “does not favour one conception of the good over another.”¹⁸⁸

Dworkin’s view of equality as envy-free allocation provides another avenue for defending cash. According to Dworkin, governments ought to treat all citizens with equal respect and concern while also remaining neutral regarding differing conceptions of the good. Equality of resources “supposes that the resources devoted to each persons’ life should be equal.”¹⁸⁹ This can only be achieved through envy-free allocation in combination with the principle of abstraction “which requires that people’s choices be made as authentically as possible against a background of freedom.”¹⁹⁰ This requires that resources be redistributed in the form of a cash transfer since individuals can use cash to pursue their distinct preferences. Cash enables people to choose how they will use it and offers more choices making it sensitive to the life plans and preferences that individuals have.¹⁹¹ This means cash has the bonus of also being liberty-respecting as well as equality-respecting.

¹⁸⁷ John Rawls, *A Theory of Justice*. Revised edition (Cambridge, MA: Harvard University Press, 1999).

¹⁸⁸ Heath and Panitch 2010, 5.

¹⁸⁹ Dworkin 1981, 289.

¹⁹⁰ Heath and Panitch 2010, 5.

¹⁹¹ Ibid.

Other egalitarians can likewise lend their support to redistribution through cash transfers. Social egalitarians, like Elizabeth Anderson, generally hold that a just society is one where people are free from both domination and oppression.¹⁹² Social egalitarians argue the concepts of equal standing, equal status, equal respect, and equal political power are central to equality. For Anderson, democratic equality must be concerned with the distribution of divisible resources since “it requires that everyone have effective access to enough resources to avoid being oppressed by others and to function as an equal in society.”¹⁹³ Social safety nets must be constructed so that no one is ever forced to fall. These safety nets could include things such as “socially provided disability and old age pension schemes, and tax credits for earned income.”¹⁹⁴ Cash could ensure people have the means to pursue one’s conception of the good since most social egalitarians, Juliana Bidanure argues, are unwilling “to let anyone fall below a critical threshold because of the choices they make.”¹⁹⁵

4.4. The Case for In-Kind Transfers

In the end, then, we may have strong justifications for implementing cash-based social protection programs on the grounds of liberty, efficiency, and equality. However, our intuitions about the superiority of cash can also be problematized. In this section, I critique my own endorsement of cash in two ways. First, I outline the concern that in-kind programs are superior to cash transfers despite appeals to the contrary. A second concern is that cash programs may be used to replace rather than supplement existing in-

¹⁹² Anderson 1999.

¹⁹³ Ibid., 320.

¹⁹⁴ Ibid., 325.

¹⁹⁵ Juliana Uhuru Bidanure, “The Political Theory of Universal Basic Income,” *Annual Review of Political Science*, 22, no. 1 (2019): 491.

kind programs and that this too may be deeply problematic. In section 4.5. I develop the case for a complementary system of cash and in-kind benefits.

Despite appeals to liberty, equality, and efficiency, some theorists maintain that in-kind supports are superior to cash ones. Steven Kelman argues cash transfers are inappropriate “when they undercut the justification for helping out in the first place” as is the case when “such help is justified on the basis of rights that would be violated if help were not provided.”¹⁹⁶ In brief, “the moral force justifying any transfer at all is drained if the transfer is provided in cash rather than in-kind”¹⁹⁷ Cash can also raise an additional difficulty when it requires a dollar amount be attached to valued things that do not normally have a price attached.

Unlike other things, rights “are not justified on the basis of the satisfaction they produce... but directly on the basis of their connection with human worth.”¹⁹⁸ People have a right to life and the right not to live in degrading circumstances. These rights provide us with the justification for rights to health care and some minimum standard of living. Failure to secure these two rights is an affront to the respect that persons are entitled to because of their innate human value.¹⁹⁹ The acceptance and toleration of persistent poverty is an attack on the rights to life and a minimum standard of living. Since a life of poverty entails a deprivation of various resources and materials, choices, and capacities, poverty can prevent individuals from living reasonably healthy lives of

¹⁹⁶ Steven Kelman, “A Case for In-Kind Transfers,” *Economics and Philosophy* 2, no. 1 (1986): 57.

¹⁹⁷ *Ibid.*, 59.

¹⁹⁸ *Ibid.*, 63.

¹⁹⁹ For Kelman the right actions are those “most consistent under the circumstances with valuing human beings” or showing respect for persons.” Kelman 1986, 61.

average length and contribute to highly preventable deaths. This violates the inherent value of persons.

For Kelman, the driving force behind the provision of in-kind benefits is that people are entitled to the contents of the rights they are guaranteed. Even if cash is a more efficient way of redistributing resources, these efficiency considerations can be overruled for the sake of securing the actual contents of people's rights. In short, a right to health care establishes that I have the right to some level of preventative or curative health care treatment *and not* to the cash equivalent of that health care treatment – no matter how efficient cash provision might be. Kelman extends this argument further claiming that food stamps help secure the right to a minimum standard of living in a way that cash cannot quite capture. Providing the cash equivalent to health care or food stamps does not secure the contents of these rights since the cash could be spent elsewhere. The worry is that providing the cash equivalent to health care or food stamps might prevent people from securing those rights should they choose to spend the money elsewhere. Survey evidence from the United States suggests that others share this worry with 72% of respondents preferring redistribution to be done in-kind citing as justification the belief that the poor would spend cash irresponsibly.²⁰⁰ The recipient of in-kind benefits may be unsatisfied and less well-off than they would have been had they received cash, but they remain better off than they would have been had they been given nothing at all.²⁰¹

Even in cases where cash may be preferable to in-kind benefits, Kelman claims these cases are problematic because they cannot establish rights-based reasons for why we

²⁰⁰ Survey respondents were more willing to redistribute considerably more in-kind benefits than cash benefits. See Zachary D Liscow and Abigail D. Pershing, "Why Is So Much Redistribution In-Kind and Not in Cash? Evidence from a Survey Experiment" (August 12, 2020).

²⁰¹ Kelman 1986, 63.

should help the poor. Since rights generate correlative duties, the assertion that you have a right to X is equivalent to saying that I, or the relevant others, have a duty to ensure you get X. In this way, “establishing a right to health care establishes a duty on the part of citizens to pay for the provision of that health care.”²⁰² The state, through taxpayer funds, has an obligation to fulfill rights to life and a minimum standard of living; but there is no corresponding right to “spending money” and so there is no obligation for the state to provide cash transfers.

While Kelman offers an interesting rights-based justification for the superiority of in-kind benefits over cash ones, his view is subject to several serious difficulties. A first problem is that Kelman’s argument seems to be missing an important step: providing the justification for why in-kind provision follows from the claim that citizens have a duty to pay for the provision of certain rights. Kelman has not offered an argument for why a right to health care entails that this be in-kind through some form of publicly funded health institutions beyond claiming that people will spend the cash on other goods and so be unable to access health care. But this need not be the true in all cases or in all distributive arrangements. Kelman also opts for food stamps rather than the provision of food to the poor and this leaves one wondering why quasi-cash arrangements are acceptable in one case but not the other. This is likely because vouchers attend to individual’s preferences about what food to buy, but why should preferences matter here and not regarding access to something as important as health care? Moreover, it’s not clear why these services should be limited to the poor. If everyone has a right to life and a

²⁰² Kelman 1986, 64.

right not to live in degrading circumstances, then it seems to follow that the government is obligated to fulfill these rights for all citizens – not just poor citizens.

Kelman must also answer the question of whether food stamps and public health care for the poor are the kind of limited system that he would defend given his reluctance to put a price on these “valued goods.”²⁰³ The second concern with Kelman’s view, then, is that he remains reluctant to place a price on valued goods. While the provision of food stamps and publicly funded health care are in-kind, they nevertheless require a price be attached to them. Publicly funded health care might ensure the recipient of that care does not face financial barriers to access, but such a system still requires the government to place a value on good health and medical services. In fact, public health insurance necessarily attaches a price to health care services since the hospital bill is charged to the state rather than the individual accessing these services.²⁰⁴

This leads to a third concern that problematizes Kelman’s claim that in-kind provision guarantees access to the contents of that right for the right’s holder. Food stamps can be swapped or sold at the whim of the recipient, and public health care systems do not guarantee the health care rights of citizens, or more narrowly of the poor, will be met. There are many barriers to accessing health care even when it is publicly funded. Barriers include financial costs associated with accessing health services; distance to services; poor quality services; discrimination and stigmatization by health care practitioners; or transportation costs. Moreover, access to health care is necessary to secure an individual’s good health, but “health care is not the only socially controllable

²⁰³ In section 4.5. I offer an argument for why health care ought to be provided in-kind and not through cash transfers that is rooted in the high cost of health services and the unpredictability of health needs.

²⁰⁴ See Joseph Heath, “Health Care as a Commodity”; L. Chad Horne, “What Makes Health Care Special? An Argument for Health Care Insurance,” *Kennedy Institute of Ethics Journal* 27, no. 4 (2017): 561-587.

factor that makes a significant contribution to health.”²⁰⁵ States need to address the social determinants of health as preconditions of the right to health care and this may be best addressed with cash grants, especially since income and wealth are major factors in determining health outcomes. Cash transfers may also be useful in addressing some of the barriers individuals face when accessing health care services.

While Kelman’s view is ultimately problematic, it does raise an interesting point about how to ensure the actual contents of people’s rights are fulfilled by social protection programs and can be used to motivate an additional worry about cash transfer programs: that cash will replace all in-kind transfers. If, for example, in-kind transfers are paternalistic and unnecessarily infringe upon liberty, then there may be good reasons to adopt policies that maximize freedom of choice. The concern with this line of thinking is that if governments ought to treat persons’ conceptions of the good equally by providing persons with the ability to freely pursue their conceptions of the good in the most efficient manner, then cash is likely going to be perceived to be a superior mode of delivery than in-kind transfers.

Recall that the goal of liberal welfare advocates is for the state to be neutral towards different, competing conceptions of the good life. Liberal welfare advocates, like Rawls, Dworkin, and Van Parijs, tend to view cash as neutral since it enables individuals to use the money as they see fit. They also claim cash alleviates the paternalistic worry often associated with in-kind transfers where paternalism is broadly understood as “the interference of a state or an individual with another person, against their will, and defended or motivated by the claim that the person interfered with will be better off or

²⁰⁵ Gopal Sreenivasan, “Health Care and Equality of Opportunity,” *The Hastings Center Report* 37, no. 2 (2007): 21-31.

protected from harm.”²⁰⁶ Importantly, one must ask whether paternalism is always wrong. Is it ever justifiable for the state to act paternalistically by limiting the choices of its citizens? Defenders of purely cash-based systems say no. While others argue that some forms of paternalism are justifiable.²⁰⁷ Still, questions remain about how to determine when paternalism is justifiable when it comes to social protection programs.

Furthermore, those who advocate for cash on the ground of liberty do so at the expense of neutrality because not everyone is equally good at handling money.²⁰⁸ The reality is that not everyone is well equipped to deal in cash when making short- and long-term plans and implementing a purely cash system would benefit very few people in this regard. In opting to implement a cash-based system of social protection, governments may be limiting freedom because (i) people are notoriously bad with cash and are characterized by improvidence; and (ii) providing the cash equivalent to something like health care will do little to secure these goods given their high cost. Providing cash represents the removal of a crucial institutional support that is used to exercise self-control in pursuing life plans.²⁰⁹

According to Joseph Heath and Vida Panitch, even in ideal theory, where individuals are perfectly rational and never suffer from improvidence, one would likely opt to “use the organizational resources of the state to implement precommitment mechanisms in order to prevent themselves from acting on the basis of temporary preference

²⁰⁶ Gerald Dworkin, "Paternalism", *The Stanford Encyclopedia of Philosophy* (Fall 2020 Edition), Edward N. Zalta (ed.), URL = <<https://plato.stanford.edu/archives/fall2020/entries/paternalism/>>.

²⁰⁷ Richard H. Thaler and Cass R. Sunstein, *Nudge: Improving Decisions About Health, Wealth, and Happiness* (Toronto, ON: Penguin Books, 2009); Douglas MacKay, “Basic Income, Cash Transfers, and Welfare State Paternalism,” *The Journal of Political Philosophy* 27, no. 4 (2019a): 422-447.

²⁰⁸ Heath and Panitch 2010.

²⁰⁹ Ibid.

reversals.”²¹⁰ Instituting a purely cash-based social protection system would deny individuals the ability to use social institutions to help carry out precommitment strategies and interfere with at least some people’s ability to effectively pursue their conception of the good and thereby infringe on one’s liberty. Thus, in-kind benefits are superior because they act as a rational self-binding strategy carried out with the assistance of the state.²¹¹ This is supported by survey evidence that suggests that even though the poor would prefer to receive cash, a sizeable number of the poor preferred in-kind benefits precisely because of their desire for self-control mechanisms.²¹²

A purely cash-based system of social protection is problematic despite its appeals to liberty, equality, and efficiency since this can result of the removal of crucial self-control mechanisms and prevent individuals from being able to access to the contents of their right to something like health care. But purely in-kind systems too are problematic since it’s unclear how in-kind provision necessarily guarantees one the contents of their right since the existence of various barriers to access may be alleviated with cash transfers. It seems that both cash and in-kind transfers are required for a robust social protection system. Questions remains, however, about how to design programs in a way where cash complements in-kind transfers as well as how to determine what ought to be provided in cash and what in-kind.

4.5. Cash and In-Kind Transfers as Complements

Sections 4.3 and 4.4. examined several traditional approaches to the cash versus in-kind debate. It is my view that on their own, none of these arguments determines whether

²¹⁰ Heath and Panitch 2010, 14.

²¹¹ Heath and Panitch 2010.

²¹² Liscow and Pershing 2020.

cash or in-kind benefits ought to be preferred. Neither do these accounts fully establish which goods and services contained in the social minimum ought to be provided in cash and which in-kind. Still, these arguments provide a few good reasons for thinking that a robust social protection system will include both cash and in-kind components that complement one another. I argue social protection programs require in-kind transfers but that one cannot take advantage of these in-kind goods without cash to facilitate. In-kind goods can be justifiable and cash can be defended on the grounds that it is a necessary precondition for accessing in-kind provisions like health care.

From a rights perspective, everyone has a right to life and an adequate standard of living. These rights generate subsequent claims to health care, education, and other broader social protection programs that governments can put in place to maximize substantive equality and liberty. These rights are further protected by the international community's commitment to enact social protection policies for all, especially the poor and vulnerable. While I do not intend to provide an exhaustive account of what should be included in the social minimum or how to determine which goods should be provided for with cash or in-kind transfers, I want to focus on the provision of health care and the way cash transfers can be used to complement the in-kind provision of it.

Strict appeals to liberty, equality, and efficiency might suggest cash is the preferred mode of delivery. Insofar as governments ought not value some conceptions of the good over others and that more choices are better than less, providing cash transfers could enable individuals to choose whether they want to invest in health care insurance or save the funds they receive for medical emergencies. Those who opt to spend the money otherwise may do so. What could be wrong with this since individuals are choosing how

to allocate their private resources and are, presumably, doing so in the most efficient ways to maximize their personal wellbeing and satisfy their preferences. And yet this is problematic when it comes to certain goods and services.

Even those who appeal to liberty and equality argue that in-kind provisions of health care and education are vastly superior to cash benefits. Van Parijs and Vanderborght, for example, argue a basic income should not be intended to replace all existing state provided transfers. They reach this conclusion by appealing not only to individuals' long-term interests, but also societies' interests in maintaining an educated and healthy workforce and citizenry, since this is crucial to the overall wellbeing and functionality of strong economies and democracies.²¹³ Specifically, a lower basic income is preferred if it would ensure the state could provide free or heavily subsidized education and health care, and a healthy and enjoyable environment.²¹⁴ Dworkin too argues in favour of some sort of compulsory public insurance system to protect against brute and option luck.²¹⁵ As does Rawls who advocates for the provision of public health care since citizens may become seriously ill or suffer accidents that result in citizens falling temporarily "below the minimum essential capacities for being normal and fully cooperating members of society."²¹⁶

Still, why can't the problem of access to health care be resolved by providing individuals with sufficiently high levels of cash that they could spend on ensuring good health? For one thing health care can be expensive and, for another, health care needs are unpredictable. In the US, a fragmented multiplayer system has meant "the government

²¹³ Van Parijs and Vanderborght 2017, 12-13.

²¹⁴ Ibid., 104.

²¹⁵ Dworkin 1981.

²¹⁶ Rawls 2001, 171-172.

pays directly or indirectly for more than half of the nation's health care," but the actual delivery of care and insurance is undertaken by a variety of private insurers, for-profit hospitals, and others.²¹⁷ This is largely because the US relies on private insurers, with the exception of Medicaid and Medicare. In 2003, US health care spending followed the 80-20 rule in which "20 percent of the population accounted for 80 percent of the expense." Roughly half of the population had little to no medical expenses, and 1 percent of the population accounted for 22 percent of expenses.²¹⁸ Most health care costs are incurred by a small percentage of the population, but their expenses greatly exceed the amount one could plausibly expect persons to pay out-of-pocket. Compounding this issue is the fact that the market is a poor substitute for public provision since the private sector suffers from problems of adverse selection where those who need health insurance the most tend to be screened out in the application process.²¹⁹

Consider that a kidney transplant in the US can cost upwards of \$400,000 and a heart transplant roughly \$1.4 million making these transplants financially inaccessible to those without health insurance or without the financial capital to cover these fees.²²⁰ Only those with good insurance or exorbitant levels of wealth could afford for health care services. To elaborate, "if people had to pay for medical care the way they pay for groceries, they would have to forego most of what modern medicine has to offer, because they would quickly run out of funds in the face of medical emergencies."²²¹

²¹⁷ Paul Krugman and Robin Wells, "The Health Care Crisis and What to Do About It," *The New York Review*, March 23, 2006, <https://www.nybooks.com/articles/2006/03/23/the-health-care-crisis-and-what-to-do-about-it/>.

²¹⁸ Ibid.

²¹⁹ Ibid.

²²⁰ Nicolas Rapp and Anne VanderMey, "Here's What Every Organ in the Body Would Cost to Transplant," *Fortune*, September 14, 2017, <https://fortune.com/2017/09/14/organ-transplant-cost/>.

²²¹ Krugman and Wells 2006.

Exacerbating the high cost of health care for both emergent and non-emergent services, is the reality that health needs are unpredictable. As stated by Heath, “[d]isaster can strike at any time, and even the most prudent individual may not be able to set aside an appropriate amount to pay... a simple market for health care would be extremely inefficient... [since] it is the uncertainty that attaches to the consumption of medical care that constitutes the dominant characteristic of these markets.”²²² Merely giving people the cash equivalent of their expected health costs cannot guarantee they will actually be able to meet their health needs in future.²²³ This means that not only must the provision of health care be in-kind so that people can actually access the contents of their right, it must also be provided universally since virtually no one would otherwise be able to afford it.²²⁴

The in-kind provision of health care might be best understood as the kind of rational self-binding strategy that Heath and Panitch suggest that it is. Since people use all kinds of institutional and personal supports in order to exercise self-control, including relying on others to support us in carrying out life strategies and goals compatible with our conception of the good life, it makes sense to protect ourselves from future improvidence. Relying on other persons or institutional arrangements can help to protect our future selves from our current improvidence by pre-emptively exerting control over our future decisions and asking others to hold us to account or prevent us from acting contrary to our stated desires.

²²² Heath, “Health Care as a Commodity.”

²²³ Horne 2017.

²²⁴ In many instances, people end up going into substantial levels of debt to cover health expenditures. See Sarah Kliff, “First They Faced the Virus. Now Come the Medical Bills,” *The New York Times*, May 21, 2021, <https://www.nytimes.com/2021/05/21/upshot/covid-bills-financial-long-haulers.html>.

Given that individuals are also constantly engaged in webs of both chosen and unchosen relationships, it would seem likely that parents would prefer access to health care rather than the cash equivalent of that good. Parents would want to protect their children's access to health care from their own improvidence. In-kind health care would mean children get access to medical care even if their guardians cannot afford to cover the cost of treatment and care, especially in cases of life-threatening illness or expensive medical treatments. A precommitment strategy through in-kind benefits can, therefore, be used to protect not only the interests of oneself but also the interests of others with whom one exists in a close relationship and whose interests we want to protect and preserve.

Nevertheless, when viewed in isolation, the provision of healthcare in-kind as a way of guaranteeing access to it, can be problematized since there are other factors that may prevent individuals from being able to access public health systems. One may not be able to take advantage of publicly funded goods like health care without additional financial support to combat other barriers to access. From a rights-based perspective, if I have a right to health care then I also have a right to the conditions that make it possible for me to meaningfully rely on and use the health system since basic rights must be socially guaranteed. What good is a publicly funded health system if it remains financially, physically, or geographically inaccessible to me? At least some of the barriers to access might be resolved using supplemental cash transfers. Income and wealth are both social determinants of health and so influence health status. Access to cash and financial stability could be the difference between being able to afford to get to the hospital or

doctor's office, and to being able to take time off work for medical appointments.²²⁵ It's not that people need cash earmarked for health expenditures; rather, financial security can help guarantee access and cash transfers can be easily used to complement existing infrastructure.

But this does not mean that all our rights must be provided for in-kind. Sometimes cash is the preferred mode of delivery once we factor in considerations of liberty, equality, and efficiency. People have the right to a minimum standard of living and access to adequate levels of nutrition are necessary for a life worth valuing. Cash is often better than food stamps or direct food aid since it allows for a greater degree of freedom and has less administrative costs. Unlike health care, which can be expensive and unpredictable, food is less costly and more predictable making it easier to budget for. Direct food aid is likely to be far more expensive to provide and, in many instances, unnecessarily paternalistic since the guiding force behind in-kind provision is that the poor will waste the cash. Monetary benefits allow households to increase their household expenditures in ways that best align with the goals of the household and its members.

Moreover, one of the goals of the SDGs is to end poverty for all through the establishment of social protection floors. This means people must be lifted above the international poverty line of \$1.90. People living in poverty need access to sustainable levels of cash to get above, and stay above, this threshold. I am not suggesting that cash transfers are the only way to address poverty, but they are a crucial component of ensuring that people have access to sufficient levels of financial liquidity which is

²²⁵ Of course, not all barriers to access are resolved with cash. Racial and gender discrimination as well as stigmatization may require additional supports to ensure access for all. Poor quality services may also result in lower rates of uptake.

necessary to live a valued life and pursue one's conception of the good. In many cases, it may be preferable to give money directly to the poor "so that they can find effective ways to escape from poverty" because one of the biggest problems for the poor is that they lack cash.²²⁶ Put simply, cash transfers are one component of satisfying the right to an adequate standard of living by providing a floor for people, especially the poor, to stand on.

4.6. Conclusion

Social protection programs can be defended on the grounds of morality and international obligations. In this chapter, I examined arguments often invoked in support of state policies that redistribute resources through in-kind and cash transfers. The political values of liberty, equality, and efficiency are important when designing social safety nets, but such considerations should be mediated by appeals to rights to ensure the contents of one's rights are fulfilled and not ignored for the sake of efficiency. Specifically, I argued that cash is a necessary component of social protection programs and so should be used to complement in-kind transfers. I reached this conclusion by demonstrating how it can be difficult to take advantage of our in-kind goods without cash to support and facilitate access in-kind transfers. There is a time and place for cash and in-kind benefits and what is appropriate will likely depend on the political, social, and economic conditions in particular contexts. Over the course of the next three chapters, I consider whether it is defensible to provide cash conditionally and go on to present unconditional cash transfers as a viable policy option in Chapter 9.

²²⁶ Joseph Hanlon, Armando Barrientos, and David Hulme, *Just Give Money to The Poor: The Development Revolution from the Global South* (Sterling, VA: Kumarian Press, 2010), 1.

5. CONDITIONAL CASH TRANSFERS: “THE WEAPON OF CHOICE IN THE WAR ON POVERTY”²²⁷

5.1. Introduction

Cash is an important component of well-functioning social protection programs and can be provided in numerous ways. Programs can be targeted or universal as well as conditional or unconditional. By placing conditions on cash, the state is allegedly able to provide social assistance to only the *deserving poor* or the *responsible poor*. While there are many different kinds of cash programs that tie benefits to fulfillment of certain conditions including means-testing and willingness to work conditions (e.g. social assistance, employment insurance etc.), in what follows I assess a particular kind of program often used in development contexts: conditional cash transfer programs (CCTs). To be specific, CCTs are part of an anti-poverty strategy intended to break the cycle of current and future poverty by providing cash to mothers on the condition that households make prespecified investments in the human capital of their children.

Conditional cash transfer programs are especially prominent in Latin American countries, but do exist elsewhere, and are marketed as a way of ensuring SDG 1 is met. These kinds of CCTs are targeted programs, as they are means-tested and are also explicitly targeted to the “deserving poor” since households must comply with program conditions or risk being sanctioned and removed for noncompliance. Conditioning cash on the parents’ good behaviour is said to confer both short and long-term benefits to beneficiary households. Increasingly, CCTs are seen as the weapon of choice in the war on poverty by international financial institutions, such as the World Bank.²²⁸ The MDG

²²⁷ This phrase comes from Lena Lavinas, “21st Century Welfare,” *New Left Review* 84, no. 5 (2013): 5-40.

²²⁸ See Lavinas 2013, 6.

framework and the scaling-up of anti-poverty programs focused on building human and social capital effectively paved the way for CCTs as internationally recognized social protection programs.²²⁹

According to Cristian Pérez-Muñoz, “there is nothing intrinsically wrong with CCTs” and that most of the criticisms levelled against CCTs can be resolved through better policy design.²³⁰ The purpose of this chapter is to directly respond to this claim by demonstrating how the rationale for these programs fails and how the programs are incompatible with a commitment to human rights, liberty, and efficiency, and hence with the very principles that underscore cash transfers.²³¹ Having established that the reasons offered in support for CCTs are flawed, I argue that *conditional cash transfer programs are theoretically inconsistent with the arguments used to support cash provision in the first place, and that a commitment to human rights and poverty eradication requires that states lift all persons, not just the supposedly deserving, out of poverty.* The problems with CCTs cannot be resolved through better policy design and, in fact, as I will argue in Chapters 6 and 7, rest on the existence of structural injustices in order to run *successfully*.

This chapter proceeds as follows. First, I offer a brief explanation of what these conditional cash transfer programs are, how they function, and the benefits associated with them. Second, I outline and analyze the three arguments offered as justification of when CCTs ought to be used: (i) when private investment in the human capital of children is too low; (ii) when conditioning cash on good behaviour would increase public

²²⁹ See Fabio Veras Soares and Elydia Silva, *Conditional cash transfer programmes and gender vulnerabilities in Latin America: Case studies from Brazil, Chile and Colombia*, London: Overseas Development Institute, 2010.

²³⁰ Cristian Pérez-Muñoz, “What Is Wrong with Conditional Cash Transfer Programs,” *Journal of Social Philosophy* 48, no. 4 (2017): 440.

²³¹ Chapters 6 and 7 answer the question of whether these programs are compatible with equality considerations. I argue they are not.

support making the programs better endowed and more feasible; and (iii) when parental investment in their children's human capital is not socially optimal because of market failures.²³² It is my view that all of these arguments are insufficient at establishing strong justifications for conditioning cash to the poor. Finally, I examine CCTs against the backdrop of liberty, economic efficiency, and human rights. I argue the act of conditioning removes many of the original justifications used in defending pecuniary benefits in the first place and that conditioning cash as a part of a state's social protection strategy conflicts with a commitment to human rights.

5.2. Conditional Cash Transfer Programs

Conditional cash transfer programs are a relatively novel form of state assistance first introduced in Mexico in 1997.²³³ *Progresa*, the Mexican CCT (rebranded as *Oportunidades* and later *Prospera*), was implemented to replace state supports that had previously been removed for the poor with market-friendly supports that treated beneficiaries as active participants in poverty alleviation strategies.²³⁴ *Progresa* had two major purposes: to combat poverty and gender inequality. First, the program was intended to provide poor households with a minimum consumption floor and thereby encourage an accumulation of human capital which would break the cycle of intergenerational poverty.²³⁵ Indeed, early successes of conditional cash transfer programs in places like Mexico facilitated in shifting the World Bank's view about providing direct cash transfers to the poor. This was made possible because early

²³² Fiszbein and Schady 2009.

²³³ Ibid. There is debate about whether Brazil or Mexico was the first country to adopt conditional cash transfer programs. Thank you to Laura Macdonald for highlighting this debate.

²³⁴ Lavinas 2013; Molyneux 2008.

²³⁵ Fiszbein and Schady 2009, 31.

experiences with CCTs debunked claims that “targeted programmes in poor countries [were] inevitably plagued by leakage and high administrative costs” and demonstrated how the programs were compatible with the Bank’s approach “social risk management agenda.”²³⁶ The Mexican CCT has been heralded as the gold standard and as “a model for the rest of the world” when it comes to combatting poverty.²³⁷

At a global level, more women and girls live in poverty and this means programs aimed at combatting poverty, like CCTs, might also help to reduce the feminization of poverty. This leads to the second aim of *Progresa*: combatting gender inequality. *Progresa* was introduced as a “tool for promoting gender equality, in accordance with the 1990s enthusiasm for the global gender policy paradigm.”²³⁸ Mothers were the recipients of the cash benefits as this was thought to be an important way to empower the women by providing them with a bargaining chip in intrahousehold negotiations.²³⁹ Conditions that required attendance at parenting and health workshops too could be an important factor in empowering poor mothers. According to Fiszbein and Schady, “[a]ttaching strings to the transfers by mandating specific human capital investments could strengthen the mother’s bargaining power and reinforce her ability to shift household spending and time allocation decisions.”²⁴⁰ This would be empowering since the mother’s choices were

²³⁶ During the mid-1990s, economists advocated for a “social risk management” strategy for social protection programs in the Global South that took a pro-market approach to poverty eradication. Microinsurance and microcredit programs were increasingly popular and funded by the World Bank as part of its strategy to expanded financial markets and limit the role of the state in poverty eradication. See Lavinas 2013, 14-15. Quotation at 15.

²³⁷ “A Model from Mexico for the World,” World Bank (World Bank, November 19, 2014), <https://www.worldbank.org/en/news/feature/2014/11/19/un-modelo-de-mexico-para-el-mundo>.

²³⁸ Jane Jenson and Nora Nagels, “Social Policy Instruments in Motion: Conditional Cash Transfers from Mexico to Peru,” *Social Policy and Administration* 52, no. 1 (2018): 324.

²³⁹ Fiszbein and Schady 2009, 59

²⁴⁰ Ibid.

arguably expanded and the cash increases her agency by providing her the ability to act in accordance with her preferences.

Additionally, not only would mothers become empowered, but so too would their daughters. Daughters would benefit from their parents' investment in their human capital because of the use of conditionalities like required attendance at school. As time progressed and evidence emerged, however, it was revealed that the "gender equality and empowerment objectives were not being met in Mexico" and this led to gender equality being dropped as an objective in Mexico and elsewhere "to avoid building an unattainable goal into the standard instrument being diffused."²⁴¹

The use of conditional cash transfers in a development context has increased dramatically since the programs were first introduced in 1997. While there are many differences between CCTs across nations there are also many similarities. Conditional cash transfer programs, as I delineate them, share the following general features. First, the aim of CCTs is to combat poverty and so the programs are targeted to those living below the poverty line. Second, the programs seek to end current poverty by providing cash to poor households while also attempting to break the cycle of intergenerational poverty by enacting conditions that require parents to invest in their children's health and education. A lack of adequate parental investment in the health and education of children is posited to be a driving factor in the cycle of poverty. Third, CCTs are a household entitlement given primarily to mothers as they are more likely to use the money to benefit the household rather than themselves.²⁴² Fourth, policymakers expect households to

²⁴¹ Jenson and Nagels 2018, 324.

²⁴² Some programs provide the cash to mothers as a way of empowering them as a secondary or tertiary aim of the program might be to improve the position of women.

either graduate from poverty, by becoming economically productive households, or “aging-out” of the programs. Fifth, CCTs are cash transfers paid in regular installments to households in compliance with program conditions.

Finally, conditional cash transfer programs, as their name suggests, attach conditions to the disbursement of cash to ensure parents act responsibly. Program conditions or “co-responsibilities” vary, but usually involve educational and health requirements such as sending children to school, bringing children to health centres, and having children up-to-date in vaccinations. As the primary caregiver, mothers are also typically required to attend prenatal health checks and classes on nutrition, health, and hygiene. In some cases, mothers are required to engage in domestic labour for the program by cooking and cleaning for health centres and schools, amongst other things.²⁴³ These conditions can be hard, soft, or flexible, but virtually all programs specify that households can and will be removed for failing to comply with program conditions.²⁴⁴

Evidence from conditional cash transfer programs suggests the programs can be effective in combatting poverty and encouraging parents to invest more in the health and education of their children. While the impacts vary, CCTs have a number of positive impacts including: increasing the consumption levels of the poor, reducing poverty among beneficiaries, increasing investment in children’s human capital, and combating gender inequality by increasing the bargaining power of women by giving them the cash

²⁴³Fiszbein and Schady 2009; Molyneux 2008; Leticia Bartholo, “Bolsa Familia and Gender Relations: National Survey Results,” *Policy Research Brief* 55, International Policy Centre for Inclusive Growth, 2016; Maxine Molyneux, “Mothers at the Service of the New Poverty Agenda: Progres/Oportunidades, Mexico’s Conditional Transfer Programme,” *Social Policy and Administration* 40, no. 4 (2006): 425-449; Tara Patricia Cookson, *Unjust Conditions: Women’s Work and the Hidden Cost of Cash Transfer Programs*. Oakland (CA: University of California Press, 2018).

²⁴⁴ For more on the different kinds of conditions see Pérez-Muñoz 2017, 442.

transfer.²⁴⁵ Still questions remain about the extent to which the conditions are responsible for these purported benefits or whether the cash, on its own, is sufficient for bringing about these same kinds of benefits.²⁴⁶ In the next section, I outline the rationale for implementing these conditional cash programs and, in doing so, challenge the argumentation offered in support of CCTs.

5.3. Three Arguments in Support

According to proponents of conditional cash transfers, there are at least three contexts in which CCTs are preferable to redistribution through in-kind or unconditional cash transfers. Writing on behalf of the World Bank, Ariel Fiszbein and Norbert Schady claim conditioning cash is justified when: (i) private investment in the human capital of children is too low; (ii) conditioning cash on good behaviour would increase public support making the programs better endowed and more feasible; and (iii) parental investment in their children's human capital is not socially optimal because of market failures.²⁴⁷ In this section, I offer an analysis of the underlying rationale behind each of these claims, and conclude that none of these arguments offer sufficient justifications for

²⁴⁵ See Ariel Fiszbein and Norbert Schady 2009; Soares and Silva 2010; Naila Kabeer, Caio Piza, and Linnet Taylor, *What are the economic impacts of conditional cash transfer programmes?: A systematic review of the evidence. Technical report*. London: EPPI-Centre, Social Science Research Unit, Institute of Education, University of London, 2012; Food and Agriculture Organization of the United Nations, *VI International Seminar on Conditional Cash Transfers: Conditional Cash Transfer Programs from a Human Rights Approach Analytical Guidelines*, (29-30 September, 2011); Moira Nelson and Johan Sandberg, "From perspective to policy contingencies: Conditional cash transfers as social investments," *Global Social Policy* 17, no. 1 (2016): 21-37; Wagner A. Kamakura and Jose Afonso Mazzon, "Measuring the Impact of a Conditional Cash Transfer Program on Consumption Behaviour with Propensity Scoring," *Customer Needs and Solutions* 2, no. 4 (2015): 302-316; Lia C. H. Fernald, Rose M. C. Kagawa, Heather A. Knauer, and Lourdes Schnaas, "Promoting Child Development Through Group-Based Parent Support Within a Cash Transfer Program: Experimental Effects on Children's Outcomes," *Development Psychology* 53, no. 2 (2017): 222-236; Katy Ann Bergstrom and William Dodds, "The Targeting Benefit of Conditional Cash Transfers" (January 6, 2020), World Bank Policy Research Working Paper No. 9101.

²⁴⁶ UK Department for International Development (DFID), *Cash Transfers: Evidence Paper*, 2011.

²⁴⁷ Fiszbein and Schady 2009.

conditioning cash to impoverished households. It is my view that all three arguments ultimately fall short in establishing the need for conditioning cash.

The first argument Fiszbein and Schady offer in support of conditioning cash to the poor is rooted in the idea that the poor do not invest enough in the human capital of their children. CCTs are the solution when poor parents fail to adequately invest in their children. Parents can be mistaken or misguided about what is in the best interests of their child and need to be guided into making better choices. Conditioning cash teaches parents the importance of human capital accumulation and encourages them to alter their behaviour and spending habits.²⁴⁸ Specifically, paternalistic policies are necessary “if the individuals in question hold persistently erroneous beliefs; if they are not unitary agents, but households within which there may be conflicts of interest; or if they behave myopically.”²⁴⁹ The poor are often claimed to be especially prone to these phenomena and so governments may be justified in employing paternalistic policies since the poor “are not capable of choosing what is in their best interests” or the best interests of their child.²⁵⁰ By attaching conditions to cash governments can encourage parents to modify their behaviour in ways that will enable their children to become productive contributors to society thereby freeing themselves from poverty.

Fiszbein and Schady posit that inadequate parental investment largely stems from two problems. First, parents may fail to make the proper investments in their children’s health and education because they hold mistaken or misguided views about the value of education and health. Second, parents may fail to make proper investments in their

²⁴⁸ Ibid., 51-59.

²⁴⁹ Fiszbein and Schady 2009, 51.

²⁵⁰ Ibid.

children's wellbeing because they act out of "incomplete altruism" by making decisions that are inconsistent with what the child, if fully rational, would have chosen for herself.²⁵¹ Parents may make misinformed decisions about what is in the best interest of their children, especially when it comes to health and education, precisely because they are poorly informed about the benefits or expected future gains because the benefits may take a long time to become known.

Correcting these parental failures must be done through compulsory parenting workshops because parents need to learn the importance of investing in their children's human capital *and* because other kinds of policies would be too resource- and time-intensive to be considered efficient ways of modifying parents' behaviour. This is especially pertinent since misguided and misinformed beliefs are often self-reinforcing. For example, a passive provision of information in the form of a voluntary workshop might lead parents, who think they hold correct views, to erroneously believe they do not need any additional information and so skip voluntary parenting workshops. Requiring parents to attend information sessions or other activities, for cash disbursement, is said to be better at correcting beliefs as opposed to passively providing information.

The second argument Fiszbein and Schady offer in support of conditioning cash to the poor has to do with the political economy of funding redistribution.²⁵² Budgeting allocations are the outcome of political processes that involve voting, lobbying, and bureaucratic and interagency bargaining. When implementing social protection programs, we need to know where the financing is coming from and how well supported the program is. The practice of attaching conditions to disbursement of cash "may have less

²⁵¹ Ibid., 9 and 53-59.

²⁵² Ibid., 59-64.

to do with gains in programme effectiveness and more to do with the politics of securing support for tax-financed redistributive programmes.”²⁵³ The greater the level of public and political support for a program, the better endowed it tends to be making the program more likely to benefit the intended targets.²⁵⁴

Conditional cash transfers are capable of garnering better public support since many taxpayers are generally uninterested in redistributing resources to the *non-deserving* in society. According to Fiszbein and Schady, voters are primarily self-interested when it comes to government redistribution and only care about how much tax they pay versus the benefits they receive through redistributive policies. When it comes to redistributive policies, taxpayers and government officials may only be prepared to support redistributive policies that are conditioned on a parent’s willingness to invest in their children. Taxpayers may be prepared to pay for targeted transfers to the *responsible poor* or the *deserving poor* – but not to the *lazy poor* or the *undeserving poor*.²⁵⁵

CCTs may be preferable to other anti-poverty programs because attaching conditions represents a policy tool that the poor can use to demonstrate their desire to work hard and be prudent rather than be passive recipients of government handouts. These conditions or “co-responsibilities” can be seen as a manifestation of a “part of a social contract whereby society (through the state) supports those households that are ready to make the effort to ‘improve their lives’ – *the deserving poor*.”²⁵⁶ Of course, this means that unconditional cash transfers may be preferable when there is little evidence that parents

²⁵³ UK Department for International Development (DFID) 2011, iv.

²⁵⁴ Fiszbein and Schady 2009, 59-64.

²⁵⁵ The “non-deserving” might include those who are unwilling to help themselves out of poverty or caused their poverty due to their own bad choices.

²⁵⁶ Fiszbein and Schady 2009, 60. Emphasis in original.

are under-investing in their children's human capital, or when voters do not need "co-responsibilities" attached to redistributive programs in order to support them.²⁵⁷

The final argument Fiszbein and Schady offer in support of conditioning cash to the poor is rooted in social efficiency. As they put it, "if investments in human capital generate positive externalities that parents do not take into account when making decisions, then the aggregate (market equilibrium) level of human capital in society will be inefficiently low."²⁵⁸ For example, "externalities might arise in the case of education if there are increasing returns to skilled labour in production, at the aggregate level."²⁵⁹ Conditions might be interpreted as a way of encouraging parents to exercise their rights to free education or free health care. The concern is that there may be obstacles to accessing certain public goods and services preventing a family from being able to access the service. In the case of both education and health care, positive externalities might arise from more educated and healthier citizens. Education tends to lower crime levels and so governments might condition cash on receiving certain levels of education as a way of reducing crime and incarceration rates.²⁶⁰ Investment in health and nutrition also have important external benefits such as higher educational achievements and future income – both of which are important features of combatting poverty.

Fiszbein and Schady concede that it is unclear how large these external benefits are and whether CCTs or cash transfers more broadly are the best mode of achieving them. Since education and health services are publicly funded in many countries these services are often provided free of charge. Arguing for additional subsidies to compensate

²⁵⁷ Ibid., 66.

²⁵⁸ Ibid., 64.

²⁵⁹ Fiszbein and Schady 2009, 65.

²⁶⁰ Ibid., 65.

households for the indirect opportunity costs of using these services, on the basis of externalities alone, would require proving the externalities are substantially large. We are left to wonder whether CCTs are the most effective way to address inefficiently low levels of human capital in society, or whether CCTs enable citizens to take up and exercise their rights.

Despite the lengths Fiszbein and Schady go to justify the use of conditional cash transfers, there are many worries one can raise against their claims. These difficulties stem from a range of worries about the underlying rationales used to validate conditional cash transfer programs. It is to these worries I now turn.

5.3.1. Lack of Parental Investment as a Supply Side Problem

According to Fiszbein and Schady, low private investment in children's human capital is a driving force behind the use of CCTs and arises from parents' misguided or mistaken belief, or incomplete altruism. This would mean the low investment is largely a demand-side problem and that changing the attitude of the poor about the importance of these investments would result in an uptake of health and education services. This, I argue, is mistaken. There is little evidence to support this claim which rests on an untested assumption. The implementation of CCTs has "rarely ever been preceded by ex-ante analyses that determined insufficient human capital investments among the poor be primarily a demand-driven problem."²⁶¹

Where health and education systems are inadequate, underfunded, of poor quality, or subject users to discrimination or stigmatization, individuals may have good reasons for not utilizing these government-funded services. Where these services exist, but are of low

²⁶¹ Nelson and Sandberg, 2016, 29.

quality, it may be both reasonable and justifiable for parents to keep their children home. Studies are needed to establish whether parents see education or health as a useless investment, or whether they are hesitant to send their children to particular facilities because the service providers discriminate against them and/or provide poor quality service.

As it turns out, the success of CCTs is heavily dependent on the poor having access to high quality health and education services. It makes little sense to condition cash on the use of ineffective services as a sustainable pathway out of poverty.²⁶² Conditioning cash on the uptake of subpar services obscures the obligations of governments to ensure their citizens have access to quality services. It also shifts responsibility for poor health and education indicators onto the poor who require assistance in improving these indicators.²⁶³

Conditioning cash is of little value when it comes to increasing human capital in contexts where lack of investment is a supply-side problem. Conditioning cash on school attendance means parents are forced to send their children to school even if no instructor is there to teach. Parents send children to school to remain compliant with the program knowing their child spends the day playing outside the school, receiving only brief periods of instruction, because of high rates of teacher absenteeism.²⁶⁴ When teachers are present their lessons may also be subpar because remote and rural communities often face

²⁶² Ibid.

²⁶³ Lavinás 2013, 21. See also Lucy Luccisano, "Mexico's Progresa Program (1997-2000): An Example of Neo-Liberal Poverty Alleviation Programs Concerned with Gender, Human Capital Development, Responsibility, and Choice," *Journal of Poverty* 8, no. 4 (2004): 31-57.

²⁶⁴ Cookson 2018, 58-75.

difficulties in securing high quality instructors.²⁶⁵ In these cases, the blame lies not on teachers for providing low-quality instruction, but on “an underfunded system that does not adequately invest in training and resources, particularly in rural areas.”²⁶⁶ In larger classes with higher quality instruction, teachers may also tend to focus their attention on children from less impoverished backgrounds at the expense of those students most in need of educational supports because of their impoverished circumstances.²⁶⁷

Similarly, program conditions often require parents bring their children to health clinics for medical visit or that mothers receive prenatal care. However, many of the health centres in remote and rural communities are poorly funded and of low quality. Clinics may be poorly staffed, have inadequate resources to cope with the increased demand for services, and are sometimes closed without warning.²⁶⁸ The mere fact that mothers send their children to school or take them to clinics in order to be compliant with the program mandates does “not prove that the quality of services provided by the state is adequate; all they prove is that desperately poor families do indeed need every little bit of help.”²⁶⁹

If it is true that supply-side issues are a major contributor to the lack of uptake, then there seems to be a strong justification for states to provide higher quality education and health services. Increasing health and education expenditures may result in higher rates of school attendance and health appointments with needing to resort to conditionalities. As argued in Chapter 4, in-kind goods like health care and education are justifiable

²⁶⁵ Cookson observed that many of the teachers in remote and rural communities, the target communities for Peru’s *Juntos* CCT, had not passed the qualifying professional exam. One region had 500 teaching spots and was forced to hire individuals who had failed the exam. See Cookson 2018.

²⁶⁶ Cookson 2018, 60.

²⁶⁷ Hanlon, Barrientos, and Hulme 2010, 135.

²⁶⁸ Cookson 2018, 71.

²⁶⁹ Ibid.

components of a robust social protection program. Individuals need sustainable access to high quality health and education services and cash transfers are a necessary precondition for accessing these in-kind provisions. But cash transfers cannot solve the problem of subpar services.

Additionally, placing conditions on the disbursement of cash may result in compliance for the sake of cash and not because parental attitudes have shifted. This is especially true for behaviours that require ongoing reinforcement.²⁷⁰ Poor parents may only maintain the desired behaviours while receiving the cash. Once the cash disappears so too could the desired behaviour because the conditions did not change parental attitudes. Contrary to the assertions of Fiszbein and Schady, conditioning cash on parenting and health workshops, school attendance, or medical checks may not result in durable gains to health or education. Conditioning cash is not the best way to re-educate parents or incentivize responsible behaviour.

5.3.2. Public Support and Program Feasibility

A second set of difficulties arises with regards to Fiszbein and Schady's claim that conditioning on good behaviour is justified when doing so would increase public support for the programs making them better endowed. Drawing on the ultimatum game, Fiszbein and Schady claim that taxpayers are primarily interested in redistributing state resources along the lines of merit and are deeply self-interested when it comes to (re)distributive policies.²⁷¹ Perceptions of "fair distributions" are influenced by the merits of the

²⁷⁰ See Carleigh B. Krubiner and Maria W. Merritt, "Which strings attached: ethical considerations for selecting appropriate conditionalities in conditional cash transfer programmes," *Journal of Medical Ethics* 43, no. 3 (2017): 167-176.

²⁷¹ The ultimatum game is an economics experiment where two parties interact anonymously on one occasion. According to the rules of the game, the player A must propose how to divide a sum of money

recipients. Problematically, the ultimatum game occurs in a context where players do not know one another and engage in one distributive interaction. This anonymity raises serious ethical concerns given that such conditions rarely, if ever, exist in the real world. It might be plausible to claim that under closed circumstances of the sort used by game theorists, these results might present themselves; but outside of these conditions, people are motivated by considerations other than desert. Individuals are also motivated to distribute resources along the lines of equality and need.²⁷²

More worrisome is the fact that CCTs may not be able to garner the degree of political and public support Fiszbein and Schady claim they do. According to Walter Korpi and Joakim Palme, the more a country exclusively targets the poor with social programs, the less redistribution occurs, and the less inequality and poverty are reduced. This is known as the “paradox of redistribution.”²⁷³ Programs with a high degree of low-income targeting tend to have smaller redistributive budgets because the programs do not have the support of the middle and working classes. Governments that implement highly targeted welfare programs engage in a trade-off between the level of low-income targeting and the size of the redistributive budget.

with the player B. If the B rejects the “solution” then neither party gets any money. It is in player A’s best interests to opt for a distributive solution that B would accept, but that also allows A to keep as much money as possible. This is known as the Nash equilibrium. See Fiszbein and Schady 2010, 61.

²⁷² See John T. Scott, Richard E. Matland, Philip A. Michelbach, and Brian H. Bornstein, “Just Deserts: An Experimental Study of Distributive Justice Norms,” *American Journal of Political Science* 45, no. 4 (2001): 749-767; Norman Frohlich, Joe A. Oppenheimer, and Cheryl L. Eavey, “Choices of Principles of Distributive Justice in Experimental Groups,” *American Journal of Political Science* 31, no. 3 (1987): 606-636; Brock, Gillian. *Global Justice: A Cosmopolitan Account*. New York, NY: Oxford University Press, 2009.

²⁷³ Walter Korpi, and Joakim Palme, “The Paradox of Redistribution and Strategies of Equality: Welfare State Institutions, Inequality, and Poverty in Western Countries,” *American Sociological Review* 63, no. 5 (1998): 661-687.

CCTs are less likely to be supported because they are highly targeted programs aimed not just at the poor, but a subset of the poor: *the deserving poor*. This high degree of targeting means that much of the population receives little benefit from these programs. According to the paradox of redistribution this leaves the programs less well supported by the public and also less endowed. This is empirically substantiated by Mexico's conditional cash program. Twenty-one years after its inception in 1997, the Mexican government abolished the CCT – *Progresa/Oportunidades/Prospera* - with little to no protest from the Mexican population or the millions of households enrolled in the program. This suggests public support of the program was less than ideal.²⁷⁴

Worse still, highly targeted programs, like CCTs, thwart transitions from targeted programs to more universal ones, even though universal programs tend to garner more support. Evidence suggests that “by providing high-income earners with earnings-related benefits, encompassing social insurance institutions can reduce inequality and poverty more efficiently than can flat-rate or targeted benefits.”²⁷⁵ In direct response to the arguments offered by Fiszbein and Schady, universalistic earnings-related programs are popular and citizens do not “balk at the tax levels required to sustain them and at the budget deficits they may generate.”²⁷⁶ Conditioning cash does not garner increased public support nor does it make programs better endowed.

²⁷⁴ Stephen Kidd, “The demise of Mexico’s Prospera programme: a tragedy foretold,” Development Pathways, February 6, 2019. Accessed November 11, 2020 <https://www.developmentpathways.co.uk/blog/the-demise-of-mexicos-prospera-programme-a-tragedy-foretold/>.

²⁷⁵ Korpi and Palme 1998, 681.

²⁷⁶ Ibid., 683.

5.4. Liberty, Economic Efficiency, and Human Rights

Having established some of the problems associated with defenses of conditional cash transfer programs, I now proceed to show why CCTs are incompatible with the political principles typically invoked in defense of cash transfers, as outlined in Chapter 4. I argue CCTs are theoretically inconsistent with the arguments used to support cash transfers in the first place and that a commitment to human rights and poverty eradication requires states to lift all persons out of poverty.

5.4.1. Liberty and Paternalism

Recall that appeals to liberty and freedom are commonly invoked in defense of cash benefits. Cash transfers enable beneficiaries to pursue their conception of the good and exercise high levels of agency in line with their discrete preferences. CCTs are arguably liberty-respecting since they provide cash, rather than in-kind goods, and this allows for a higher degree of agency on the part of the beneficiary. Increasing agency and expanding the choices available to households is important since these are both intimately connected with the arguments around empowerment discussed in Chapter 3. When assessing the theory behind conditional cash transfers, however, we must ask whether the programs are paternalistic and whether this paternalism is defensible. It is my contention that CCTs are not only a form of paternalism, but that they are objectionably paternalistic because the programs unnecessarily limit the freedom of beneficiaries.

Broadly, paternalism is “the interference of a state or an individual with another person, against their will, and defended or motivated by the claim that the person interfered with will be better off or protected from harm.”²⁷⁷ Individuals on the receiving

²⁷⁷ Dworkin 2020.

end of paternalism may be treated as if they cannot be trusted to act in their own best interests as when in-kind provisions aimed at the poor are justified because the poor are irresponsible spenders. This can have the effect of treating people as if they are less than fully rational.

Of course, some forms of paternalism are acceptable. Seat belt laws promote public safety while driving. As do laws requiring helmets on motorcycles. During a global pandemic, governments might limit international travel, require masks be worn in public spaces, and limit the size of gatherings to reduce the spread of an outbreak or protect the health infrastructure. And this may well be justified even though it limits the agency of persons. So, when might paternalism be justified?

According to libertarian-paternalists Richard Thaler and Cass Sunstein, paternalism in public and private policies is permissible when it will help people pursue their conception of the good and does not burden those exercising their freedoms.²⁷⁸ They endorse a weak form of paternalism where it is legitimate for choice architects to attempt to influence individuals' behaviour in order to make their lives better, longer, and healthier, as long as it is nonintrusive, does not block off choices, or does not significantly burden those who wish to choose otherwise. In brief, "self-conscious efforts, by institutions in the private sector and also by government, to steer people's choices in directions that will improve their lives" and that "will make choosers better off, as *judged by themselves*" are justifiable.²⁷⁹

Paternalistic policies are only justified when they *nudge* individuals into making better choices, as judged by the chooser. A nudge is "any aspect of the choice

²⁷⁸ Thaler and Sunstein 2009.

²⁷⁹ Thaler and Sunstein 2009, 5. Emphasis in original.

architecture that alters people's behaviour in a predictable way without forbidding any options or significantly changing their economic incentives."²⁸⁰ Nudges are intended to be cheap and easy to avoid so as to impose low burdens on taxpayers and to maximize respect for individual liberty. Smart energy meters, carbon labels, or default options are all different kinds of nudges. Good nudges encourage certain choices, say reducing your carbon footprint, in ways that are transparent and allow choice to be retained. Could CCTs be justified as a nudge of the sort that Thaler and Sunstein allow for?

Proponents of CCTs might argue the conditions merely nudge parents into making investments in their children's health and wellbeing. Poor parents fail to act in the best interests of their children because they hold persistently erroneous beliefs about the value of human capital investment or suffer from misguided altruism. The parents likely want to act in the best interests of their children but do not know how to do so. Conditioning cash on health and education milestones or other activities might incentivize parents to invest or invest more in their children's wellbeing. Placing conditions on the cash transfers could also be justified if the conditions are meant to encourage recipients to lead better, healthier, and longer lives while not being overly burdensome. Unfortunately, this is not the case.

Conditional cash transfers are not mere nudges. CCTs go well beyond the realm of a nudge acting more analogous to a strong shove towards certain decisions; a shove that comes attached with the threat of program removal for noncompliance for already vulnerable households. CCTs are not a weak form of paternalism since they require parents to adhere to certain activities to receive benefits, and the ability to choose

²⁸⁰ Ibid., 6.

otherwise is severely hampered by the threat of sanctions and removal. Additionally, CCTs are costly social protection programs that arguably impose a hefty cost on taxpayers because of the high administrative costs associated with training staff and monitoring compliance.

More to the point, as will be discussed in Chapters 6 and 7, CCTs mandate mothers to perform highly gendered labour for the sake of the programs. The conditions incentivize mothers to engage in patriarchally prescribed and burdensome labour in order to access cash and, in doing so, may negatively impact their own life prospects for the sake of their children. Moreover, when governments implement CCTs, they simultaneously assert that mothers will act in the best interest of their child – since this is the reason why cash is given to mothers in the first place – and, paradoxically, that parents are unable to make decisions in the best interest of their child without the government explicitly mandating what good parenting entails using behavioural conditions.

Perhaps a different view of paternalism can be used to justify the programs– one that does not rest on the assumption that paternalism must be liberty restricting. Douglas MacKay offers a different view of paternalism. Welfare state paternalism occurs when a government (A) acts paternalistically towards citizen (B) by implementing policy (C) if and only if:

- I. C aims to improve B's good or wellbeing;
- II. C is implemented without B's consent; and
- III. A's implementation of C is motivated by or expresses a negative judgement about B's self-governance or decision-making abilities – i.e. practical reasoning, emotional management, and willpower.²⁸¹

²⁸¹ MacKay 2019a, 431.

By welfare policies, MacKay means programs like cash transfers, food stamps, and subsidized health care which are intended to raise a person's standard of living despite their participation in the labour market. Not all welfare programs – even those offered in-kind or with strings attached – will be cases of welfare state paternalism because the motivation for these programs may not be rooted in or express a negative judgement about a citizen's ability to make good decisions. But many welfare programs will be examples of welfare state paternalism. If, knowing they have a duty to redistribute income to the poor, governments opt for in-kind goods or place conditions on receipt of in-kind or cash transfers, then the state acts paternalistically when it appeals to the belief that individuals cannot be trusted to use cash wisely or will be worse off because of their poor judgement.²⁸²

Even though welfare policies that express or are motivated by a negative judgement about the beneficiary are paternalistic they may still be justifiable. MacKay's main conclusion is that "welfare policies that provide in-kind benefits or place conditions on the receipt of benefits are neither as paternalistic, nor as objectionably paternalistic, as some commentators might think", thereby making the case that paternalism is not always a reason to favour unconditional cash grants or a basic income.²⁸³ MacKay defends these programs by suggesting there are instances where in-kind benefits are superior to cash alternatives, and that despite being *pro tanto* wrong, such programs are on balance permissible.²⁸⁴

²⁸² Ibid., 433.

²⁸³ Ibid., 424.

²⁸⁴ Chapter 4 shows how proponents of conditional cash transfers justify the programs by making negative judgements about citizens. In this case, CCTs are justified because poor parents make bad decisions about the health and wellbeing of their children.

But state welfare policies are not always put in place for the sake of adult beneficiaries and their wellbeing. Governments often adopt welfare policies to influence parents in ways that will ensure they make decisions in the best interests of their children. CCTs are not just examples of welfare state paternalism; they are also examples of what MacKay calls “parent-targeted paternalism.”²⁸⁵ According to MacKay, Government A acts paternalistically towards parent B by implementing law or policy C if and only if:

1. C is implemented without B’s consent; and,
2. A’s implementation of C is motivated by or expresses a negative judgement about B’s decision-making abilities in the parental sphere.²⁸⁶

This means that when evaluating CCTs as possible cases of welfare state paternalism or parent-targeted paternalism, we must examine the underlying rationale behind conditional cash transfers in a development context. It is for this reason that section 5.4. outlined the arguments for CCTs in some detail as this help establishes the motivation for the programs.

According to MacKay, CCTs may well count as cases of parent-targeted paternalism. What matters and must be unpacked is a particular government’s reasoning behind the implementation of these conditional anti-poverty programs. We must know what the motivations of the legislators are. For MacKay, “a law or policy is motivated by a negative judgment about people’s self-governance abilities if this judgement makes a significant and decisive contribution to an agent’s endorsement of the law or policy in question” where a judgement makes a significant and decisive contribution to an

²⁸⁵ Douglas MacKay, “Parenting the Parents: The Ethics of Parent-Targeted Paternalism in the Context of Anti-Poverty Policies,” in *Philosophy and Child Poverty: Reflections on the Ethics and Politics of Poor Children and their Families*, ed. Nicolás Brando and Gottfried Schweiger (Cham, Switzerland: Springer, 2019b), 321-340.

²⁸⁶ Ibid.

endorsement of a policy or law “if it is a principal reason for supporting it” and “if absent this judgement, the agent would not endorse it.”²⁸⁷

The underlying rationale for Brazil’s *Bolsa Familia*, for example, might be that the conditions will incentivize parents to make certain kinds of decisions about investing in their children. The motivation behind the conditionalities seems to be motivated by a negative judgement about the beneficiaries’ abilities to use unconditional cash transfers responsibly. Had legislators not rested on the assumption that beneficiaries cannot be trusted to use cash wisely or to make proper investments in their children, they would have designed the program to have unconditional cash transfers instead.²⁸⁸ Of course, it is possible that the legislators opted for CCTs to reduce financial barriers to accessing crucial health and education services that are publicly available to them. When this is the motivation for conditionalities, CCTs are not, MacKay claims, examples of parent-targeted paternalism.

Still, once we know whether a welfare program is paternalistic in the way MacKay outlines, additional steps are needed to determine whether the program is pro tanto wrong and, if it is, whether the use of conditions, in this case, are on balance permissible.²⁸⁹ When parent-targeted paternalism is directed at parents who meet a certain threshold of parental competency it is pro tanto wrong. Such programs are wrong insofar as they disrespect people who ought to be considered as equal autonomous agents.²⁹⁰

CCTs disrespect parents as equal autonomous agents insofar as one of the strongest reasons for implementing the programs rests on the assumption that poor parents are

²⁸⁷ MacKay 2019a, 429.

²⁸⁸ MacKay 2019b.

²⁸⁹ Ibid.

²⁹⁰ Ibid.

mistaken or misguided about how to act in the best interests of their children. Of course, there are degrees of wrongness. MacKay suggests we examine the wrongness of a policy by examining the extent to which the policy wrongs a larger number of people (horizontal dimension) and the intensity of the wrong that the policy inflicts on individuals who are subject to it (vertical dimension).²⁹¹ On its own, the charge of paternalism does not amount to a sufficient critique against the government provision of in-kind benefits or conditioning benefits on certain activities, especially if the benefits of the program outweigh or balance out the paternalistic concerns.

In response to questions of cash or in-kind transfers, Lester Thurow argued the burden of proof for providing vouchers in place of cash lay with those seeking to limit liberty.²⁹² To this end, those who suggest it may be justifiable to implement policies that are cases of parent-targeted paternalism must explain how the programs are, nevertheless, not objectionably paternalistic and so are on balance permissible. The burden of proof lies with those advocating for CCTs to explain how the programs overcome the charge of objectionable paternalism given that the programs, even in theory, are motivated by and express negative judgement of parents' decision-making. This is crucial since a growing body of evidence shows how poor parents can be trusted to make decisions about the wellbeing of their children because they do send them to school and clinics when given

²⁹¹ As per the horizontal dimension, the wrongness of a policy will depend on the number of people of who consented to the policy and the number of people targeted by the policy who are competent agents rather than incompetent agents. Along the vertical dimension, the wrongness will depend on (i) if the policy is disrespectful to their targets qua equal autonomous agents and thereby rest on the judgement that they have deficient decision-making capacities; (ii) whether they polices concerns people's goals or values or just the means to realize these goals and values; (iii) the extent to which a policy singles out a particular population as being deficient their decision-making abilities; (iv) the degree of support for it among the targeted population; (v) the degree to which the policy infringes on people's autonomy rights. See MacKay 2019a.

²⁹² Lester C. Thurow, "Government Expenditures: Cash or In-Kind Aid?" *Philosophy and Public Affairs* 5, no. 4 (1976): 361-381.

unconditional cash transfers.²⁹³ Many of the same benefits, if not more, are reported from unconditional cash transfers (UCTs). This suggests it is the cash – and not the conditions – that improves parental investment in the human capital of children and thereby improves the health and education outcomes of children.

While I broadly agree with MacKay on the framing of parent-targeted paternalism, I think it is also important to examine the underlying motivations for the very existence of the programs being evaluated at the level of theory. On his account, we need to examine the motivations of particular governments to establish the basis for claiming the programs are motivated by or express negative judgements about parents. While this is, of course, an important factor in establishing whether such programs are paternalistic; it is also imperative that the context and underlying rationale for CCTs writ large plays a role in

²⁹³ Stephen Kidd, “To Condition or Not to Condition: What is the Evidence?” *Pathways Perspectives on social policy in international development*, no. 20 (2016): 1-5; Abhijit Banerjee, Rema Hanna, Gabriel E. Kreindler, and Benjamin A. Olken, “Debunking the Stereotype of the Lazy Welfare Recipient: Evidence from Cash Transfer Programs,” *The World Bank Research Observer* 32, no. 2 (2017): 155-184; Johannes Haushofer and Jeremy Shapiro, “Policy Brief: Impacts of Unconditional Cash Transfers, 2013; Johannes Haushofer and Jeremy Shapiro, “The Short-Term Impact of Unconditional Cash Transfers to the Poor: Experimental Evidence from Kenya,” *The Quarterly Journal of Economics* 131, no. 4 (2016): 1973-2042; Sudhanshu Handa, Silvio Daidone, Amber Peterman, Benjamin Davis, Audrey Pereira, Tia Palermo, and Jennifer Yablonski, “Myth-Busting? Confronting Six Common Perceptions about Unconditional Cash Transfers as a Poverty Reduction Strategy in Africa,” *The World Bank Research Observer* 33, no 2 (2018): 259-298; Christopher Blattman and Paul Niehaus, “Show them the money: why giving cash helps alleviate poverty,” *Foreign Affairs* 93, no. 3 (2014); Cookson 2018; Evelyn L. Forget, Alexander D. Peden, and Stephenson B. Strobel. “Cash Transfers, Basic Income and Community Building,” *Social Inclusion* 1, no. 2 (2013): 84-91; Gustavo Canavire-Bacarreza, Alberto Chong, Fernando Rios-Avila, and Monica Yanez-Pagans, “Will Elders Provide for Their Grandchildren?: Unconditional Cash Transfers and Educational Expenditures in Bolivia,” *Policy Research Working Paper 8176*, World Bank Group, 2017; Ingrid Woolard and Murray Leibbrandt, *The Evolution and Impact of Unconditional Cash Transfers in South Africa*, A Southern Africa Labour and Development Research Unit Working Paper Number 51. Cape Town: SALDRU, University of Cape Town, 2010; Kelly Kilburn, Harsha Thirumurthy, Carolyn Tucker Halpern, Audrey Pettifor, and Sudhanshu Handa, “Effects of a Large-Scale Unconditional Cash Transfer Program on Mental Health Outcomes of Young People in Kenya,” *Journal of Adolescent Health* 58, no. 2 (2016): 223-229; Jennifer Scott, Caroline Marquer, Fatou Berthe, Eric-Alain Ategbo, Rebecca F. Grais, and Céline Langendorf, “The gender, social and cultural influences on the management and use of unconditional cash transfers in Niger: a qualitative study,” *Public Health Nutrition* 20, no. 9 (2017): 1657-1665; Sudhanshu Handa, Luisa Natali, David Seidenfled, Gelson Tembo, and Benjamin Davis, “Can Unconditional Cash Transfers Lead to Sustainable Poverty Reduction? Evidence from two government-led programmes in Zambia,” *Innocenti Working Paper WP-2016-21*, UNICEF, 2016.

the use of these programs. Two of the three arguments offered by Fiszbein and Schady as justification for CCTs are (1) when a family's *privately chosen* investment in children's human capital is too low; and (2) when conditioning cash on good behaviour would increase public and political support for the programs.²⁹⁴ Despite the rationale a government might rely on, the theory behind CCTs is rooted in the view that poor parents cannot be trusted *and* that the general public believes only the deserving poor, those who are poor through no fault of their own and/or act responsibly by complying with conditions, should be eligible for assistance. These negative judgements make a significant and decisive contribution to policymakers' endorsement of the programs. So too do these negative judgements play a role in the World Bank's funding of these sorts of anti-poverty programs.²⁹⁵ Absent this judgement, they would likely opt for unconditional cash transfers.

5.4.2. Economic Efficiency

CCTs are problematic from the standpoint of liberty considerations and paternalism. We must now consider how they stack up against efficiency considerations. One might defend CCTs by claiming the programs are more efficient than the alternatives. Where economic efficiency is prioritized, conditioning cash may be seen as a way of increasing the likelihood of certain outcomes at a lower cost to taxpayers. Given their highly targeted nature, CCTs might be understood as a cost-effective anti-poverty strategy because the programs not only target the poor but, even more narrowly, are only targeted

²⁹⁴ The third argument about social efficiency receives little attention in Fiszbein and Schady's analysis which suggests that the real rationale is modifying the behaviour and attitudes of poor parents and that policymakers and the public believe the poor cannot be trusted to use money wisely. Fiszbein and Schady 2009.

²⁹⁵ Fiszbein and Schady 2009 is a World Bank Policy Research Report.

to poor households willing to comply with program mandates. This means the state can save money because the programs are not intended to support the non-deserving poor. Because unconditional cash transfers targeted to the poor would go to all poor households – not just compliant ones - the cost per unit of outcome would likely be higher with unconditional cash programs. This is because UCTs provide cash to families who would otherwise choose not to comply with conditions if the program was conditional.²⁹⁶

CCTs are not particularly efficient programs and so stand in opposition to yet another political value that typically favours cash over in-kind benefits. To claim these programs are efficient is to fail to undertake a full accounting of the costs associated with these programs. For one thing, an accounting needs to be done to determine whether the high administrative costs associated with training employees to monitor compliance and manage the program is offset by the cheaper cost per unit of outcome. If it is, then the programs may represent good value for money to taxpayers. However, we also need to know whether there are other costs associated with CCTs that may pose serious problems to the claim that the programs are efficient.

Efficiency is never neutral and so we must ask who benefits from so-called efficient programs?²⁹⁷ One of the concerns about a prioritization of economic efficiency when it comes to social protection programs is that redistribution will be done on the basis of what is efficient and not necessarily what is “fair” or “equal.”²⁹⁸ Economic efficiency and its reliance on free markets as the pathway to wellbeing “produces incentives for maximizing overall resources and individual responsibility, thereby making society better

²⁹⁶ Forget, Peden, and Strobel 2013, 90.

²⁹⁷ Stone 2002.

²⁹⁸ Martha T. McCluskey, “Efficiency and Social Citizenship: Challenging the Neoliberal Attack on the Welfare State,” *Indiana Law Journal* 78, no. 2 (2003): 783-874.

off in the long run in spite of harsh short-term effects on some people.”²⁹⁹ According to Martha McCluskey, the problem with an emphasis on efficiency “is not that it promotes individual self-interest over community solidarity, or economic growth over social equity.” The problem is an emphasis on efficiency “embraces a racialized, genderized, and class-biased vision of social equity and community solidarity that favors the interests of the most privileged members of society.”³⁰⁰

Rather than the state taking responsibility for providing care to its citizens, CCTs reinforce care as a social expectation that women are assumed and, in this case, required to perform in exchange for cash. Since the cash is given to women who are primarily responsible for care and domestic work in these program contexts, including taking care of children, women are generally responsible for fulfilling the program conditions or “co-responsibilities.” This has the effect of placing the burden of childcare and social development squarely on the shoulders of the family – the mothers explicitly – rather than on the state. Where women are assumed to be selfless mothers, fathers are presumed to be selfish agents who spend money to the detriment of the household’s wellbeing.³⁰¹ These assumptions about men and women are damaging since they result in the overburdening of women, by making them responsible for poverty eradication and health and education outcomes, and also dismiss the important role fathers may play in combatting poverty.³⁰² This has the effect of not only instrumentalizing women’s empowerment, because investing in women is “smart economics,” but, as I will argue in

²⁹⁹ Ibid., 785.

³⁰⁰ Ibid.

³⁰¹ Fiszbein and Schady 2009.

³⁰² See Luccisano 2004; Bedford 2009; Wilson 2015.

coming chapters, also reinforcing gender norms and the gendered obligations of women by extending unequal structures of gender.

One concern, then, when it comes to social protection programs is that lower-cost programs tend to mean that the expense is borne by women, who must labour unpaid on the state's behalf. As discussed in Chapters 2 and 3, women and girls are often treated instrumentally by anti-poverty programs and gender equality initiatives are often deprioritized when doing so benefits poverty eradication strategies. This has meant government increasingly rely on women's unpaid labour to subsidize the cost of expensive social protection programs. CCTs, then, may only appear to be less costly because they impose a high cost on female beneficiaries. It is only because the women shoulder this burden that the state is able to provide cheaper welfare programs.

To illustrate, CCTs rely on the unpaid labour of both beneficiary women and "Mother Leaders" in order to function because local managers are overworked and unable to monitor compliance on their own. According to Tara Cookson, "when experts claim that CCTs are efficient, they typically are not counting the time, expense, and physical effort required of frontline staff to verify conditions in regions that receive disproportionately little investment."³⁰³ In Peru's *Juntos*, local managers hired by the state view a Mother Leader as "the local manager of her community" where she is to be the eyes and ears of the program and monitor the behaviour of other beneficiary women.³⁰⁴ Mother Leaders then report compliance to local managers along with other information that may have negative consequences for beneficiary women, including suspension.³⁰⁵ Despite their

³⁰³Cookson 2018, 103.

³⁰⁴ Ibid., 145.

³⁰⁵ Ibid., 115.

important role in the functioning of the programs, Mother Leaders receive very little recognition in official policy spaces.³⁰⁶ In relying on the labour of unpaid Mother Leaders, “Juntos create[s] a situation in which poor women’s personal choices became monitored and disciplined by their own neighbours.”³⁰⁷

CCTs are thought to work best in nuclear households where the mother is not employed in fulltime labour outside of the home and so have the perverse effect of causing women to leave income-earning jobs in order to comply with program conditions.³⁰⁸ This is because the programs require so much unpaid labour from the mothers that it would be difficult for them to engage in labour outside the home while remaining compliant. For example, CCTs might rely on beneficiary women to “manage-up” to ensure their compliance is properly recorded so they remain eligible for the cash grant. This means the women must track down health and education records (often paying out of pocket for them) and wait in long lines to prove their compliance to Mother Leaders and local managers. This is in addition to whatever conditions the women must also be compliant with, which can include having gardens, cooking for the school lunch program, participating in parades, attending workshops, and cleaning schools and health clinics.³⁰⁹

Thus, CCTs can only be said to be “efficient” and “cost-effective” when they rely on women’s unpaid labour and exclude other important costs imposed by these programs (e.g. time, labour, opportunity etc.). If this labour was accounted for in a robust cost-

³⁰⁶ Ibid., 120.

³⁰⁷ Ibid., 117.

³⁰⁸ Debbie Budlender, *Conditional Cash Transfers: Learning From the Literature Final Report*, UNICEF and UNWomen, 2014, 20.

³⁰⁹ Cookson 2018, 128-133.

benefit analysis, CCTs would be far more costly than originally anticipated and may even be more administratively costly than their unconditional counterparts. Those who defend CCTs on the grounds of efficiency considerations do so by ignoring the unpaid care and domestic labour performed by women and allow the state to free ride on the labour of women and girls.

5.4.3. Human Rights and Social Protection

Social protection programs are intended to prevent people from falling below the poverty line and to raise those who have fallen below the threshold above it. Social protection is often believed to be something that is owed to individuals, by their governments, in order to protect the rights of persons. In Chapter 4, I argued social protection programs can be understood as both a right, as when the international community recognizes it as such, and a precondition for the fulfillment of other rights, like a right to subsistence or a minimally decent life. In either event, one of the most important aspects of a right is the social guarantee that accompanies it as this generates duties for relevant others to respect, protect, and fulfill.³¹⁰ Conditional cash transfers are inconsistent with this view of social protection programs because of their conditionality.

The language of rights is found across CCTs. The programs are often said to be tools for facilitating access to citizen's rights to education or health care, for example. Proponents claim the programs are compatible with human rights because the provision of cash is meant to ensure households' rights are respected, that children's right to health and education is facilitated, and that households can lift themselves out of poverty. Despite these claims, the very act of conditioning runs contrary to the inalienability of

³¹⁰ Or for Shue obligations to avoid depriving, to protect from deprivation, and to aid the deprived. Shue 1996.

human rights guarantee to all – not just those who comply with program conditions.

Social protection cannot be guaranteed to all if an anti-poverty program is premised on the threat of removal for noncompliance. In conditioning cash as an anti-poverty strategy, governments act contrary to the spirit of human rights by suggesting some people, those who cannot or do not comply with program conditions, are deserving of their poverty.

CCTs incorporate the idea of deservingness in at least three ways. First, deservingness might be tied to the fact that certain households are impoverished and on this basis are in need of additional supports to ensure basic needs are met. This is why CCTs are often targeted to households in extreme poverty that are poor through no fault of their own as they are most deserving of state assistance. Second, deservingness can also be used to describe persons or households that are thought to use state assistance responsibly by helping themselves out of poverty through better decision-making. This is why CCTs mandate certain kinds of behaviour and labour from households. The households are deserving because they act responsibly. Noncompliant households are deemed irresponsible and so are sanctioned and disqualified from the programs. The programs are premised on the idea that the poor parents need to act responsibly in order to be deserving of assistance. Finally, the rationale behind CCTs relies on the concept of deservingness by claiming that people (taxpayers) are only interested in redistributing resources to the deserving poor: those who (i) are in poverty through no fault of their own and (ii) demonstrate an ability to use resources wisely for the betterment of themselves and their families. In due course, I examine all three of these components and show how CCTs reliance on deservingness in this way conflicts with a commitment to human rights.

As you know by now, CCTs are targeted to the poor on the assumption that this is the best and most effective way to combat poverty and provide supports to poor households. Anti-poverty programs tend to be targeted to those who earn under a certain threshold as the primary objective is to assist people in getting above the poverty line. Certain groups like the poor are deserving of special protection because they fall below the moral minimum. Still, the deserving poor encompass those who fall below the poverty line for reasons beyond their control. Additionally, CCTs tie assistance to conditionalities so the poor can be made responsible by demonstrating a willingness to improve their lot in life and the lots of their children. Conditions ensure households will make good use of the cash by investing it in the wellbeing of their children and making appropriate behavioural changes. These conditions prevent households from being wasteful or excessive spenders. It is these conceptions of deservingness that Fiszbein and Schady allege policymakers and the public rely on in lending their support to redistributive policies. But relying on deservingness in these two ways means there are some who are undeserving of assistance. How can we know who constitutes the deserving versus the undeserving poor?

Luck egalitarians, like Ronald Dworkin, might argue that we need only differentiate between option luck and brute luck to know what justice requires of us in distributive settings.³¹¹ If people begin in a state of equality, one where resources are shared fairly,³¹² over time and through exchanges some individuals may come to possess more resources than others turning what was a fair distribution into an unfair one. Luck, Dworkin argues, plays a role. For Dworkin, “[o]ption luck is a matter of how deliberate

³¹¹ Dworkin 1981.

³¹² For Dworkin this means the distribution of resources must pass the ‘envy test.’

and calculated gambles turn out—whether someone gains or loses through accepting an isolated risk he or she should have anticipated and might have declined.”³¹³ Brute luck, on the other hand, “is a matter of how risks fall out that are not in that sense deliberate gambles.”³¹⁴ If one buys stocks on the exchange and loses money then one has bad option luck whereas if one is hit by a falling meteorite then one has bad brute luck.³¹⁵ If a person makes bad investment choices and becomes poor as a result of bad option luck then we might say no injustice has been done and so this inequality does not need rectifying. If, on the other hand, one is poor as a matter of bad brute luck, states may have cause to intervene to correct this inequality. Note, however, that Dworkin explicitly says that mandatory insurance markets are crucial to protect people from both brute and option luck, especially the latter.³¹⁶

According to David Miller, there is a common view that low-income people are not receiving what they deserve, but that “if everyone got what he deserved – if everyone had a fair chance to enter the labour market, and then was paid a fair rate for work performed – all workers would be in a position to earn an income that was adequate to meet their routine needs.”³¹⁷ Society is generally thought to be responsible for meeting basic needs up to some threshold through government programming. And while people tend to be concerned that the poor not be responsible for their neediness this does not mean claims of desert outweigh those of need. Rather, “people must show themselves to be

³¹³ Dworkin 1981, 293.

³¹⁴ *Ibid.*

³¹⁵ *Ibid.* See Anderson 1999 for a response to Dworkin and luck egalitarianism.

³¹⁶ Dworkin 1981.

³¹⁷ David Miller, *Principles of Social Justice* (Cambridge, MA: Harvard University Press, 1999), 72.

sufficiently deserving before their needs are allowed to be counted from the point of view of justice.”³¹⁸

Part of the response to CCTs claims of deservingness, then, requires an examination of why these impoverished households are poor to begin with. Poverty may be the result of individual choice, but overwhelmingly poverty is a structural failure rather than a personal one. Those living in extreme poverty have not brought about the social and global conditions that allow people to be chronically deprived of necessities. To suggest global poverty is an individual failing is to ignore the complex structural inequalities and injustices that perpetuate the conditions for global poverty.³¹⁹ Individuals living in extreme poverty are often unable to escape their life circumstances because their very position is characterized by powerlessness, stigmatization, discrimination, exclusion, and material deprivation which are also mutually reinforcing characteristics and persist through structural and systemic inequalities.

Moreover, CCTs are intended to improve the human capital investment in children and thereby break the cycle of poverty. Need we ask whether children living in poverty are deserving of assistance? Surely children, by their very nature, are deserving of state assistance regardless of whether their parents have *caused* the household to be impoverished in the first place. When it comes to cases of extreme poverty, talking about the deservingness of individuals seems out of place since regardless of one’s personal decisions no one deserves to go hungry.

³¹⁸ Ibid., 76.

³¹⁹ For more on the structural causes of global poverty see Gillian Brock, “Global Distributive Justice, Entitlement, and Desert,” *Canadian Journal of Philosophy*, 31, no. 1 (2005): 109-138; Richard W. Miller, “Global Power and Economic Justice,” in *Global Basic Rights*, ed. Charles R. Beitz and Robert E Goodin (Toronto, ON: Oxford University Press, 2009) 156-180; Thomas Pogge, “Are We Violating the Human Rights of the World’s Poor,” *Yale Human Rights and Development Journal* 14, no. 2 (2011): 1-33.

This is made even more complicated by the problems associated with program targeting. One might even go as far as to claim “[t]here is no evidence at all that poverty targeting in low- and middle- income countries can be undertaken with any degree of accuracy.”³²⁰ One problem is that some poor households are excluded from participation in CCTs because they are not poor enough, though they may live on less than \$1.90/day. The international poverty line is set at a low level and so we may wonder whether there is a real difference in quality of life for those who live on \$2.00/day and are still unable to meet their basic needs versus those living on \$1.90/day.

Another problem is that some extremely poor households remain unreached by CCTs while considerable portions of the cash benefits go to non-target beneficiaries due to targeting errors and program leakage. Eight years after Mexico’s CCT was implemented, for example, the program had reached 53% of the poor, despite 61% of the beneficiaries being non-poor.³²¹ If policymakers cannot properly identify the deserving and ensure they get the benefits they are entitled to then why should they place such a heavy focus on deservingness in the first place? Not only is this bad policy, but it likely decreases public and political support for the programs as they may be seen as inefficient and inadequate.

CCTs are less concerned with rights fulfillment and more interested in modifying the behaviour of the poor and, thereby, rewarding the responsible poor for changing their behaviour to conform with government mandates. CCTs reinforce targeted poverty reduction by linking payments to deservingness and this conflicts with the idea that the

³²⁰ Stephen Kidd and Diloá Athias, “Hit and Miss: An assessment of targeting effectiveness in social protection with additional analysis,” Development Pathways and ACT Church of Sweden, Working Paper June 2020, vi.

³²¹ Juan E. Saavedra, “The effects of conditional cash transfer programs on poverty reduction, human capital accumulation and wellbeing,” 2016.

proper function of social policy is meant to be income redistribution.³²² In mandating that the poor adhere to strict conditionalities, advocates of CCTs are, in effect, claiming poverty is an acceptable state for those who fail to meet program conditions or unable to do so.

5.5. Conclusion

In this chapter, I argued that conditional cash transfer programs are unjustifiable because the logic behind them fails and because the programs are incompatible with the values outlined in Chapter 4. This conclusion was reached by demonstrating that none of the three arguments in support of CCTs effectively establish the basis for conditioning cash to the poor. I then established the reasons why CCTs are also incompatible with a commitment to human rights, liberty, and efficiency, and hence with the very principles that underscore cash transfers. Given the paternalistic nature of CCTs and the existence of non-paternalistic options that achieve similar results, I argued the burden of proof lies with those who wish to condition cash to justify the paternalism found within the programs. I also argued CCTs were not economically efficient when a full accounting of the time, money, and resources is undertaken. Finally, I argued a commitment to human rights and poverty eradication requires we prevent people from falling below the moral minimum into a life characterized by chronic deprivation and social exclusion and lift those already below it out of poverty. Conditioning cash by design is intended to protect only the “deserving” poor and this is a problem for a human rights-based approach to social protection programs.

³²² Nelson and Sandberg, 2016.

If the international community is committed to eradicating poverty for all, then it should be committed to ending poverty for *everyone*. Conditional social protection programs are therefore *not* social protection programs, given that these government supports can be withdrawn from households if noncompliance is observed. By their very design, conditional cash transfers are not intended to end poverty for all; they are only intended to alleviate poverty for those willing and able to comply with conditionalities. To overcome this challenge, advocates of CCTs must be prepared to defend and respond to the claim that poverty is a justifiable state for the undeserving or the irresponsible poor. Proponents must also be prepared to demonstrate why conditioning and thus paternalism is justified when unconditional cash transfers are just as effective at combatting poverty and increasing investments in the health and wellbeing of children.

There is, however, one final political value that might be invoked in defense of conditional cash transfer programs: equality. Chapters 6 and 7 take up the question of whether CCTs can be justified by appeals to equality, specifically gender equality. I conclude the programs are overwhelmingly bad for women and girls, and are in conflict with the international community's commitment to achieve gender equality and women's empowerment for all by 2030. The problems with CCTs cannot be resolved through better policy design and, in fact, as I will subsequently argue, rest on the existence of structural injustices like gender inequality to run *successfully*.

6. CONDITIONAL CASH TRANSFERS: OPPRESSION WITH EXTRA STEPS

6.1. Introduction

CCTs are problematic from the perspective of the political values of liberty, efficiency, and human rights, but there is another value one might appeal to in defense of these programs: equality. Specifically, CCTs might be defensible if the programs are able to effectively combat gender inequality in the household and society by conferring overwhelming benefits to women and girls in terms of equality and empowerment. Some evidence suggests CCTs may transform relations of gender inequality into more equitable ones and offer benefits to women and girls.

Proponents of CCTs might allege the programs are compatible with the commitment to gender equality and empowerment discussed in Chapters 2 and 3. Providing cash directly to mothers could be empowering as it may enable them to negotiate intra-household decisions more effectively, improve their social status in the community, and have an overall positive effect on their self-esteem and self-confidence.³²³ Program conditions, like mandatory workshops, may make it possible for women to gain a greater sense of independence from their male relatives who might otherwise control their whereabouts and activities. The compulsory workshops could offer educational opportunities for the mothers making them better mothers and more informed citizens. This would mean the mothers were not only economically empowered, which could increase their agency, but also gained important knowledge which could empower them in other aspects of their lives.

³²³ Bartholo 2016.

CCTs might also be compatible with gender equality and empowerment by encouraging poor parents to invest in the health and wellbeing of their daughters. Conditioning cash on children's attendance at school and health visits would ensure girls have access to education and medical care. Investing in a girl's education increases the likelihood that she will break the cycle of poverty, delay marriage and first birth, and become an income earning member of society. By investing in the woman of tomorrow through early childhood interventions, the programs may provide girls a more stable future with a wider variety of meaningful choices available to them— a future where they and their families are no longer living in poverty.

Over the course of the next two chapters, I argue CCTs cannot be heralded, or even defended, as programs that are compatible with a commitment to ending gender inequality and women's empowerment given the number of harms these programs inflict on women and girls. The task of this chapter is to offer an examination of the claim that CCTs are good for gender equality and empowerment. I argue CCTs do not facilitate gender equality or empowerment, and that through these programs the state reinforces unjust gender norms. CCTs fall short in their ability to promote equality because the programs rely on essentialist and maternalist views of women. More worrisomely, their conditionality means the state actively polices gendered expectations by punishing women with sanctions and program removal should they fail to live up to the selfless mothering ideal as set forth by the state. In mandating women perform unpaid care and domestic work, the state incentivizes women to comply with patriarchally prescribed behaviour to remain compliant and gain access to the cash benefits. CCTs are a form of oppression with extra steps involved.

This chapter takes the following form. First, I draw on the work of Kate Manne to explain the role patriarchy plays in the oppression of women and girls paying close attention to the functions of sexism and misogyny in upholding patriarchy. Next, I establish how women are subjected to at least two problematic assumptions about their nature and proper role in society. Both are rooted in patriarchy and upheld through sexist ideology and the policing of gender norms. Women are subjected to essentialist and maternalist assumptions and this is problematic for gender equality and empowerment. Finally, I apply theory to practice in arguing conditional cash transfers programs rely on, maintain, and exacerbate problematic gender norms by reducing women to the category of selfless mothers whose primary role is that of reproduction. The programs rely on and perpetuate sexist ideologies about women and go as far as to police these norms by requiring women to comply with program mandates under threat of expulsion. Given the harms generated by CCTs, the programs are neither compatible with a commitment to gender equality, nor can the programs be said to empower women and girls in any significant way. In relying on essentialist and maternalistic views of women, policymakers enact policies that not only fail to meaningfully challenge existing power relations and increase the agency of women, but also reinforce these assumptions by conditioning cash on women providing care and domestic labour to serve the state and its interests.

6.2. The Role of Patriarchy in Gendered Oppression

To date no country has achieved gender equality. Progress on this front remains slow and uneven. At the current rate of progress, conservative estimates suggest it will take 82 years to close the gender gap in political participation, 95 years to achieve gender parity

in lower secondary school education, and almost 170 years to close the economic gap.³²⁴ Other estimates suggest it will take 257 years to close the economic participation gap and 99.5 years to close the global gender gap.³²⁵ The reality is women and girls are unequal members of society and this is the driving force behind the international community's pledge to achieve gender equality and women's empowerment for all by 2030.³²⁶ What has caused women to fall so far below the male benchmarks in society? Gender inequality is a complex issue with multiple causes and contributing factors. This chapter focuses on one particular impediment to gender equality: patriarchy.

Women's unequal status is not inevitable; it is caused and maintained through systems of oppression upholding male dominance in society enabling men to have unjust power-over those who identify as or are misidentified as women.³²⁷ Patriarchal power is often theorized as being universal, ubiquitous, and invisible. During the 1970s, for example, Kate Millet posited that patriarchal power "is maintained by a process of socialization which begins in the family and is reinforced by education, literature, and religion" and "rests upon economic exploitation, state power, and ultimately, force."³²⁸

Despite its appeal patriarchy is a contested concept: one that has fallen in and out of fashion for explaining oppressive structures in society and that has often needed to be further clarified.³²⁹ The concept was heavily criticized as being too broad to account for the multiplicity of experiences women face due to their intersectional identities. Women

³²⁴ UN Women 2017.

³²⁵ World Economic Forum 2019.

³²⁶ United Nations General Assembly Resolution 70/1, 2015.

³²⁷ Bryson 1999; Fraser 2003; MacKinnon 1989; Manne 2018 and 2020; Okin 1989; Young 1990.

³²⁸ Kate Millett quoted from Bryson 1999, 311-312.

³²⁹ See Joan Acker, "The Problem with Patriarchy," *Sociology* 23, no. 2 (1989): 235-240; Bryson 1999; MacKinnon 1989; Sylvia Walby, "Theorising Patriarchy," *Sociology* 23, no. 2 (1989): 213-234; Young 1990.

do not experience oppression in the same way and yet conceptualizations of patriarchy were often unable to deal with historical and cross-cultural variations in gender inequality. The concept could not account for the role of ethnicity or class in women's subordination and so appeals to patriarchy allegedly reduced women's oppression to gender identity at the expense of other aspects of one's identity.³³⁰

More recently, however, patriarchy is resurfacing in the literature as a way of highlighting the multiplicity of ways that white-cis-men and heterosexual systems of oppression create some kind of common or shared experience between different groups of oppressed and marginalized people. The common experience being that this kind of oppression acts as a common threat to peoples' existence as equal members of society.³³¹ The concept of patriarchy can be invoked to demonstrate solidarity across diverse groups and highlight the problematic structures in society upholding systems of oppression that privilege white/cis/het/ males at the expense of others in society making the concept far more intersectional than its original usage.³³²

Kate Manne is one theorist who has sought to clarify and expand upon the concept of patriarchy. In Manne's 2018 book *Down Girl: The Logic of Misogyny*, she reframes patriarchy and explores male dominance through a particular manifestation of that dominance: misogyny. A social environment is a patriarchal one "insofar as certain kinds of institutions or social structures both proliferate and enjoy widespread support within it" from, for instance, the state, material resources, communal values, cultural narratives,

³³⁰ See Acker 1989; Byrson 1999; Walby 1989.

³³¹ Charlotte Higgins, "The Age of Patriarchy: How an Unfashionable Idea Became a Rallying Cry for Feminism Today," *The Guardian*, June 22, 2018, <https://www.theguardian.com/news/2018/jun/22/the-age-of-patriarchy-how-an-unfashionable-idea-became-a-rallying-cry-for-feminism-today>.

³³² Racism, xenophobia, classism, ageism, homophobia, and transphobia, amongst other things, are other forms of oppression that are equally important to examine.

and media and artistic depictions.³³³ The precise nature of these patriarchal institutions may vary according to their social, material, and structural features. They will, however, be such “that all or most women are positioned as subordinate in relation to some man or men therein, the latter of whom are thereby (by the same token) dominant over the former, on the basis of their genders (among other relevant intersecting factors).”³³⁴

According to Manne, male dominance is upheld through the presence of both internal and external manifestations of sexism and misogyny which often act jointly in the subordination of women. Sexism acts as the justificatory branch of patriarchy by appealing to theory and ideology regarding social relations. Sexism takes on a quasi-scientific role insofar as it is used to rationalize and naturalize patriarchal norms and expectations. This is because sexist ideology consists of “assumptions, beliefs, theories, stereotypes and broader cultural narratives that represent men and women as importantly different in ways that, if true and known to be true, or at least likely, would make rational people more inclined to support and participate in patriarchal social arrangements.”³³⁵ To illustrate, one might appeal to biological differences between men and women to justify the latter being primarily responsible for childrearing and caregiving. The perception that women are *natural* caregivers and so should take on the lion’s share of care and domestic labour rests on sexist ideology.

Misogyny has a different task in upholding the patriarchal order. It acts as the law enforcement branch of patriarchy. Its primary function is to police and enforce gendered expectations.³³⁶ According to Manne, an individual or social structure acts

³³³ Manne 2018, 45.

³³⁴ Ibid.

³³⁵ Ibid., 79.

³³⁶ Manne 2018 and 2020.

misogynistically when its attitudes or behaviours occur within a social context that reflects or perpetuates gendered views about the role of women in society. Misogyny is a structural phenomenon perpetrated by social institutions, policies, and cultural values. One does not have to be a misogynist to engage in misogynistic behaviours because “misogyny primarily targets women because they are women in a *man’s world* (i.e., a historically patriarchal one, among other things), rather than because they are women in a *man’s mind*, where that man is a misogynist.”³³⁷

Unlike sexism which appeals to “science”, misogyny appeals to the language of morality to differentiate between *good* and *bad* women: the former are punished for disrupting patriarchal norms while the latter are rewarded or praised for embodying their prescribed gender roles. Misogyny, then, is most often a response to women’s violations of gendered “law and order” and acts as a shock collar by discouraging women from venturing out of bounds for fear of social if not also physical punishment.³³⁸ As an example, girls may be nurtured into social roles based on gender expectations and told that breaking social rules will affect their likeability or chances of future success. This reinforces the notion that girls may be punished by society for failing to fulfill their gendered responsibilities or for not developing *feminine* character traits.

Gendered oppression is often so commonplace that it is often rendered invisible making it more difficult to combat effectively. Indeed, many well-intentioned people mistakenly maintain and reproduce sexist ideologies while confronting the effects of patriarchy in other aspects of their lives. Sexism, Sara Ahmed claims, is often

³³⁷ Manne 2018, 64. Emphasis in original.

³³⁸ Manne 2018 and 2020.

“reproduced by those who think of themselves as too critical to reproduce [sexism].”³³⁹

Persons may also wrongly assume sexism is a thing of the past; that women need to get over it or that women are *old fashioned* for pointing it out. As elucidated by Ahmed, many of these insights are rooted in the bizarre belief that if a problem is not pointed out, then it does not exist. This undermines the importance of diversity work, which seeks to make public those beliefs and experiences that might otherwise be ignored or rendered invisible because of a lack of diversity of perspectives in a patriarchal world order.

6.3. Essentialization and the Reduction of Women to Their Reproductive Roles

Having demonstrated the connections between sexism, misogyny, and patriarchy, I now turn to two particular manifestations of patriarchy: the essentialization and maternalization of women. Put simply, women are often assumed to be inherently selfless with endless capacities to provide labour, especially care labour. The assumptions that women possess certain virtues, like selflessness, and are biological and social reproducers are found in households and in state policies. The prevalence of these patriarchal norms is such that “not even a legal guarantee of sex equality will produce social equality.”³⁴⁰ It is for this reason that I go on to argue in section 6.4. that CCTs perpetuate these two problematic assumptions about women that are rooted in sexist ideology with gendered expectations being policed and enforced by state representatives. This is obviously bad for women and bad for a commitment to empowerment which seeks to enable women to challenge power relations and increase women’s agency.

³³⁹ Sara Ahmed, *Living a Feminist Life* (London: Duke University Press, 2017), 148-160. Quotation at 155.

³⁴⁰ MacKinnon 1989, 164.

Appeals to innate biological and social differences between men and women have long been used as justification for gendered divisions of labour and other social roles in society and the family.³⁴¹ By and large, there has been a historical tradition of characterizing women as natural caregivers based on their reproductive abilities and their alleged predisposition to the kind of capacities that make a person best suited to engage in care and domestic work. To illustrate, during the 1880s in the United States, femininity was increasingly associated with caregiving, physical weakness, dependence, and domesticity.³⁴² In religious groups and elsewhere, women are also said to embody certain character traits that make them the appropriate person to take care of household obligations; namely, women, or at least *good women*, possess and cultivate the traits of selflessness, altruism, caregiving, and submissiveness. They serve their households out of love above all else. These gendered assumptions overwhelmingly rely on sexist ideology and make it such that women have and continue to be seen as specialists in household tasks – specialists who will sacrifice their own wellbeing for that of the household. This is at least part of the reason that women spend an average of three times as many hours performing unpaid care and domestic work than men.³⁴³

Mothers are expected to make sacrifices for their families out of love, and this is often used to normalize women's subordinate status and gendered responsibilities in the household. The belief that women's traditional role in the family comes from a place of love rather than justice serves to "justify the prevailing situation in which the burden of

³⁴¹ Shulamith Firestone, *The Dialectic of Sex: The Case for Feminist Revolution* (New York, NY: William Morrow and Company, 1970); Manne 2018 and 2020.

³⁴² Salar Mohandesi and Emma Teitelman, "Without Reserves." In *Social Reproduction Theory: Remapping Class, Recentering Oppression*, ed. Tithi Bhattacharya (London: Pluto Press, 2017), 37-67.

³⁴³ United Nations Economic and Social Council report of the Secretary General, *Special edition: progress towards the Sustainable Development Goals*, E/2019/68 (May 8, 2019), 11-12.

care for the weak and needy is laid mainly upon women, with no remuneration.”³⁴⁴

Providing care and domestic labour, especially as it pertains to children, is just assumed to be what women are intended and inclined to do.

Alongside and intertwined with the belief that women are naturally predisposed to certain character traits that may make them better suited to being carers, is the social expectation that the most important roles a girl will have in her life are that of wife and mother with her primary responsibility being that of biological and social reproduction. Women may be viewed as reproductive vessels insofar as they are biological reproducers for both the family and the state and also because they engage in the processes of social reproduction. Women are viewed as the reproducers of the state, the transmitters of its culture, and symbols of the nation. Good women become mothers and engage in biological and social reproduction for the state.³⁴⁵

A central component of being human involves being “cast in social scripts in specific roles and relations, in virtue (among other things) of one’s group membership or identities.”³⁴⁶ Since one of women’s most important roles is that of mother, women tend to be considered only in relation to certain others: in this case, her children. One of the implications of this ideology is that women are always “somebody’s someone, and seldom her own person.”³⁴⁷ In patriarchal societies women play a specific kind of role in society and the family, and it is one where women are regarded as owing their human capacities (love, service, loyalty) and bodily labour to specific others who are deemed

³⁴⁴ Dana Freibach-Heifetz and Gila Stopler, “On conceptual dichotomies and social oppression,” *Philosophy & Social Criticism* 34, no. 5 (2008): 520.

³⁴⁵ See Molyneux 2006 on mothers at the service of the new poverty agenda.

³⁴⁶ Manne 2018, 169.

³⁴⁷ *Somebody’s* mother, wife, sister, daughter, grandmother. See Manne 2018, 173.

entitled to these services. A woman's personhood is owed to and belongs to the others with whom she stands in relation.³⁴⁸ As will be made clear in section 6.4., policymakers endorsing CCTs adopt this notion of women's labour being owed to others when they view women as valuable only insofar as they are mothers in need of assistance in fulfilling their mothering duties since it is mothers, rather than women more broadly, who are deemed to be deserving of state assistance. In short, women are viewed as reproducers because they have the biological ability to bear children and this reality tends to mean women are reduced to the category of mothers.

Women are viewed as reproducers in a second sense connected to their role in social reproduction processes. According to social reproduction theory, human labour is at the heart of creating or reproducing society and this labour is often hidden in classical theories of economics and in public policy. Social reproduction involves "the activities and attitudes, behaviours and emotions, responsibilities and relationships directly involved in maintaining life, on a daily basis, and intergenerationally." Social reproduction involves "various kinds of socially necessary work – mental, physical, and emotional – aimed at providing the historically and socially, as well as biologically, defined means for maintaining and reproducing a population."³⁴⁹ Given its indispensable nature, Nancy Fraser goes as far as to argue the capitalist economy not only relies on, but free rides on, activities of caregiving, provisioning, and interaction that produce and maintain existing social bonds without according these activities any monetized value,

³⁴⁸ Manne 2018.

³⁴⁹ This definition is from Johanna Brenner and Barbara Laslett cited in Tithi Bhattacharya, "Introduction: Mapping Social Reproduction Theory," in *Social Reproduction Theory: Remapping Class, Recentering Oppression*, Tithi Bhattacharya (London: Pluto Press, 2017), 6.

treating them as if they were free.³⁵⁰ In Chapter 6, I go on to argue CCTs take unfair advantage of beneficiary women by free riding on their unpaid care and domestic labour in such a way that this amounts to exploitation.

The essentialization and maternalization of women is rooted in sexist ideology about the proper traits and responsibilities of women in society and in the home. Appeals to women's caregiving abilities are rooted in beliefs and narratives that represent men and women as different in important ways due to current and historical social relations. The essentialization and maternalization of women becomes misogynistic when women are expected to conform to their socially prescribed gender roles in order to be *good women*. This need not only occur when individuals police and enforce gender norms, but also when states enact policies that compel women to engage in socially prescribed labour and reduces women to selfless beings with an infinite capacity to labour and to mother. It is especially worrisome when states uphold male dominance through their laws and institutions by privileging the forms of power typically associated with maleness and masculinity because the state is supposed to treat everyone equally.³⁵¹ As I will show, it is especially pernicious when state policies go so far as to incentivize and require that women comply with patriarchally prescribed behaviour in order to receive their cash transfers.

6.4. "Selfless Mothers" – Exacerbating the Status Quo with CCTs

Having established the role sexism and misogyny play in upholding a patriarchal world order, I now turn to the question of whether conditional cash transfer programs can

³⁵⁰ Nancy Fraser, "Crisis of Care? On the Social-Reproductive Contradictions of Contemporary Capitalism," in *Social Reproduction Theory: Remapping Class, Recentering Oppression*, Tithi Bhattacharya (London: Pluto Press, 2017), 21-36.

³⁵¹ On how the state upholds male dominance see MacKinnon 1989.

be said to be an extension of a patriarchal world order. In this section, I demonstrate how conditional cash transfer programs inadvertently and, at times, intentionally, reinforce essentialist and maternalist views about women. The problem with CCTs, however, lies not with the cash itself but with the conditions attached to it that reinforce existing power relations even while potentially increasing women's agency within the household. By design, CCTs rely on and actively maintain unjust gender norms by requiring women to fulfill the ideal of good mothering practices rooted in altruism and selflessness.

CCTs rely on, maintain, and exacerbate problematic gender norms because they rest on sexist assumptions about women and require women to perform female-coded activities under threat of expulsion. This means the programs not only rely on sexist ideology but are also misogynistic since the conditional nature of the programs allows the state to police gendered responsibilities and punish *bad women* for failing to be *good mothers*. It is one thing for individuals to engage in sexist or misogynistic behaviour and attitudes; it is quite another for states to adopt these attitudes in social policy. In relying on essentialist and maternalist views of women, policymakers enact policies that fail to meaningfully challenge existing power relations and increase the agency of women, and reinforce these norms by conditioning cash on women providing care and domestic labour. CCTs hinder progress towards gender equality and empowerment by simply reinforcing the status quo.

In keeping with the criticisms that CCTs rely on and reinforce essentialist and maternalistic conceptions of women, I proceed with two broad categories of critique. First, the functionality of CCTs is premised on the idea that women's proper role is that of mother since the programs are said to work best in nuclear households. It is only

because the women are mothers or in mothering roles that they are provided with cash. Second, CCTs reduce the opportunities for equitable development and place undue burdens on the women enrolled in the programs. Thus, conditional cash transfers are premised on the archetype of the selfless mother which is inconsistent with a commitment to end gender inequality.

In Latin America, where CCTs first emerged and have gained increasing governmental support, social policy has long worked with gendered conceptions of social needs – ones that are, according to Molyneux, familial, patriarchal, and paternalistic.³⁵² Motherhood is often viewed as the basis on which women have staked their claims to citizenships rights and so states have engaged in efforts to mobilize their female constituents in a trend known as “civic maternalism.”³⁵³ At the heart of civic maternalism lies the belief that “women – and in particular their biological and social function as mothers – had to be recognized, valued, and protected.”³⁵⁴ Social policy, then, has tended to recognize mothers as social policy claimants, but has primarily done so in the interest of their children. In brief, “it was in the construction of children’s needs that their mothers received entitlements, in order to better fulfil their maternal responsibilities.”³⁵⁵

Because of the time- and labour-intensive nature of the program, conditional cash transfer programs are thought to work best in nuclear families where the mother is not employed in fulltime labour outside of the home. Remaining compliant with program conditions can be difficult if mothers work outside the home. For this reason, some women unenroll from CCTs to maintain their paid labour. Others leave their income-

³⁵² Molyneux 2006.

³⁵³ Jenson and Nagels 2018, 333.

³⁵⁴ Ibid.

³⁵⁵ Molyneux 2006, 427.

earning jobs in order to keep their household compliant with program conditions.³⁵⁶

Working women are often excluded from the programs because they are unable to set aside the time necessary for program selection and verification processes. This has meant that some of the poorest households are excluded from the programs because women are unable to fulfill the program conditions. This also has the effect of reinforcing the idea that women's proper place and social responsibilities are located within the private sphere: the household.

According to proponents of conditional cash transfer programs, cash is provided to mothers on the premise that they are more likely to invest the resources in their children's health and wellbeing. The Mexican CCT, for example, "centres on mothers as the key to securing improvements in the life chances of their children, born and unborn."³⁵⁷ Under the heading of "household" or "community" responsibilities, program compliancy becomes yet another set of tasks for mothers to complete. Mothers are expected to act selflessly to promote the interests of their child by investing the cash in their children. There is, however, no similar expectation for fathers since they are presumed to be selfish and so are not expected nor encouraged to perform the labour required to be compliant. The few men who do want to provide this kind of care for their children or who take on a more active parenting role are denigrated as possessing feminine virtues or are excluded from the programs altogether if there is no woman in the household to provide cash to.³⁵⁸ This is deeply problematic, not only because it reinforces patriarchal and sexist views

³⁵⁶ Budlender 2014; Julienne Corboz, "Third-way neoliberalism and conditional cash transfers: The paradoxes of empowerment, participation and self-help among poor Uruguayan women," *The Australian Journal of Anthropology* 24, no. 1 (2013): 64-80.

³⁵⁷ Molyneux 2006, 434.

³⁵⁸ Molyneux 2006. Thank you to Lisa Mills for highlighting this point in previous discussions.

about women, but also because it denigrates men.³⁵⁹ In embodying the view that women are better carers than men, states make women the solution to the so-called bad behaviour of men.³⁶⁰

Policymakers claim that activities intended to improve the wellbeing of children should not be considered to be burdens for mothers. Any costs borne by mothers for the sake of their children are simply a natural part of being a mother. Fulfilling one's motherly responsibilities requires one to be selfless.³⁶¹ Good mothers are selfless and conditioning cash on behaviour modification ensures that bad mothers can learn to become good ones. Nevertheless, the belief that mothers act in the best interests of their children and on this basis are entitled to the cash transfers is paradoxical since conditions are attached to receipt of cash.

When governments implement CCTs, they simultaneously assert that mothers will act in the best interest of their child – as this is the rationale for providing cash to mothers in the first place – and, paradoxically that mothers are unable to make decisions in the best interest of their child without the government explicitly mandating what good parenting is using behavioural conditions. Program conditions ensure mothers perform the socially necessary labour that *any good mother* would fulfill. This can mean conditioning cash on cleaning schools and clinics, maintaining personal gardens, having latrines, cooking for school lunch programs, contributing to school parties, and attending parenting workshops.³⁶² Many of the workshops explicitly attempt to instill good parenting

³⁵⁹ Jenson and Nagels 2018.

³⁶⁰ Sarah Bradshaw, "From Structural Adjustment to Social Adjustment: A Gendered Analysis of Conditional Cash Transfer Programmes in Mexico and Nicaragua," *Global Social Policy* 8, no. 2 (2008): 188-207.

³⁶¹ Molyneux 2006.

³⁶² Cookson 2018.

practices amongst the mothers by focusing on topics like hygiene, preventative care, cleanliness, food preparation, and housework. Mothers are, on the one hand, thought to already act in accordance with the best interests of their children, and yet, on the other hand, required to engage in behaviour and activities intended to make them better mothers.

To make matters worse, the conditional nature of the programs means mothers, and their households, are punished for noncompliance through sanctions, such as suspension of cash benefits, and expulsion thereby ending the distribution of cash benefits altogether. In many cases it does not matter why a household was unable to be compliant.³⁶³ This means that not only do policymakers endorse sexist ideology by enacting CCTs that compel women to perform gendered labour, but that the policies are misogynistic because the state uses conditions to police gendered expectations.

Bad mothers are mothers who fail to comply with program conditions by missing health appointments or program workshops and so are said to care little about their children's wellbeing. These mothers are subject to chastisement and sanctions from program managers and from other women in their communities, including Mother Leaders.³⁶⁴ Those subject to the charge of bad mothering may have missed medical appointments or workshops, or spent cash in ways the neighbours felt were unaligned with program goals. This attaches moral value to gendered labour in a way that reinforces patriarchal expectations of motherhood and encourages program beneficiaries to report any women who fail to comply with patriarchally prescribed behaviour as "bad mothers."

³⁶³ Ibid.

³⁶⁴ Cookson 2018; Luccisano 2008.

This reinforces existing gender divisions of labour and the kinds of behaviour considered acceptable for mothers to engage in.³⁶⁵

In relying on maternalistic conceptions of women, CCTs treat women as being primarily responsible for biological and social reproduction. This is exacerbated by the fact that racialized and marginalized women are often subject to particularly poor treatment and to the charge of “bad mothering.”³⁶⁶ Poor and racialized women are especially vulnerable to the charge of bad mothering simply because of discriminatory practices in society that uphold stereotypical views of minority women. While attending program mandated workshops, for example, beneficiary women reported being called names (“dirty” and “pigs”). The women reported that the workshops were of little value to them since the educational component focused on issues of hygiene, housework, and cleanliness (e.g. the importance of boiling water) without addressing the women’s concerns about access to medical care such as much needed medications.³⁶⁷

Additionally, the Global North has a worrisome habit of reducing women, especially racialized women, to their reproductive functions. Poor, racialized, and marginalized women are criticized as being excessively reproductive and in need of medical interventions to limit family size. However, the women are often viewed as lacking the ability to act responsibly and regulate their own lives.³⁶⁸ Since the women cannot be trusted to “do anything” (e.g., remember to take hormonal birth control pills) or to confront male partners about condom use, the reproductive interventions offered are often

³⁶⁵ Bradshaw 2008.

³⁶⁶ Jenson and Nagels 2018.

³⁶⁷ Cookson 2018; Molyneux 2006; Molyneux and Thomson 2011; Nelson and Sandberg 2016.

³⁶⁸ Wilson 2015, 813-815.

longer lasting, like injectable and implantable contraception which can last several months or years, or even permanent solutions, such as sterilization.³⁶⁹

This worrisome trend of reducing women to their reproductive functions and then policing their bodies is also present in some CCTs. Again, a paradox is found. On the one hand, the programs reduce women to their function as a mother and, therefore, a reproducer; on the other hand, some programs condition cash on reproductive choices and thereby limit sexual and reproductive rights. The Bolivian CCT, for example, enforces a strict policy of birth spacing as a condition for receipt of cash.³⁷⁰ The birth spacing policy prevents women from claiming a second cash transfer if they become pregnant within two years, and is presumably intended to deter households from having more children to receive a higher stipend. Not only are women who do not follow the birth spacing policy penalized and ineligible for additional grants, but so too are women who have had abortions or miscarriages.³⁷¹ Those who undergo an abortion or have a miscarriage are ineligible for program supports for three years.³⁷² These kinds of conditions unnecessarily police norms about women that are connected to the idea that poor and racialized women are not only excessively reproductive, but also punishes those who fail to fulfill their role as a reproducer.

But CCTs may also infringe on other aspects of reproductive control and choice. A study of the effects of the Mexican CCT on Indigenous Mayan refugees from Guatemala

³⁶⁹ See Wilson 2015; Sonia Laszlo, Muhammad Farhan Majid, and Laëtitia Renée, “Conditional Cash Transfers, Women’s Empowerment and Reproductive Choices.” Grow Working Paper Series. Institute for the Study of International Development, February 12, 2019.

³⁷⁰ Maxine Molyneux and Marilyn Thomson, “Cash transfers, gender equity and women’s empowerment in Peru, Ecuador and Bolivia,” *Gender and Development* 19, no. 2 (2011): 205.

³⁷¹ Presumably the prohibition on abortion is due to that fact that abortion is largely illegal in Bolivia. Abortion is only permitted if a woman’s physical health is threatened by pregnancy or she has been the victim of rape/incest.

³⁷² Ibid.

revealed that mothers are subject to contraceptive surveillance, with Indigenous women being especially vulnerable to this surveillance. Not only did Indigenous women face increased social monitoring by healthcare professionals to ensure they were using contraceptives, but they were also pressured into taking contraceptives. Alarming, “one in four recipient women did not participate in the decision to receive sterilization.”³⁷³ Women who received the CCT were reported to “have less autonomy compared to women without the program” since “a larger proportion (30%) of non-recipient women made the independent decision to seek sterilization whereas a smaller number (13%) of recipient women did so.”³⁷⁴ Thus, even without explicitly mandating women be sterilized, health care professionals may pressure women into permanent methods of contraception.

Despite these problems, conditional cash transfers might still be beneficial if they promote equitable development and so promote gender equality and empowerment over the long-term. Secondary outcomes of the programs may include building the mother’s capacities, empowerment, and gender equality “but how these are interpreted has varied over time, and the quality of what is on offer under these headings depends upon local authorities and cooperating professionals.”³⁷⁵ As discussed in section 5.4., the Mexican program was originally introduced as a tool for promoting gender equality, but by 2005, when the Peruvian program *Juntos* was introduced, the explicit commitment gender equality was dropped. CCTs had not brought about improvements in gender equality and empowerment and so policymakers opted to drop these ends as policy objectives in order

³⁷³ See Óscar Gil-García, F. “Gender equality, community divisions, and autonomy: The *Prospera* conditional cash transfer program in Chiapas, Mexico,” *Current Sociology* 64, no. 3 (2016): 454.

³⁷⁴ Ibid.

³⁷⁵ Molyneux 2006, 434.

to avoid building an unattainable goal into the conditional cash transfer programs.³⁷⁶

Since evidence demonstrated that women were not better off because of CCTs, the focus shifted to bettering the lives of girls with the intention that the programs would have secondary or “unintended” benefits for household relationships in the next generation along with “other” impacts.³⁷⁷

I argue conditional cash transfer programs reduce opportunities for equitable development and so pose a problem for gender equality and empowerment for both women and girls. Proponents of CCTs allege that the programs contribute to economic growth by (i) providing the poor with cash to spend in local markets; (ii) providing the poor with cash to invest in their own businesses or to start new businesses; and (iii) boosting human capital in society over the long-term by creating productive workers.³⁷⁸ Despite this, CCTs have been criticized for contributing to economic growth at the expense of the current and future wellbeing of women and girls and, therefore, reducing the likelihood of equitable development. Opponents of CCTs argue that any economic growth arising from the use of CCTs comes at the expense of women, because the programs show few signs of the principles of gender equality and empowerment.³⁷⁹ Claims that the program supports the goals of empowerment or gender equality are premised on the notion that providing cash to women, and requiring girls attend school, is sufficient to empower them and achieve gender equality in a society. This is not the case given the overwhelming harms the state perpetuates using these programs.

³⁷⁶ Jenson and Nagels 2018, 324.

³⁷⁷ Ibid., 329.

³⁷⁸ See Hanlon, Barrientos, and Hulme 2010.

³⁷⁹ Bradshaw 2008; Jenson and Nagels 2018; Molyneux and Thomson 2011.

CCTs can also impact women's economic and political participation. Uruguay's CCT sought to create empowered and responsible clients, but "paradoxically limited some women's participation in civic and public life and reproduced their dependent relations with men."³⁸⁰ Since the cash transfer was not sufficient to support a single-mother household, some women had to depend on abusive ex-partners for additional cash, childcare, and food. Some women even reported paying ex-partners to provide childcare so they could take on casual employment to earn additional income.³⁸¹ Additionally, the program did not increase labour market participation despite a clause requiring women to search for employment or engage in volunteer work. Generally, there was a "negative effect on individual wages, particularly for women, and overall household wages for recipient families."³⁸² Moreover, escalating rates of crime and violence along with abusive relationships mean some women "renege[d] on [their] contract with the state by purposefully not looking for work or participating in community activities" and removed their sons from school to better protect their households.³⁸³

In the context of the Mexican CCT, local government officials viewed spaces where women could engage in political action with distrust, and as a threat to current community authorities. As a result, the officials prohibited women from addressing all political matters at program gatherings. This is a stark contradiction to the program's commitment to gender equality and aim to increase women's decision-making capabilities within the household and community.³⁸⁴

³⁸⁰ Corboz 2013, 64.

³⁸¹ Ibid., 64-80

³⁸² Ibid., 70.

³⁸³ Ibid., 74.

³⁸⁴ Gil-García 2016, 458-462.

While educating girls is crucial for improving the status of women and girls, investments in health and education alone may be insufficient to ensure girls are able to get out of poverty, have better life prospects than their mothers or expand the range of life choices available to them, especially when those initiatives reinforce patriarchy. Óscar Gil-García's study of Indigenous Mayan refugees from Guatemala enrolled in Mexico's CCT demonstrated that some girls were no better off in terms of gender equality or empowerment despite their families having enrolled in the program. This was largely because the program had reinforced gender hierarchy in the household.³⁸⁵

Despite their improved education and health status, there were many instances of young women (over age 18) who were forced by family circumstances to take on the role of *beneficiary* for their households.³⁸⁶ The young women became the cash recipients and responsible for ensuring household compliance with programs conditions. This meant young women faced a clash between their educational aspirations, and their caretaking obligations to their families. Thus, essentialist and maternalistic views of women can be transmitted intergenerationally, which reinforces women's maternal role in subsequent generations since program conditions fall on young women, as opposed to men, because of gender hierarchies in the home. Even though the program created more educated and healthier young women it did not really expand the array of life choices available to women or challenge power relations within and outside the home.

Part of the problem with regards to this unequitable development raised by CCTs lies with the way the state relies on women's unpaid labour to prop up the programs.

³⁸⁵ Ibid.

³⁸⁶ Mothers who work outside the home or community routinely rely on their adult children to fulfill program conditions and other caretaking obligations.

Governments, and those representing the government, argue conditions are a cost-sharing tool where both the state and households shoulder the burden for human capital accumulation.³⁸⁷ But it is women who are left to shoulder the burden of development by fulfilling obligations as laid out by program managers. Women's labour is owed to those in their households and to the state the latter of which relies on women's labour to carry out state welfare projects. This reliance on women's labour results in women being overburdened by obligations to their household, community, and state adding to the already disproportionate load women are saddled with because of gender norms.³⁸⁸

States should not rely on women to perform unpaid care and domestic labour as a way of reducing the cost of social protection programs. Cuts to social services and changes to social policies, the latter of which can be seen with the uptake of CCTs, increase the gendered vulnerability of women and reinforce the view that *good* women ought to make sacrifices for their families. The fact that many women step up to fill gaps left by social policies should not be celebrated; the survival strategies of women should not be praised but seen as an injustice that arises from expecting women to labour endlessly.

6.5. Conclusion

Conditional cash transfer programs have been hailed as instruments of gender equality and empowerment despite the growing body of evidence to the contrary. Even when a more generous conception of empowerment is adopted that allows for incremental progress, like the one suggested in chapter 2, CCTs do not rise to the

³⁸⁷ Fiszbein and Schady 2009.

³⁸⁸ Budlender 2014; Cookson 2018; Corboz 2013; Luccisano 2004; Nelson and Sandberg 2016.

occasion because they do not meaningfully increase agency or challenge power relations. Where CCTs do increase agency and challenge existing power relations by, for example, enabling women to engage more effectively in intra-household bargaining, there are other policies that may be more justifiable and have more beneficial impacts for women and girls. Governments ought to adopt the policy, out of a range of reasonable policy alternatives, that is likely to result in the best outcomes for women and girls in terms of moving us towards the benchmarks of gender equality and empowerment. CCTs are not that policy.

The primary task of this chapter has been to demonstrate how patriarchy serves to oppress women and the various ways CCTs might be said to be an extension of a patriarchal world order because the programs reproduce and exacerbate gender inequalities. CCTs rely on, maintain, and perpetuate essentialist and maternalist views of women by relying on sexist ideology. More worrisome is the fact that receipt of cash is contingent on mothers fulfilling their gendered obligations. The state incentivizes women to comply with patriarchally prescribed behaviour in order to remain compliant with the program and access its benefits by requiring women perform unpaid labour and punishing those households who are noncompliant. Building on the concerns raised in this chapter, the next chapter argues that CCTs allow the state to take advantage of poor women for the benefit of the state and the women's children while offering minimal benefits to the women themselves. This, I claim, amounts to exploitation, which is the next charge I lay against conditional cash transfer programs.

7. THE GOOD, THE BAD, *THE EXPLOITATIVE*: CCTs AS THIRD-PARTY STATE EXPLOITATION

7.1. Introduction

One area of the SDGs' commitment to gender equality and empowerment that has not yet been discussed, but must be in the context of CCTs, is that of exploitation. Through SDG 5.2 the international community seeks to eliminate all forms of violence against women and girls in the public and private spheres and to end trafficking and exploitation – sexual and otherwise.³⁸⁹ Despite this pledge to end exploitation, the target and its indicators fail to delineate what is meant by “exploitation” opting instead to measure the proportion of violence women and girls faced in the previous year by age, and form of violence.³⁹⁰ These indicators offer a limited view of what exploitation entails precisely because violence need not be present for exploitation to occur. Indeed, much of exploitation theory concentrates on mutually beneficial exchanges. To meet SDG 5.2. and end exploitation, a much broader interpretation of exploitation must be invoked to properly identify instances of exploitation, evaluate their wrongness, and, where applicable, resolve the contexts in which it occurs. What, then, might be an appropriate interpretation of exploitation?

For the most part, theorists agree that exploitation refers to the practice of unfair advantage-taking, but disagree about what an unfair advantage is and what, if anything,

³⁸⁹ United Nations General Assembly Resolution 70/1, 2015, 18; United Nations General Assembly Resolution 71/313, 2017.

³⁹⁰ Specifically, the indicators measure:

- (1) The proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual, or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and age; and
- (2) The proportion of women and girls aged 15 and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence.

See United Nations General Assembly Resolution 71/313, 2017, 25.

might be wrong with taking this advantage. Exploitation can be transactional, as when unfairness occurs in a discrete market transaction between individuals. Consequentialists posit the unfairness consists of a person receiving less than the fair market price for a good or service, or when the exploiter excessively benefits from their interaction with the exploited party.³⁹¹ Kantians argue exploitation occurs when a person is deceived or coerced into performing certain labour or when they are offered a choice which violates their dignity and yet they could not reasonably be expected to refuse given their circumstances.³⁹² A focus on one-off transactions in which a singular set of benefits and burdens accrue between two consenting parties where all background considerations are removed is problematic since there is an important sense in which exploitation can be ongoing, and dependant on background conditions and power disparities that inevitably produce certain kinds of unfair contractual agreements.

Exploitation can also be structural, taking its roots from Marxist theory, like when institutions or systems “rig the game” such that one group benefits at the expense of another in society.³⁹³ While structural accounts tend to focus on the way background conditions may hinder someone’s ability to get their due share, this approach often runs concepts like exploitation, injustice, and inequality together, and cannot explain instances of exploitation that do not involve structural components, but nevertheless clearly involve some form of unfair advantage-taking. Thus, while transactional and structural accounts can provide some insights into the kind of unfair advantage-taking that occurs with

³⁹¹ Alan Wertheimer, *Exploitation*, Princeton (NJ: Princeton University Press, 1996).

³⁹² Goodin 1988, 123-152; Ruth Sample, *Exploitation: What It Is and Why It’s Wrong* (New York NY: Rowman & Littlefield Publishers, Inc, 2003); Jeremy Snyder, “Exploitation and demeaning choices,” *Politics, Philosophy & Economics* 12, no. 4 (2013): 345-360.

³⁹³ Alison M. Jaggar, “We fight for roses too: time-use and global gender justice,” *Journal of Global Ethics* 9, no. 2 (2013): 115-129; John E. Roemer, “What Is Exploitation? Reply to Jeffrey Reiman,” *Philosophy & Public Affairs* 18, no. 1 (1989): 90-97; Young 1990.

CCTs, neither on their own is able to account for the totality of the exploitation the beneficiary women are subjected to. For this reason, and following the work of Maeve McKeown, I posit that exploitation is best understood as a family resemblance concept rather than a singular “one-size-fits-all” account.³⁹⁴

In this chapter, I argue that not only do the SDGs offer an account of exploitation inadequate for assessing conditional cash transfer programs, but so too do traditional accounts of exploitation, which fail to fully capture the advantage-taking that occurs through these social policies. I propose a new account called Third-Party State Exploitation (TPSE) to explain the exploitative features of CCTs. TPSE occurs when **(A) takes unfair advantage of (B) for the sake of (C) where both (A) and (C) benefit at the expense of (B), who bears an unjust share of the burdens relative to the benefits associated with the transaction.** In cases of TPSE, it is the state (A), often acting via a proxy or representative, who exploits some person or group (B), on behalf of/for the benefit of third party (C). In this account, it is not the state that simply allows exploitative transactions to occur or maintains the structural conditions enabling exploitative practices to occur: it is explicitly the state that exploits.

The aim of this chapter is to develop an account of exploitation that explains the advantage-taking features of conditional cash transfer programs. This chapter takes the following form. First, I explore transactional and structural accounts of exploitation to demonstrate how both are insufficient at explaining the unfair advantage-taking occurring in CCTs. Next, I develop my account of Third-Party State Exploitation that usefully combines the structural and transactional accounts in a way that highlights this unique

³⁹⁴ Maeve McKeown, “Global Structural Exploitation: Towards an Intersectional Definition,” *Global Justice: Theory Practice Rhetoric* 9, no 2 (2016): 155-177.

form of exploitation and briefly contrast it with Wertheimer's account of mediated exploitation. Finally, I apply TPSE to the case of conditional cash transfer programs. I claim *CCTs involve the state (A) taking unfair advantage of beneficiary women (B) to use their labour to the benefit of (A) and children (C), but not (B) since the state requires women to perform this labour because of their social position and the presence of gender hierarchies in the home and society writ large*. Despite some benefits that might accrue to individual beneficiary women the programs are, nevertheless, exploitative. This means the programs are incompatible with the global pledge to achieve gender equality and empowerment since the programs promote, rather than end, exploitation.

7.2. Theories of Exploitation

While consensus exists regarding exploitation involving unfair advantage-taking, much disagreement remains about the particulars of exploitation and whether it can ever be justifiable. In this section, I explore the two major canons on exploitation: transactionalism and structuralism. While both highlight aspects of unfair advantage-taking that occur in CCTs, I conclude that neither can fully explain the exploitative relationship between the state and the beneficiary women.

7.2.1. Transactional Accounts

Transactionalists generally posit that exploitation occurs from two sources: when (A) takes unfair advantage of (B) by violating either a consent principle *or* a fairness principle of just – or non-exploitative – exchange.³⁹⁵ In the first instance, exploitation might arise from defects in the quality of consent, say by one transacting party misleading the other in their exchange. Caitlin, for example, exploits Sean by misleading

³⁹⁵ See Snyder 2013 and Wertheimer 1996 as two examples.

or coercing him thereby undermining his ability to give proper consent to the transaction. In misleading, deceiving, or coercing Sean to transact with her, Caitlin violates the consent principle. While it is clear what's problematic about lying or defrauding someone in an exchange, Caitlin coerces Sean in an exchange if she threatens to make him worse off should he choose not to transact. In such cases, Caitlin's coercive tactics impair Sean's rational decision-making since "coercion creates a defect in B's consent principally by altering the objective situation within which B chooses."³⁹⁶

Another possibility is that one's quality of consent is lowered because one party possesses less bargaining power than the other. This enables the exploiter to make a demeaning offer by offering a morally unacceptable offer that treats (B) as if she has less moral claim to basic needs. In such exchanges, "the exploited party chooses, out of self-interest, to play in the game of bargaining of equals despite being an unequal."³⁹⁷ Of course, coercive arrangements need not always be exploitative ones and a person can be exploited even when they freely consent to a transaction.³⁹⁸ For now I set aside consent considerations to focus on the second way exploitation can arise – through violations of a fairness principle.

According to the fairness principle, (A) exploits (B) when (A) denies (B) something (B) is owed as part of their fair share of the benefits of an exchange. In such cases, (A) has unfairly benefitted from the transaction by gaining excessively or at the expense of (B) and thus violated the fairness principle. In some cases, (B) will walk away worse off than they had been prior to the transaction and this generally constitutes a case of harmful

³⁹⁶ Wertheimer 1996, 256.

³⁹⁷ Snyder 2013, 352.

³⁹⁸ Wertheimer 1996.

exploitation which is largely viewed as impermissible and unjustifiable. But in other cases (B) walks away better off despite being denied their *fair share* of the benefits from a transaction. When (A) unfairly or excessively benefits relative to (B), where (B) still benefits in some capacity, we have a case of *mutually beneficial exploitation*.³⁹⁹

Cases of mutually beneficial exploitation require thoughtful analysis to establish how or why a transaction may be exploitative given that (B) benefits. Once it has been established that an exchange is exploitative, further explanation may be needed to establish whether this exchange is, nevertheless, impermissible given (B) benefitted and whether such exchanges are, on balance, justified and so should be allowed to occur.

Consider the following example. A thirsty hiker (B) is lost in a canyon and encounters a water vendor (A) charging exorbitant prices for water. (B) agrees to transact with (A) to quench their thirst. Is this exchange exploitative and is this justifiable? In this case, (A) takes advantage of the fact that (B) needs water and is willing to pay a higher price than they otherwise would have by charging (B) more than she would have had they met under different circumstances. In doing so, (A) takes advantage of (B)'s special circumstances to benefit *excessively* from the transaction, even while (B) benefits by being able to quench her thirst. What is exploitative about transactions like this one, Alan Wertheimer claims, is that (A) unfairly or excessively benefits from the transaction compared to (B).⁴⁰⁰ Thus, one must undertake a cost-benefit analysis to determine (i) the benefits accrued to (A); and (ii) the fairness of the transaction to (B).⁴⁰¹

³⁹⁹ Also referred to as mutually advantageous exploitation in the literature.

⁴⁰⁰ Wertheimer 1996, 208.

⁴⁰¹ Ibid.

On the kind of view offered by Wertheimer, exploitation can only take place in the market and so one must be able to determine when a market exchange is fair. To do so, Wertheimer asks that we imagine ourselves in a hypothetical market to determine what the fair price of an interaction might be. This hypothetical market price reflects the price at which neither party takes special advantage, or unfair advantage, of the other because both are ideally placed to bargain on equal terms and so would receive an ideal share of the cooperatively produced gains of the interaction or the “social surplus.” Each bargainer has a “reservation price” below which they will not agree to transact. Differences between the buyer and seller’s reservations prices – the price below which a seller won’t accept and a price above which a buyer won’t pay - result in a “social surplus.” Where (B) gains relative to the baseline of non-transaction and yet the distribution of the social surplus is unfair, (B) has been exploited.⁴⁰²

To determine what the hypothetical market price is requires separating the fairness of the transaction from background conditions of fairness. According to Wertheimer, we must distinguish between “fairness as a principle for the distribution of social resources,” and “fairness as a principle for transactions” where “principles of fair transactions should bracket information that might be relevant to other moral purposes.”⁴⁰³ This requires that we deliberately abstract away from background conditions, including the parties’ overall welfare, so the payoffs and social surplus are transaction specific.⁴⁰⁴ In order to assess the extent to which gains are fairly shared we must assume both parties are relative equals,

⁴⁰² Ibid., 19-21.

⁴⁰³ Ibid., 216.

⁴⁰⁴ This is at odds with structural accounts which posit that background conditions are a necessary component of ensuring fair transactions and social structures.

especially in terms of their bargaining power to ensure we achieve transaction-specific fairness.

Transactional accounts are compelling and offer some valuable insights into the case of CCTs. These accounts can identify individual parties to a transaction as obvious wrongdoers or as victims of wrongdoing. The water vendor who exploits the thirsty hiker is responsible or culpable for the unfair transaction because it was they who took more than their fair share of the social surplus as compared to the hiker. The hiker is the victim of the exchange as they did not receive their fair share of the cooperatively produced gains. In some cases, this victimhood is grounds for compensation or other forms of redress to secure (B)'s fair share of the benefits. This transactional component is significant, as there are times when we want and need to hold a wrongdoer, especially a culpable wrongdoer, to account for their actions, and identify their victim(s) precisely because what transpired between them need not have transpired in the first place – even under an unjust social order. This is crucial since, as we will see in section 7.2.2., competing structuralist accounts claim that exploitation occurs between two classes in society, where the wrong lies at the structural level and not with individual actors.

What might be exploitative about CCTs may be intimately connected with questions of fairness and consent between the state and beneficiary households. CCTs involve identifiable and individuated parties since local managers interact with the beneficiary women and their households. Since we can clearly delineate what benefits the parties receive from the exchange, what is exploitative may be that despite agreeing to transact, (A) gains unfairly from the transaction in some manner. The state, for example, benefits from cheaper forms of social protection because the women labour for the state; the

women from the receipt of cash. But how can we know whether the cooperatively produced gains are shared fairly? To do so we must enter the hypothetical market price to determine whether the payoffs relative to the transaction are fair. If it turns out the state receives more than their fair share of benefits then we have a case of exploitation in which the solution may be to increase the benefits accrued to the women, say by increasing the cash stipend.

Recall, however, that those who enter the hypothetical market are presumed to be relative equals with similar levels of bargaining power. This claim does not hold in the case of CCTs because the exchange is not a discrete market transaction. In fact, it is not a market transaction at all since it is a social protection program. Additionally, CCTs involve unequal bargaining power, if it can even be said that the beneficiary women have any bargaining power at all in their exchange with the state. Representatives of the state (i.e. local managers) have a great deal of *power over* the beneficiary women in that policymakers set the program conditions, including the labour the women are required to perform. We might even think the women have no bargaining power insofar as the offer they receive is a take-it-or-leave-it one: one which adds a morally unacceptable option to the women's array of morally unacceptable alternatives.

Not only are the state and the beneficiary women unequal wielders of power, but there is an additional worry with the hypothetical market. Determining the hypothetical market price of women's care and domestic labour would be difficult, given that there is a social expectation that women will perform unpaid care and domestic labour. This has meant the market overwhelmingly tends to devalue and undervalue this labour.⁴⁰⁵ But it's

⁴⁰⁵ See Beneria 2003; Stanford 2015; Waring 1999.

not just that it is difficult to set this hypothetical “fair price”, it is also problematic that women may be willing to accept less than the full value of their labour because they have been conditioned by a patriarchal world order into thinking the labour they perform is of little value. This is especially concerning given that CCTs maintain and perpetuate the idea that program conditions are simply the labour a good mother performs for the sake of her children which hides the true value of this labour. All this discussion on the hypothetical market price makes one crucial assumption: that policymakers are paying beneficiary women in exchange for their labour. As I will show in subsequent sections, it’s not clear this is the case.

Problematically for our case, transactionalists accounts are also subject to other relevant concerns. Transactional accounts concentrate on independent and isolated cases of exploitation between two relative strangers engaging in a single transaction, producing a single set of benefits and burdens distributed between them, like the thirsty hiker example. These sorts of cases are one-offs, or largely improbable.⁴⁰⁶ Thus, transactionalists can only explain what may be highly institutionalized and ongoing cases of exploitation as one-off events abstracted from their institutional conditions.

As it relates to CCTs, it is true the exchanges occur between identifiable parties, but what makes this case unique is the role the state has in the transaction. It is “the state” who creates and implements the programs, just as it is the state who benefits from the transactions. CCTs are also not one-off transactions so much as they are programs that require ongoing labour in exchange for cash benefits – they are an institutional process. Thus, it makes sense to think of exploitation in this case not as “an isolated act of

⁴⁰⁶ Jaggar 2013.

individual opportunism but rather an ongoing process that produces ever-increasing disparities of power and vulnerability between the exploited and the exploiting classes.”⁴⁰⁷

These accounts tend to abstract away from background conditions so that payoffs are transaction specific. But in the case of CCTs these background conditions play a central role as the programs are intended to break the cycle of intergenerational poverty, at times even empowering women and girls, and actively shape how and why cash is dispensed in the first place. Structural critics of transactionalist approaches argue background conditions play a crucial role in many cases of exploitation, given increasing power differentials between groups. They claim we should see exploitation not as occurring between two persons consciously engaging in a transaction, but as a structural phenomenon built into existing social, economic, cultural, and political systems.⁴⁰⁸

7.2.2. Structural Accounts

There is a second approach to exploitation which posits that institutional arrangements and systems, and not individual actors, are responsible for exploitative transactions. For the most part, structuralists claim exploitation is an ongoing or continual process that involves using the labour of others to produce a profit, while unfairly compensating the labourer. For this reason, structural accounts largely take their roots from Marxist labour theory. For Marxists, the capitalist classes engage in exploitation when they profit from the expropriation of surplus labour from workers, where surplus labour is defined as labour that workers engage in above what is necessary for them to

⁴⁰⁷ Ibid., 122.

⁴⁰⁸ Young 1990; Jaggar 2013; McKeown 2016.

reproduce themselves.⁴⁰⁹ In a capitalist society, workers are exploited since they are forced to sell their labour power for less than the full value of the commodities produced by their labour. This labour is neither fully voluntary nor entirely for their own benefit because the labourer does not own the means of production and so is forced to sell their labour power to secure basic needs. The labourer does so knowing that a portion of their labour and, thereby, the value they produce is taken by the capitalist as surplus value. The system is rigged, so to speak, such that one group of people, the bourgeoisie, benefits from the labour of another, the proletariat, who are forced to sell themselves as a commodity.⁴¹⁰

Marx's theory of exploitation has been challenged and expanded in important ways by theorists who nonetheless engage his structuralist approach to the topic.⁴¹¹ Feminist theorists have sought to expand the structuralist view by accounting for labour that occurs outside formal markets since Marx's own account excluded labour performed outside the market or without wages.⁴¹² This move was a necessary step in being able to claim women can be exploited as a class outside of market institutions.

These reconceptions of the Marxists' exploitation make the concept more compatible with the experiences of gendered, racialized, and marginalized groups in society. Alison Jaggar, for example, theorizes that gendered exploitation "consists in taking advantage of people or groups who suffer from vulnerabilities related specifically to their gender."⁴¹³

While Maeve McKeown argues, "structural exploitation refers to the forced transfer of

⁴⁰⁹ Roemer 1982.

⁴¹⁰ Karl Marx and Friedrich Engels, *The Communist Manifesto* (New York, NY: Bantam, 1992).

⁴¹¹ See Jaggar 2013; Roemer 1989; McKeown 2016; Young 1990.

⁴¹² Jaggar 2013; Young 1990.

⁴¹³ Jaggar 2013, 123. See also Alison M. Jaggar, "Transnational Cycles of Gendered Vulnerability: A Prologue to a Theory of Global Gender Justice," *Philosophical Topics* 37, no. 2 (2009): 33-52

the productive powers of groups positioned as socially inferior to the advantage of groups positioned as socially superior.”⁴¹⁴

But Iris Marion Young has also developed an account of structural exploitation, one that is not rooted in the Marxist tradition that is worth unpacking in some detail.⁴¹⁵ According to Young, justice refers not only to distribution, “but also to the institutional conditions necessary for the development and exercise of individual capacities and collective communication and cooperation.”⁴¹⁶ Oppression and domination are both injustices since they constrain the development and exercise of individual and collective capacities. While it may be true that redistributing resources may go some distance in remedying oppression and domination, redistribution alone is insufficient for resolving some kinds of injustices, especially group injustices. Whether a group is oppressed depends on whether it is subject to one or more of what Young calls “the five faces of oppression.” These five faces include: exploitation, marginalization, powerlessness, cultural imperialism, and violence.⁴¹⁷

For Young, women may be exploited as wage workers in the more traditional Marxist sense when they engage in paid labour in the formal market. But exploitation, she argues, also enacts a structural relation between different social groups. Social rules determine what counts as work, who does it, and how valuable it is. These social rules “operate to enact relations of power and inequality” and are (re)produced “through a systematic process in which the energies of the have-nots are continuously expended to maintain and

⁴¹⁴ See McKeown 2016, 174.

⁴¹⁵ Young 1990, 48-53.

⁴¹⁶ Ibid., 39.

⁴¹⁷ Ibid., 39-65.

augment the power, status, and wealth of the haves.”⁴¹⁸ Women’s oppression is partly the result of systematic and unreciprocated transfers of power from women to men. This form of oppression does not just consist in inequality of power, status, and wealth because of men excluding women from certain activities, but also because “the freedom, power, status, and self-realization of men is made possible precisely because women work for them.”⁴¹⁹ This is gender exploitation.

Gender exploitation involves the (i) the transfer of the fruits of material labour to men; and (ii) the transfer of nurturing and sexual energies to men. Women are subjected to gender exploitation when “their energies and power are expended, often unnoticed and unacknowledged, usually to the benefit of men by releasing [men] for more important and creative work, enhancing their status or the environment around them, or providing them with sexual or emotional service.”⁴²⁰ Unlike transactionalists, however, this form of exploitation cannot be resolved through redistributing goods in society because the transfer of powers will continue to result in an unequal distribution of benefits as long as institutional practices and structural relations remain unchanged. To remedy exploitation and achieve justice, in Young’s view, involves reorganizing institutions and the practices of decision-making, altering the divisions of labour, and changing our institutions, structures, and cultures.⁴²¹

Like transactional accounts, structural approaches to exploitation can reveal and explain some of the unfair advantage-taking that might occur in CCTs. One of the most pertinent aspects of structuralist accounts is that they can more fully explain the actions

⁴¹⁸ Ibid., 50.

⁴¹⁹ Ibid.

⁴²⁰ Ibid., 51.

⁴²¹ Ibid., 53.

of the state, not as individual actors, but as institutions and systems that enact oppressive and exploitative policies. Perhaps it is the state who acts as an employer to the beneficiary women in paying them in exchange for their labour. This would be possible to explain through an appeal to Marxist understandings of exploitation. But like Young argues, this doesn't seem to be sufficient to explain the gender dynamics of the injustice since it does not address the transfer of power.

A second useful component of the structural approach is its ability to account for things like gender exploitation. In Chapter 6 I argued CCTs reinforce essentialist and maternalist conceptions of women that are deeply problematic for gender equality and empowerment. CCTs, as designed by policymakers and policy advocates, take advantage of the gendered vulnerabilities women face by making *good mothering* a program condition, and punishing those who fail to live up to their socially prescribed gender obligations and responsibilities. It is not just that individual women are taken advantage of by the state, it's that exploitation occurs at the systemic level such that because women as a social group are more likely, due to structural injustices, to engage in care and domestic work, women's labour is vulnerable to wrongful advantage-taking by others. Remedying this situation involves more than simply paying women more for their labour, if indeed we want to say the state is paying for their labour. Amongst other things, it will involve altering gender divisions of labour and changing patriarchal attitudes in the home and in society.

Still, structural accounts also seem problematic in their application to CCTs. For one thing, structural accounts can only explain macro-level cases of exploitation; what is at stake are questions about how society should distribute resources, assets, and property,

and not how individual actors ought to treat one another. The theories can say little about how particular individuals ought to engage in interactions in a nonexploitative manner, or how market transactions ought to be regulated by the state to prevent exploitation at the more micro level. In CCTs, the exploitation is both structural and transactional since it is the state who implements these exploitative policies, but the local managers too may be guilty of taking advantage of beneficiary women by enacting shadow conditions.⁴²² This matters as there are times when we want and need to hold an exploiter to account for their actions because what transpired between them and the exploited party need not have transpired even under an unjust social order.

This leads to another concern with a structural approach as it tends to run the concepts of inequality, injustice, and exploitation together making it difficult to parse out the differences between an unjust system and an exploitative one, and determine what value there might be calling a system exploitative rather than unjust or unequal. Here we must ask ourselves whether the state acts *unjustly* in enacting CCTs or whether it *takes unfair advantage* of beneficiary women and, in doing so, exploits them. It is not always the case that injustice or inequality leads to exploitation just as not all coercive actions are exploitative. It is one thing to contribute to a structural injustice, and it is quite another to unfairly take advantage of a person or group during an exchange. Recall the thirsty hiker example in which the water vendor exploits the hiker's special circumstances to benefit *excessively* from the transaction. This transaction was exploitative, and we may want to hold the vendor to account, but it is hardly oppressive

⁴²² Shadow conditions occur when women are forced by local managers to comply with additional "co-responsibilities" under threat of removal from the program. This is discussed more fully in section 7.4.

or an injustice. Distinctions like this matter because the proper response to a case of injustice, inequality, or exploitation may vary tremendously.

While transactionalist and structuralist accounts of exploitation offer some insights into the example of CCTs, both are problematic, albeit for different reasons, at fully capturing what goes on in the programs. In the next section, I highlight an additional concern about exploitation theory; namely, that it has largely neglected instances of exploitation involving more than two parties. What accounts have been developed are insufficient. As such, I develop a novel account of exploitation that usefully combines transactional and structural accounts in a way that highlights a unique form of exploitation - the kind of exploitation generated by conditional cash transfer programs.

7.3. Exploitation and Third Parties? The Need for a Novel Approach

The structural and transactional accounts described in section 7.2. largely depict two-party cases of exploitation: an exploiter/the exploiting class and an exploited party/exploited class. But exploitation need not always involve two parties as there can be third parties who are impacted by the interaction. Additionally, there is also a dearth of literature on the relationship between structural and transactional factors, especially in cases involving the state. In developing my account of Third-Party State Exploitation, I hope to explain the relationship between the structural and transactional factors as they apply to conditional cash transfers which also involve a third-party: the children. Before doing so, I first want to briefly explore Wertheimer's mediated exploitation as a way of explaining cases involving third parties. In doing so, I highlight some of the flaws with his account to show why my novel account is needed.

Wertheimer expanded his concept of exploitation to include cases involving three parties. Mediated exploitation, as he calls it, occurs in cases where (A) exploits (B) on behalf of (C).⁴²³ In expanding his transactionalist approach to third parties, Wertheimer posits that we need a different understanding of the ways (A) may be said to benefit. This is partly because in cases involving three parties it can be difficult to ascertain who the exploiter is, since the party doing the exploiting, and the degree to which (B) is exploited, depends on the role of (C), who may ask or authorize (A) to act on their behalf. In these kinds of cases, (A) acts as a proxy for (C) when (A) exploits (B) on behalf of (C), but (C) is still culpable for the exploitation since they have authorized the actions of (A) who is also culpable. But as Wertheimer points out, it need not always be the case that (C) authorizes (A) to act on their behalf and when this happens (C) is not culpable for the exploitation. Nevertheless, it is only because of the gains to (C) from (A)'s transaction with (B) that we can say (A) exploits (B).⁴²⁴ This means (A)'s gains must be construed broadly enough that (C)'s gains can be accounted for as benefits to (A).

Wertheimer clarifies his theory of mediated exploitation using the following case.

Consider the Legal Aid lawyer who advises her client to reject a generous settlement because she wants to litigate a new legal doctrine that, if the litigation is successful, will serve the interests of a larger group [poor women]. The lawyer may have exploited her client on behalf of others, but she has exploited her client nonetheless.⁴²⁵

Wertheimer claims the lawyer “exploits her client because she is seeking to promote the interests of *others* at the expense of her *client* even if her aims are otherwise eminently admirable.”⁴²⁶ Continuing some pages later, Wertheimer adds, “[w]e need not deny that

⁴²³ Wertheimer 1996, 210-211.

⁴²⁴ Ibid.

⁴²⁵ Ibid., 210.

⁴²⁶ Ibid., 211. Emphasis in original.

the Legal Aid lawyer is doing something wrong in exploiting her client in order to claim that her actions may be justified, all things considered, by its beneficial effects on the interests of poor women.”⁴²⁷ What’s unfair is that either (A) gained excessively through benefits accrued to (C), or that the client (B) did not receive their fair share of the benefits of the transaction.

In examining Wertheimer’s approach, Erik Malmqvist and András Szigeti claim this is just a case of direct exploitation.⁴²⁸ In their view, “the lawyer (A) may exploit her client (B) to increase her own fees or win a bigger case, or she may exploit (B) to serve the interests of her larger client group.”⁴²⁹ This is a case of direct exploitation of (B) by (A), since a successful litigation is the lawyer’s objective and accomplishing this objective can be properly counted as a benefit to (A). Wertheimer, they argue, is mistaken in claiming that “exploitation involving third-party beneficiaries is always reducible to direct exploitation (of B by C or of B by A).”⁴³⁰ There are cases, as they go on to show, where “A is neither a mere proxy for C nor shares C’s interests to such a degree that their respective gains are coextensive.”⁴³¹ Wertheimer’s account cannot capture the problem of exploitation involving more than two parties in which (A) and (C) are sufficiently distinct in their benefits.

Still, could the exploitative features of CCTs be fully explained by appealing to Wertheimer’s mediated exploitation? I argue they cannot. CCTs involve at least three parties to the transaction: (i) the state who implements and enforces the programs; (ii) the

⁴²⁷ Ibid., 287.

⁴²⁸ Erik Malmqvist and András Szigeti, “Exploitation and Joint Action,” *Journal of Social Philosophy* 50, no. 3 (2019): 280-300.

⁴²⁹ Ibid., 284.

⁴³⁰ Ibid.

⁴³¹ Ibid.

women who labour for the programs; and (iii) the children who are set to benefit from the programs through investments in their human capital.⁴³² The state is set to benefit in several ways including from the improved health and educational status of children. Indeed, the programs are designed such that the children (C) are set to benefit from their mothers' interactions with the state. And there is evidence of improved health and education outcomes in children.⁴³³ But the gains to the state are also distinct from the benefits accrued to the children. For one thing, the state cuts welfare costs by making the programs conditional on behaviour modification and, for another, the state benefits from women's unpaid labour that is required for the programs to function.

There are two additional problems with applying Wertheimer's account to CCTs. First, Wertheimer posits that in cases of mediated exploitation it is only because of the gains to (C) from (A)'s transaction with (B) that we can say (A) exploits (B). As applied to CCTs, this means that for exploitation to occur the children *must* benefit from the transaction between the state and their mothers. For Wertheimer, where these benefits to (C) do not materialize, (A) acts exploitatively towards (B) but she does not exploit (B). This holds even in cases when (A) intends to exploit (B) but fails to do so and does not extract any benefit.⁴³⁴ So if it turns out the children do not benefit, then the state does not exploit. But surely, this is still exploitation given the state (A) still benefits excessively from the transaction and at the expense of the women (B).

Second, Wertheimer's account is still transactional and so faces the same difficulties regarding CCTs discussed in section 7.2.1. The transactions between the state and the

⁴³² There may be other third parties, but I limit my argument to these three parties.

⁴³³ See footnote 245. But it's not clear whether the benefits come from the cash or the conditions attached. In chapter 8 I make the case for unconditional cash transfer programs in place of conditional ones.

⁴³⁴ Wertheimer 1996, 209.

women are not one-offs, but ongoing. They also do not occur between two equally positioned bargainers, but between the state and beneficiary women making the exploitation institutionalized. Given that policymakers rely on, perpetuate, and exacerbate gender inequalities by instituting CCTs, the exploitation that occurs is not only transactional but also arises from structural phenomena built into existing social, economic, cultural, and political systems. This means women may benefit or be burdened by the transactions as both individuals and as members of their social group. Redistributing the social surplus from the transaction such that the individual women receive their fair share of the cooperatively produced gains is important, but it does not resolve the issue of the state incentivizing women to comply with patriarchally prescribed behaviour in order to gain an advantage over women. Thus, Wertheimer's account ultimately falls short.

As I have shown in the preceding sections, conditional cash transfer programs are a unique case, given that there are at least three parties to the transaction, and the transaction necessarily requires state involvement. CCTs represent a kind of exploitation that bridges the structural and transactional divide, because the programs are exploitative in a transactional sense, but equally in a way that involves a reliance on structural harms, is ongoing rather than one-off, and is perpetuated by the state itself. It is my view that while there are different forms of exploitation CCTs are best understood through the lens of Third-Party State Exploitation.

Third-Party State Exploitation (TPSE) occurs when (A) *takes unfair advantage of (B) for the sake of (C) where both (A) and (C) benefit at the expense of (B) who bears an unjust share of the burdens relative to the benefits associated with the transaction.* While

(B) may receive some benefits from the transaction, (B) does not receive their *fair share* of the benefits in part because they bear an unjust share of the burdens. The extent of the disparity between (B)'s benefits and burdens can reflect the degree of wrongness associated with the transaction. Where (B) receives no benefits and is excessively burdened, this is a clear example of wrongful exploitation. Where (B) receives some benefits, even while carrying the lion's share of the burdens, however, it is less clear whether this remains a form of wrongful exploitation or if, instead, this amounts to mutually beneficial exploitation and so may be justifiable. Importantly, the benefits and burdens of a transaction may be distinctive and accrue differently to individuals versus collectives adding to the complexity of the exploitation and its potential justifiability. In cases of TPSE, it is the state (A), often acting via proxy or representative, who exploits some person or group (B), on behalf of/to the benefit of third party (C). My view is not that the state simply allows exploitative transactions to occur or maintains the structural conditions that enable exploitative practices. I argue it is explicitly the state that exploits. In the next section, I develop my account more deeply in applying it to the case of CCTs. I argue that CCTs fit well within the exploitation paradigm described above, and so are best understood as cases of TPSE.

7.4. Unfair Advantage-Taking and Conditional Cash Transfers

CCTs attempt to break the cycle of intergenerational poverty by requiring parents to invest in the human capital of their children, but the programs also demand that mothers engage in unpaid labour. In incentivizing women to perform social reproductive labour, policymakers may take unfair advantage of the women in order to confer benefits to the state and children. To know whether this amounts to exploitation, we must parse out

whether the fairness and consent principles are violated, and what role structural conditions might play in the interactions between the state and beneficiary women.

Applying TPSE to the case at hand, I argue *CCTs involve the state (A) taking unfair advantage of beneficiary women (B) to use their labour to the benefit of (A) and children (C), but not (B) since the state requires women to perform this labour because of their social position and the presence of gender hierarchies in the home and society writ large.*

When a state implements CCTs it takes unfair advantage of structural gendered vulnerabilities to use women's labour to the benefit of the state itself and the women's children through violations of transactional consent and fairness principles, despite possible benefits accrued to individual women.

7.4.1. The Consent Principle: CCTs as Violations of Consent

Recall that exploitation can occur when a consent principle is violated as when (A) misleads or deceives (B), thereby undermining (B)'s ability to give proper consent. The consent principle can be violated through either coercion or deception. In what follows, I argue CCTs involve both coercive and deceptive components, and that these elements contribute to the exploitation of the women (B).

One particularly relevant question to ask is whether the background conditions of severe impoverishment and gender inequality might result in defects in the consent process. Because of their impoverishment, poor households might be compelled to enroll in the programs just as the mothers might be obligated to accept the terms of the program. The offer might be such that it is unreasonable to refuse it. There may be good reason to think CCTs represent what Jeremy Snyder calls a "demeaning choice", where the women are forced to accept the status quo, thereby remaining in poverty, or accept an offer that

insufficiently improves their life's prospects.⁴³⁵ That the exploited party chooses to enter the transaction and participate in her own exploitation contributes to the overall demeaning quality and creates the appearance that she endorses the treatment she receives.⁴³⁶

The fact that CCTs are "voluntary" and largely mutually beneficial disguises the exploitation making it less likely for the exploited party to identify or protest her mistreatment. The women might accept offers that exploit them because it is their best option out of a range of terrible and demeaning choices. Beneficiary women may well accept this offer in order to benefit their children and might do so at the expense of their own wellbeing. Worse still, in complying with the conditions the women might be said to endorse the gender norms that hinder her life prospects. Since CCTs might improve the wellbeing of their children and household, the programs may constitute an offer that cannot be refused.

CCTs also differ from many transactionalist accounts of bargaining. Transactionalists, including Wertheimer, hold that exploitation occurs in the discrete market transactions between two equally situated parties such that both can effectively negotiate the terms of their exchange.⁴³⁷ The key here is the role negotiation plays in consensual transactions. If a party is unable to negotiate the terms of an exchange, then the arrangement is likely unfair.⁴³⁸ CCTs might be exploitative not because the women are unable to refuse the state's offer, but because they are unable to negotiate better terms

⁴³⁵ Snyder 2013.

⁴³⁶ Ibid., 346.

⁴³⁷ Wertheimer 1996.

⁴³⁸ See Vida Panitch, "Global Surrogacy: Exploitation to Empowerment," *Journal of Global Ethics* 9, no. 3 (2013): 329-343.

for themselves and their households. The women have no negotiating power with the state since the latter sets the program conditions and the cash stipend amount. The household's only option is to accept or reject the state's offer.

On top of this, there are cases of exploitation where it may be individually rational for (B) to accept (A)'s unfair proposal and be exploited. As put by Wertheimer, "allowing oneself to be exploited may be individually rational but *collectively* self-defeating."⁴³⁹ In these cases, the class of (B)s would be better off if the majority of (B)s resisted (A)'s bad offers as this might encourage (A) to make fairer offers. In fact, individual (B)s might be obligated to reject these unfair offers so to secure better offers for the class of (B)s.⁴⁴⁰

CCTs might help individual women while demeaning all women ideologically by reducing women to essentialized capacities with gender-specific responsibilities.⁴⁴¹ In tying conditions to traditionally gendered labour, states rely on, perpetuate, and exacerbate gender inequalities. The programs rely on and reinforce the "good mother" or "selfless mother" stereotypes that are rooted in sexist ideology and encourage women to be even more altruistic and family oriented. This re-entrenches gendered expectations of female servility and altruism which further hinder a woman's ability to effectively negotiate.⁴⁴² As will be discussed further in the next section, individual women may extract benefits from this exchange with the state, but they are also reinforcing gender

⁴³⁹ Wertheimer 1996, 245. Emphasis in original.

⁴⁴⁰ Snyder disagrees. Not every person who is disadvantaged or demeaned by unjust structures has to be a martyr for the cause as this is an unreasonably difficult burden to place on the shoulders of already disadvantaged persons. Instead, the party has a minimal obligation to work toward structural change and protest demeaning treatment when possible and when doing so does not require great personal sacrifice. See Snyder 2013.

⁴⁴¹ For more on how social policies and protections meant to benefit individual women can inadvertently exploit them as a social group see MacKinnon 1989, 164-166.

⁴⁴² Sylvia Chant, "The 'Feminisation of Poverty' and the 'Feminisation' of Anti-Poverty Programmes: Room for Revision?" *The Journal of Development Studies* 44, no. 2 (2008): 186.

stereotypes and so contributing to the oppression of their own group. Accepting the state's unfair offer makes it likely that states will continue to devalue care and domestic labour and continue expecting women to perform this socially valuable labour for free. The abovementioned discussion has left out a crucial component that may also lead to exploitation through the consent condition: deception.

One criticism levelled against conditional programs more generally is that conditions beget conditions. Should a given condition be unable to achieve the policy objective further conditions are often introduced, at a state or local level, to persuade people to adhere to the original condition.⁴⁴³ The implication is that people might consent to an arrangement with the state without knowing exactly what they are signing up for. The conditional nature of CCTs has led to the existence of “shadow conditions.” Shadow conditions occur when women are forced by local managers to comply with additional “co-responsibilities” under threat of removal from the program. Shadow conditions can include unpaid activities such as: running daycare centres, cleaning schools and health clinics, maintaining personal gardens, having latrines, cooking for the school lunch program, leaving babies at state-day cares, participating in parades, attending workshops, and contributing funds to school parties, amongst other things.⁴⁴⁴

Shadow conditions are not official program conditions, but any failure to comply with the conditions set by a local manager can result in expulsion or sanctions since it is local managers who monitor compliance. As far as the beneficiary women are concerned the shadow conditions are compulsory, and, in some ways, they are since local managers do

⁴⁴³ Guy Standing, “Behavioural conditionality, why the nudges must be stopped – an opinion piece,” *Journal of Poverty and Social Justice* 19, no. 1 (2011): 27-38.

⁴⁴⁴ Cookson 2018 128-133; Luccisano 2004; Molyneux 2006.

remove women for being uncompliant with these new “co-responsibilities”. Still, the conditions are not state mandated even though they are presented as such by local managers. Shadow conditions constitute deception since these are not conditions that the program outlines, but women are still required to comply with them. It’s not that the women do not know the labour they may have to perform to be compliant. A newly enrolled household, for example, might be aware that the mother must clean and cook for the school. What’s deceptive is that local managers present shadow conditions as program mandated co-responsibilities when they are not. The women are deceived about what the program officially requires of them and this is a problem.

Threats of suspension and expulsion motivate women to fulfill the conditions as dictated by local managers, as do accusations of irresponsible motherhood. The power disparities between the women and the local managers means that many women follow what they are told because the local manager is the authority and dictates who receives a stipend. Local managers can abuse their power over the women to have them complete shadow conditions and this can leave the women running from appointment to appointment unsure of what is mandated by the program.⁴⁴⁵

There are a lot of reasons shadow conditions might be imposed and not all are nefarious. First, a local manager might enact shadow conditions based on activities they believe are beneficial to enrolled households and support the program’s objectives. The local manager might be said to act paternalistically towards the program beneficiaries by having them comply with a set of activities the former thinks will improve the lives and living conditions of the households. This can include things like putting in latrines or

⁴⁴⁵ Cookson 2018, 150.

gardens, or having a hygiene station in their house, all of which may contribute to better health, hygiene and food security. These ends may well be compatible with the goals of a particular conditional program. But this is still deceptive.

Second, shadow conditions might be used to increase public service uptake. Where the state has created public infrastructure to support a community there may be slow uptake of the service. Conditions could be used to increase public support for and use of these services. For example, public daycares may be underutilized in some target communities. Local managers might enact a shadow condition compelling woman to leave their children at the daycare. This same logic may also apply to public workshops, which may be poorly attended without a compulsory component.

Third, shadow conditions might be used because a local manager has had to negotiate with other authorities to get their assistance in securing beneficiary records. A local manager might work with local authorities to create shadow conditions, or be unable to refuse the wishes of a local authority and so be forced to implement a shadow condition. To illustrate, local managers need the support and assistance of school directors to monitor the education component of CCTs. Since the local manager needs the signature of the school director to complete her monitoring work, a director might require the local manager to enforce conditions which would be personally beneficial to them [the school director], in exchange for the required signature. Should the local manager refuse to comply with this request, she may quickly find herself unable to access school and attendance records, and without the signature she needs.⁴⁴⁶ This would greatly reduce the

⁴⁴⁶ Ibid., 145.

local manager's ability to record household compliance and get households the cash they are entitled to.

At least some of the shadow conditions, however, stem from local managers' inability to fulfill their own job requirements of monitoring compliance. Local managers are typically responsible for monitoring the compliance of hundreds or even thousands of households across geographically varied and remote regions. Given the number of households and the travel required to monitor compliance on a regular basis, many local managers are unable to properly track program compliance without the voluntary labour of Mother Leaders from each community, discussed in section 5.4.2. and in relation to gender inequality, or by enacting shadow conditions.

Shadow conditions may be implemented because the local manager is desperately trying to ensure their clients receive the cash they are entitled to. Local managers might require mothers to attend monthly meetings or workshops so that household compliance can be recorded more easily, rather than meet with each individual household on its own. This leads to the enactment of a shadow condition (i.e. compulsory attendance at workshops), where women are expected to perform additional labour in order to be recorded as compliant with the program. Fulfilling officially sanctioned program conditions increase women's time and labour burdens and these burdens are compounded through the use of shadow conditions.

One response to the problem of shadow conditions is that this is a mere practical problem, and not an inherent problem with conditional cash programs. One might be willing to concede that deception occurs, but that this is a problem of bad actors.⁴⁴⁷ Bad

⁴⁴⁷ Pérez-Muñoz 2017.

local managers exploit beneficiary women by fooling them into performing additional labour. And this is indeed part of the problem. But many of the local managers are not “bad”. They are trying to secure benefits for their clients and can only do so by enacting shadow conditions because of institutional failures. Shadow conditions “are an integral part of program implementation” and are “only made possible because the cash transfer [is] conditional.”⁴⁴⁸ This makes shadow conditions a systemic problem, not just an individual one. Institutional problems require institutional solutions. Shadow conditions will not be resolved by eliminating bad actors.

To further highlight the transactional and structural nature of CCTs consider the following. Tara Cookson describes a case in Peru where a group of local managers colluded with two cashiers at a National Bank to steal roughly 1 million soles from *Juntos* recipients’ savings accounts. The heist took place over two years and affected an unaccounted-for number of program beneficiaries. Local managers had simply told the women they would not be receiving their cash for a certain period, and the bank cashiers siphoned the money from the accounts of beneficiaries. This theft is the result of bad actors yet points to a larger flaw with the programs. In Cookson’s view,

the fact that local managers could withhold transfers from hundreds of *Juntos* women for months at a time with no explanation, knowing that these women had no recourse whatsoever, tells of a broader pattern... This theft surfaced unequal power dynamics that are widespread and routinely implicated in more ordinary and invisible forms of injustice.⁴⁴⁹

Her conclusion is that imposing conditions on aid facilitates such abuses and, in my view, it creates the conditions under which third-party state exploitation can occur.

⁴⁴⁸ Cookson 2018, 147.

⁴⁴⁹ Ibid., 150.

It's clear from the above discussion that CCTs may pose a serious problem for consent. Background conditions of poverty and gender inequality may prevent beneficiaries from being able to effectively negotiate the terms of the deal with the state. Beneficiaries might also be deceived about what kind of labour and how much is officially sanctioned by the state. This may result in their unknowingly performing labour that is not state-mandated. All of this creates problem for the consent of individual women who may be exploited through violations of the consent principle. Of course, exploitation can occur in cases where (B) has voluntarily consented to the transaction. Where the women and their households can be said to consent to the programs, might there still be something exploitative going on? The answer is yes because the transaction may be unfair to (B) insofar as (B) does not receive their fair share of the social surplus generated by the transaction.

7.4.2. The Fairness Principle and CCTs: Whose Benefits and Whose Burdens?

As may be recalled, there are at least three parties involved in conditional cash transfer programs. First, the state (A), often acting via a proxy, sets conditions, monitors compliance, and enforce program compliance. Second, beneficiary women (B) are required to fulfill program conditions in exchange for cash. Third, the children of enrolled households are the primary focus of the programs and are set to benefit from their mothers' compliance with the conditionalities. The state interacts with beneficiary women to secure benefits, through increased investments in human capital, for the children. To claim this arrangement is an exploitative one we must determine how the benefits and burdens are distributed to the state, the women, and the children. I examine each in turn. I argue that while (B) does benefit from the programs, (B) does not receive

their fair share of the cooperatively produced gains of the interaction, and instead carries an undue share of the burdens relative to the transaction.

States enact conditional cash transfer programs and, acting via a proxy or representative, track household compliance to ensure beneficiaries are following through on their end of the bargain. The conditions are meant to ensure children benefit from the programs through increased parental investment in their health and education. The conditions are also alleged to be the most effective way to combat the misguided beliefs of parents – the primary reason for poor investment in the first place. While it might be possible to achieve proper parental investment without conditions, it is claimed that doing so would be inefficient because it would require too much time and resources on the part of the state.⁴⁵⁰ Since efficiency considerations are largely motivated by economic considerations, the state benefits economically from having efficient programming.

Enacting CCTs results in economic benefits for the state in at least two ways. First, CCTs might be a cost-saving measure by encouraging poor households to be partially responsible for getting out of poverty. Since only the “deserving poor” receive the cash transfer, the state does not waste resources by providing cash to the “undeserving poor” or the “irresponsible.” The conditions ensure that only those serious about getting out of poverty get the assistance they need, and that the poor use the cash responsibly. This leads to a second economic benefit also rooted in efficiency considerations. As argued in Chapter 6, women’s unpaid labour is used to compensate for the deficiencies of CCTs and to support the maintenance of these programs. Cutbacks in social spending, often in the name of efficiency, are premised on the belief that women’s unpaid labour can and

⁴⁵⁰ Fiszbein and Schady 2009.

will compensate for government cutbacks.⁴⁵¹ CCTs institutionalize women's survival strategies as an inexpensive state welfare strategy and, in doing so, rely on women's labour contributions and volunteerism to carry out state welfare projects.⁴⁵² The state benefits economically from relying on conditions and the unpaid labour of "efficient" and selfless mothers.

The second party I want to examine is the children who are the primary subject of CCTs and are set to gain from the transaction between their mothers and the state. Conditional cash transfer programs are intended to break the intergenerational transmission of poverty through investments in the human capital of children. Parents are expected to use the cash in ways that will increase the health and education status of their children. Proponents of CCTs allege that the programs provide substantial benefits to children living in poverty.⁴⁵³ Children benefit from the programs because their parents can afford to take them to health clinics and send them to school which will free children from poverty and enable them to become productive members of society. This in turn results in benefits for the state as well. For now, I largely set aside questions about the effect conditioning has on improving the lives of children to make the best case for CCTs – that they improve the lives of the targeted children.

Having established that (A) and (C) are both set to gain from the transaction, I now turn to an examination of the benefits and burdens that accrue to the women (B), whose labour is used to the benefit of the state and the children. Do women benefit from the use of CCTs? Proponents claim they do.⁴⁵⁴ These benefits can come from both the cash and

⁴⁵¹ Wilson 2015.

⁴⁵² Budlender 2014; Cookson 2018; Corboz 2013; Luccisano 2004; Nelson and Sandberg 2016.

⁴⁵³ See footnote 245.

⁴⁵⁴ Bartholo 2016; Fiszbein and Schady 2009.

the conditions attached to it. CCTs can increase the consumption levels in households, thereby reducing poverty.⁴⁵⁵ This can mean access to more food and more nutritious foods. Since women are members of these households, they too benefit from the programs impact on household consumption. Additionally, just as the state benefits from increased investment in children, so too do mothers. Children are more educated and healthier and this *ipso facto* benefits the parents as well. Moreover, providing cash to mothers can empower them by providing them with a bargaining chip in intrahousehold negotiations. Providing cash to women may also improve their social status in the community and have positive effects on their self-esteem and self-confidence.⁴⁵⁶ This could expand women's options and, at times, help them challenge existing power relations in the home and in society.

The conditions, too, can have positive impacts on the women's lives and may even be empowering. Conditioning cash on attendance at parenting and health workshops, for example, can educate women and provide them with a greater sense of independence from male relatives who might otherwise limit their activities. The workshops could also provide information about their rights and encourage women to participate in the political process. This could be crucial in helping women make good life decisions and being more informed citizens. Furthermore, "[a]ttaching strings to the transfers by mandating specific human capital investments could strengthen the mother's bargaining power and reinforce her ability to shift household spending and time allocation decisions."⁴⁵⁷ The

⁴⁵⁵ Kabeer, Piza, and Taylor 2012; Kamakura and Mazzon 2015.

⁴⁵⁶ See Bartholo 2016.

⁴⁵⁷ Fiszbein and Schady 2009, 59

conditions may serve to increase women's agency by providing important knowledge and the skills to bargain which could empower them in some aspects of their lives.

While the benefits for women listed above are significant, they can also be problematized. For one thing, increases in household expenditures can result in gains to women, but need not. Construing household benefits as "women's" benefits can hide important gendered realities that may mean women do not always benefit from increases in household consumption levels. In many cases it may be true that when children benefit ipso facto so too do their parents, but this may not always be the case. For example, if the cash is meant to increase the human capital investment of children, then children may benefit from better nutrition while their mothers do not. This is further complicated by adaptive preferences which may mean the women "experience deprivation partly as a result of their own behaviours or desires – behaviours and desires that have been shaped by unjust social conditions."⁴⁵⁸ The women might, use the cash to purchase food, but then allocate it to their children or to male members of the household on the belief that men deserve more food than they do.

Finally, can CCTs really be said to empower women in the way that supporters allege? No, they cannot. In Chapter 6, I argued that CCTs rely on, maintain, and exacerbate gender inequalities by reducing women to essentialized beings whose primary role is that of biological and social reproduction. The programs not only rest on sexist ideologies, but also police women's behaviour to ensure they are being "good mothers." As I will go on to show, any benefits accrued to children come at the cost of their mothers being forced to comply with patriarchally prescribed behaviour. This is

⁴⁵⁸ Khader 2011, 4.

incompatible with gender equality and women's empowerment, and it is also exploitative.

It is worth noting that when it comes CCTs, we must examine the program impacts on individual women and women as a social group. It may well be the case that individual women benefit from their exchanges with the state. Indeed, the fact that women in some way benefit is what makes it likely that CCTs are mostly instances of mutually beneficial exploitation. Thus, my argument that CCTs are exploitative does not imply that beneficiary women may never benefit from the programs. My argument is that that *the benefits and burdens of the transaction are unfairly shared between the state and the women, and that this amounts to exploitation because the state relies on structural inequalities to take unfair advantage of the women to use their unpaid labour to serve the state*. In other words, while there may be individual gains, there are collective burdens that must be assessed as part of the exploitation paradigm. What I seek to establish is that while (B) does benefit to some extent from the programs, (B) does not receive their fair share of the cooperatively produced gains of the interaction, and instead carries an undue share of the burdens to the transaction that is often borne by the collective.

Before proceeding, I first want to fend off one concern that might arise. Since the impacts of CCTs are felt by individual women and women as a collective, we might wonder what should be done in cases where there are individual benefits and collective harms. What are we to do when the programs benefit individual women enough to be nonexploitative, according to the transactional fairness principle, but still take unfair advantage of women as a social group which results in the collective being burdened by the exchanges? If the benefits to individual women were so great, which I am not sure is

the case given the concerns I have raised thus far, could CCTs be justifiable even though they come at great cost to women as a collective?

Certainly, this is an important problem to resolve, but resolving issues of trade-offs between individuals and collectives is beyond the scope of this project. For one thing, I have levelled several critiques against CCTs, exploitation being just one. In Chapters 5 and 6, I argued CCTs are incompatible with the political values of liberty, economic efficiency, and equality and so are unjustifiable. I also argued that the programs are unjustifiable because they conflict with a commitment to human rights and the priorities outlined by the SDGs. The exploitative nature of CCTs is but one charge on a long list of reasons explaining why the programs are on balance unjustifiable. But there are also other options when it comes to poverty eradication that come with all the same benefits associated with CCTs and are able to overcome most of the objections raised against CCTs. Rather than focusing on whether CCTs are on balance justifiable because they confer some (or enough) benefits to individuals, albeit at the expense of the collective, we need only look to unconditional cash transfers programs (UCTs) as an alternative approach to cash-based social protection programs that is not exploitative.⁴⁵⁹

Setting aside this concern, transactionalists relying on the principle of fairness posit unfairness in an exchange has to do with the benefits accrued to (A) and, in this case, (C), and the overall fairness of the transaction to (B). Having already shown how (B) might benefit from CCTs, I now seek to demonstrate how (B) is excessively burdened by the transaction and how this reality renders the transaction unfair since the burdens that occur

⁴⁵⁹ In the next chapter, I demonstrate how UCTs overcome many of the challenges levelled at CCTs and conclude that UCTs are preferable to CCTs.

are a direct consequence of a state opting to rely on women's unpaid labour when it need not do so.

In Chapter 5, I argued women are subject to social and cultural norms about what it means to be a *good woman* or a *good mother*. Conditional cash transfer programs rest on essentialist and maternalistic conceptions of women in a way that renders women valuable only insofar as they can be used to benefit children. In implementing CCTs, policymakers take advantage of prescribed gender roles by assigning the 'co-responsibilities' to women, who are said to be better suited to addressing the needs of children than men. In doing so, CCTs assign gender-specific tasks to women (e.g. cooking, cleaning, meeting children's needs etc.) knowing women face tremendous pressure to fulfill their gendered roles and the associated responsibilities. CCTs take unfair advantage of the gendered vulnerabilities women face in their everyday lives, especially vulnerabilities around being good wives and mothers.

What's unfair about CCTs and the labour they require from women? Theorists like Sylvia Chant argue women are forced to shoulder the burdens associated with development by filling in gaps in social services, without, or with minimal, compensation in a process she calls the "feminization of responsibility."⁴⁶⁰ The feminization of responsibility occurs when:

- (i) Women's work diversifies and intensifies while men's declines;
- (ii) Women experience persistent or growing inequalities in their ability to negotiate obligations and entitlements in the household with men;
- (iii) There is an increasing disarticulation between investments vs. responsibilities and rewards vs. rights; and

⁴⁶⁰ Chant 2008; Sylvia Chant, "Re-Thinking the 'Feminisation of Poverty' in Relation to Aggregate Gender Indices," *Journal of Human Development* 7, no 2 (2006): 201-220; Sylvia Chant, "The 'Feminisation of Poverty' and the 'Feminisation' of Anti-Poverty Programmes: Room for Revision?" *The Journal of Development Studies* 44, no. 2 (2008): 165-197.

- (iv) There is a reduction of woman's participation in paid labour and/or political participation.⁴⁶¹

Evidence from CCTs suggests the feminization of responsibility occurs as a result of these programs. Some male tasks like paying school fees become the responsibility of women thereby reducing men's responsibilities. Women's labour burdens diversify and intensify through mandated conditionalities that require women to engage in labour on behalf of the program, and because children, now in school, cannot perform household labour like they once did. Thus, what was once children's tasks now fall on the shoulders of mothers or other adult women in the household.⁴⁶² The increased labour burdens also negatively impact women's ability to participate in paid employment as the programs work best in nuclear households where the woman is not employed outside the home.⁴⁶³ There is also mixed evidence on the extent to which CCTs reduce or increase political participation.⁴⁶⁴

As discussed in Chapter 3, what matters from the standpoint of empowerment is whether the cash, or the conditions attached it, meaningfully increase women's agency or challenge power relations by, for example, enabling women to be negotiate intra-household decisions. The cash may provide women the ability to negotiate some household decisions, but it often does little to address unequal gendered divisions of labour within the home.⁴⁶⁵ There is also mixed evidence on the impacts of cash grants provided to women in terms of gender violence. There is some evidence that cash transfers may have a minimal effect on intimate partner violence or may even decrease

⁴⁶¹ Ibid.

⁴⁶² See Cookson 2018; Molyneux 2006; Molyneux and Thomson 2011.

⁴⁶³ Budlender 2014; Cookson 2018; Kabeer, Piza, and Ttaylor 2012; Molyneux 2006; Molyneux and Thomson 2011.

⁴⁶⁴ Corboz 2013; Cookson 2018; Gil-García 2016.

⁴⁶⁵ On impacts on intra-household negotiations see Molyneux and Thomson 2011; Soares and Silva 2010.

the rates of violence in beneficiary homes.⁴⁶⁶ But there is also evidence that cash transfers may increase the rates of intimate partner violence since the cash increases women's bargaining power, and this may lead to conflicts.⁴⁶⁷

One might argue, as Serene Khader does, the feminization of responsibility exploits women on virtually any account of exploitation, since forcing someone to work without pay is unfair.⁴⁶⁸ Khader claims the exploitative feature rests on the fact that the state requires women to perform labour without compensation, which essentially conflates the women's position with that of slavery or indentured servitude. Since CCTs exemplify the feminization of responsibility what's exploitative about the programs is that they force beneficiary women to work without pay.

It might be conceivable, however, to view the programs as an employment arrangement where the state employs the women to engage in prespecified labour as wage workers. Egypt's CCT, for example, provides cash to compensate women for the time they spend attending program meetings and meeting with social workers.⁴⁶⁹ The cash transfer provided by Ecuador's CCT has also been promoted as financial recognition of women's traditionally unpaid work in the home.⁴⁷⁰ In these cases, Khader's charge of

⁴⁶⁶ Ana Maria Buller, Amber Peterman, Meghna Ranganathan Alexandra Bleile, Melissa Hidrobo, and Lori Heise, "A Mixed-Method Review of Cash Transfers and Intimate Partner Violence in Low- and Middle-Income Countries," *The World Bank Observer* 33, no. 2 (2018): 218-258; Gustavo J. Bobonis, Roberto Castro, and Juan S. Morales, "Conditional Cash Transfers for Women and Spousal Violence: Evidence of the Long-Term Relationship from the Oportunidades Program in Rural Mexico" (October 2015). *Inter-American Development Bank*, Working Paper Series N° IDP-WP-632; Handa et al. 2018; Molyneux 2006;.

⁴⁶⁷ See Francesca Bastagli, Jessica Hagen-Zanker, Luke Harman, Valentina Barca, Georgina Sturge, and Tanja Schmidt, with Luca Pellerano, *Cash Transfers: What does the evidence say? A rigorous review of programme impact and of the role of design and implementation features* (Overseas Development Institute, July 2016).

⁴⁶⁸ Serene Khader, "Women's Labour, Global Gender Justice, and the Feminization of Responsibility," in *Fair Work: Ethics, Social Policy, Globalization*, ed. Kory P. Schaff, 113-131. (Toronto, ON: Rowman & Littlefield International Ltd., 2017), 113-131. Especially at 122.

⁴⁶⁹ Cornwall 2016, 349.

⁴⁷⁰ Program designers recognized the cash grant was very small compared to the "immense" amount of work mothers do in the home. See Molyneux and Thomson 2011.

exploitation fails because the women's position appears analogous to that of a wage labourer.

But wage labourers can also be exploited. In this case, the problem may be that the women are selling their labour for less than its full value and, given that they must labour to survive, they are compelled to work for the state. In another iteration, parents' wages may be seen as investments in future workers whereby parents engage in paid labour in order to secure the needs of themselves and their children such that the latter are properly invested in and so can one day become wage labourers. Here, CCTs may provide a wage to mothers that is used to invest in the health and wellbeing of her children who are future workers for the state.

Still, if the problem lies with the fact that the women are not compensated or not compensated *fairly*, then simply increasing the cash stipend would suffice for overcoming the charge of exploitation, at least for a transactionalist. But this is not the case. Paying the women for their labour or paying them better results in benefits to the women, but it does not resolve the issue of exploitation. This is because part of what is exploitative is structural since it generates harms for women collectively by reducing them to selfless mothers. Paying the women more for their labour cannot address the problem of the feminization of responsibility, which is arguably exploitative, because the women are forced to bear the brunt of development by subsidizing social services with their labour and so do not receive their fair share of the cooperatively produced gains. The state expects and requires women to perform this labour because of their social position and the presence of gender hierarchies, and takes advantage of this reality to gain excessively and at the expense of women.

Moving beyond the feminization of responsibility, what I claim is that women's care and domestic work, a societal expectation, is used to serve the state. There is already a social expectation that women will do unpaid care and domestic work. In conditioning cash on this labour, the state reinforces that expectation, and increases the amount of labour, by placing the responsibility on women to undertake the tasks necessary for ensuring that children are well-fed, cared-for, and taken to school, in the hope of increasing their human capital and ending the intergenerational transmission of poverty. The fact that women who fail to fulfill program conditions are punished by having their households removed from the program demonstrates the way the state acts to police gendered responsibilities. Correcting for this type of exploitation cannot be achieved by paying the women for their labour. What is needed is a more structural approach to the problem that involves reorganizing our institutions and practices, altering the divisions of labour, and changing structures and cultures. CCTs reinforce the gendered division of labour and uphold unjust structures, institutions, and cultures and so cannot be a tool for rectifying exploitation but, instead, are a means of exploitation.

7.5. Conclusion

In this chapter I argued for a novel form of exploitation, third-party state exploitation, that is comprised of both transactional and structural components. More specifically, I argued that CCTs are a form of transactional exploitation that also relies on structural harms. Conditional cash transfer programs involve the state (A) taking advantage of poor women (B) to use their labour to the benefit of (A) and children (C), but not (B), since the state expects and mandates women to perform this labour because of their social position and the presence of gender hierarchies. In appealing to issues of consent, CCTs can be

transactionally exploitative when households are coerced or deceived into accepting the state's offer. But even when the programs are consented to and mutually beneficial, they may still be exploitative. Individual women may extract some benefit from their enrollment in the programs while also shouldering the burdens of conditions, and women as a social groups are also collectively harmed by these arrangements. Still, exploitation occurs and this conflicts with the global obligation to end all forms of exploitation for women and girls.

Coupled with the arguments presented against CCTs in chapters 4 and 5, this chapter provides yet another reason why governments ought not implement these programs and should opt for anti-poverty solutions that are not exploitative. The problem of conditionality remains an affront to human rights and the other political values (liberty, economic efficiency, and equality) used to support the provision of cash benefits. This leaves little reason to suggest that CCTs should continue to be seen as the gold standard for anti-poverty development programs in the Global South.

CCTs are not the only option when it comes to combatting poverty. The exploitation that arises from these programs gives us good reason to consider reasonable policy alternatives that are not exploitative. Rather than engage in deliberations over how high the benefits must be to individual women to prevent them from being transactionally exploited and so offset the burdens borne by women collectively, I claim we should look elsewhere when it comes to social protection programs. Given this knowledge, international financial institutions and other nations should stop promoting CCTs as the gold standard for anti-poverty programs, and should look to other policy options that do not rely on the exploitation of women's labour and do not maintain persistent gender

inequalities. It is my view that the exploitation that occurs when states implement conditional cash transfer programs need not occur, given that equally beneficial and non-exploitative alternatives exist.

8. UCTS NOT CCTS: THE CASE FOR UNCONDITIONAL CASH TRANSFER PROGRAMS

8.1. Introduction

Through the Sustainable Development Goals the international community has committed to eradicating poverty and gender inequality. SDG 1 seeks to end poverty in all its forms with one of its targets explicitly requiring countries to implement nationally appropriate social protection programs for all, including establishing “floors”, so that by 2030 countries have achieved substantial coverage of the poor and vulnerable.⁴⁷¹ As argued in Chapter 4, cash is an important part of social protection programs and can be used to complement in-kind benefits, such as publicly funded health care and education systems. Cash benefits are a necessary precondition for accessing other in-kind benefits provided by the state and can be provided conditionally or unconditionally.

In the three preceding chapters, I argued conditional cash transfer programs, as a form of social protection, are incompatible with the goals of combatting poverty and achieving gender equality. More specifically, Chapter 5 argued the rationale behind CCTs is deeply flawed *and* conflicts with the political values most often invoked in defense of cash benefits; namely, human rights, liberty, and economic efficiency. In conditioning cash as part of social protection measures, poverty is viewed as an acceptable state for those individuals/households who are unable or refuse to fulfill program conditions. This runs contrary to the UN’s pledge to end poverty for all by establishing social protection programs for all, especially the poor.

⁴⁷¹ United Nations General Assembly 70/1, 2015, 15; United Nations General Assembly resolution 71/313. 2017, 1-2.

Chapters 6 and 7 went on to demonstrate how the programs are deeply incompatible with an appeal to equality, specifically gender equality. CCTs are an extension of the patriarchal world order insofar as the programs rely on and exacerbate gender norms and incentivize women to comply with patriarchally prescribed behaviour that reinforces essentialist and maternalist views of women. Given their conditional nature, CCTs police women's behaviour thereby ensuring the beneficiary women are compliant with the "good mothering" ideal as envisioned by the state. The conditional nature of the programs also enables the state to exploit beneficiary women as individuals and as a collective. CCTs, I have argued, are deeply problematic for combatting poverty and gender inequality.

Since CCTs are so problematic, this chapter offers an examination of an alternative form of cash-based social protection – unconditional cash transfer programs (UCTs)– to ascertain whether UCTs are superior to CCTs. I argue they are insofar as UCTs can overcome many, but not all, of the challenges levelled against CCTs. To reach this conclusion, I first explain what UCTs are as distinct from other kinds of unconditional cash programs and outline the benefits associated with the programs. Next, I establish that UCTs are theoretically consistent with a human rights-based approach and the political values of liberty and economic efficiency.

Finally, I assess the programs' compatibility with gender equality and women's empowerment. I argue UCTs fare better in terms of gender equality and empowerment but qualify this statement since the programs may go wrong in practice despite being theoretically consistent with these aims. While UCTs are non-exploitative, in practice the programs can rely on and perpetuate gender inequalities in the same way CCTs do.

Importantly, however, the programs may involve the state relying on and perpetuating gender inequalities that reduce women to essentialized and maternal beings but do not explicitly require women fulfill gendered responsibilities. This leaves room for the possibility that UCTs are compatible with gender equality and empowerment in practice in a way that cannot be said of CCTs.

8.2. Unconditional Cash Transfer Programs: A Policy Alternative

The literature on cash transfers is vast and encompasses many kinds of government and nongovernmental interventions. Programs that are provided unconditionally are often lumped together despite some being targeted and others universal. These kinds of broad generalizations can be both helpful and harmful. Lumping all forms of unconditional cash programs together can be useful in terms of garnering public and political support *but* it can also hide the distinctive features of the programs. These differences matter greatly.

Unconditional cash transfers can come in many forms and how they are categorized depends greatly on whether the programs are targeted or universal. Cash programs that are both *universal and unconditional constitute basic incomes* whereas those that are *targeted and unconditional are what I refer to as unconditional cash transfer programs (UCTs)*. UCTs are unconditional, but basic incomes – at least in theory – are intended to be both *unconditional and universal*. In the literature, UCTs are sometimes wrongly perceived as granting universal benefits to all citizens, as when Levasseur et al. claim that unconditional cash transfer programs are “universal benefits guaranteed to all citizens.”⁴⁷² And basic incomes are sometimes wrongly characterised as being limited to

⁴⁷² Karine Levasseur, Stephanie Paterson, Nathalia Carvalho Moreira, “Conditional and Unconditional Cash Transfers: Implications for Gender,” *Basic Income Studies*, De Gruyter 13, no. 1 (2018): 1.

the poor, designed to boost human capital investment, or conditioned on participation in the workforce, as when Ontario's Basic income Pilot targeted only those who were low-income and between the ages of 18-64.⁴⁷³ Just as I differentiated between CCTs and other forms of conditional cash programs (e.g. Employment Insurance) in Chapter 4, so too must the programs examined in this chapter be distinguished from other forms of unconditional cash transfers like basic incomes, the latter of which are beyond the scope of this project.

UCTs have several defining features worth outlining from the outset. UCTs are targeted to poor households with the aim of ending the intergenerational transmission of poverty. Cash is provided in lump sums or regular installments to poor households with children so that parents may better invest in the health and wellbeing of their children and have freedom to choose how best to go about securing these ends. Households are expected to age-out from the programs as children age above the targeted age group *or* to "graduate" from poverty by becoming able to better support themselves without government assistance. Thus, what I refer to as unconditional cash transfer programs or UCTs are something quite specific and more analogous to CCTs given their targeted nature. The key distinction to be made between UCTs and CCTs is that the former are provided unconditionally, while the latter conditionally.⁴⁷⁴ In what follows, I provide a more robust accounting of UCTs and their purported benefits to lay the groundwork for the evaluation found in sections 8.3 and 8.4.

⁴⁷³ Hugh Segal, "Finding a Better Way: A Basic Income Pilot Project for Ontario," (Government of Ontario, 2016): 1-73.

⁴⁷⁴ CCTs are typically found in Latin American countries whereas UCTs in African countries, especially those in Sub-Saharan Africa.

UCTs are targeted anti-poverty programs.⁴⁷⁵ The programs combat poverty by providing poor households with supplementary income that can enable parents to invest more in the health and education of their children.⁴⁷⁶ To this end, cash can be provided as one-time payments or as regular installments.⁴⁷⁷ Both types of payments result in benefits. Monthly payments are associated with increased food consumption whereas one-time payments with asset accumulation.⁴⁷⁸ The programs are not, however, typically intended to support households over the long-term as households are expected to graduate from or age-out of the programs. UCTs are generally means-tested to ensure the poorest and most vulnerable members of society are protected and supported while they establish the means to improve household income levels. Once household income rises above the programs means-tested threshold, they are said to have graduated from the program since they can now better support themselves. Households might also age-out of the programs as when their children reach an age above the program's targeted scope.

As with CCTs, cash disbursements are typically paid to mothers on the assumption that mothers act in the best interests of their children for the purpose of boosting household expenditures. Unlike with CCTs, some UCTs do allow fathers to collect the transfers instead.⁴⁷⁹ Evidence from a Kenyan UCT revealed benefits to households

⁴⁷⁵ This means the programs are subject to the worries discussed in Chapter 5. This doesn't mean UCTs are bad, but it may mean there are strong reasons for thinking cash transfers should be provided unconditionally and universally.

⁴⁷⁶ Handa et al. 2016; Hanlon, Barrientos, and Hulme 2010, 103-105; Jeff Madrick, *Invisible American: The Tragic Cost of Child Poverty* (New York, NY: Alfred A. Knopf, 2020); Karen Thome, J. Edward Taylor, Mateusz Filipowski, Benjamin Davis, and Sudhanshu Handa, "The local economy impacts of social cash transfers: A comparative analysis of seven sub-Saharan countries," *Food and Agricultural Organization of the United Nations*, 2016.

⁴⁷⁷ See Haushofer and Shapiro 2013 and 2016.

⁴⁷⁸ Increases in women's empowerment were also reported with larger transfers as compared to smaller ones. Ibid.

⁴⁷⁹ See Haushofer and Shapiro 2016.

regardless of whether the beneficiary was male or female. Transferring the cash to men led to larger impacts on the standard measures of economic welfare, such as assets and consumption, whereas transferring the cash to women improved outcomes more likely to benefit children as well as increase psychological wellbeing and women's empowerment.⁴⁸⁰ Similar to CCTs, though, some UCTs justify the provision of cash to mothers on the basis of the empowering effects cash might have.⁴⁸¹

Still, the cash is a household entitlement, rather than an individual one, and is meant only to supplement existing income sources rather than replace them. The Burkina Faso UCT, for example, provides cash in the amount equal to roughly 7% of a household's total expenditures for the year.⁴⁸² In the Zambian Child Grant Program, which targets families with a child under age 5, households receive a fixed monthly sum of roughly \$12 USD (paid bimonthly) irrespective of family size. This amount was "deemed sufficient to purchase one meal a day for everyone in the household for 1 month."⁴⁸³

As UCTs are provided unconditionally, policymakers do not place any conditions on receipt of cash. Proponents of UCTs trust that households "know better than the programme designers what kind of behaviour is in their best interests" and so are trusted to act accordingly.⁴⁸⁴ They claim the cyclical nature of poverty can be especially difficult to overcome when conditions are placed on behaviour because this constrains household

⁴⁸⁰ Ibid.

⁴⁸¹ Kate Ambler and Alan de Brauw, "The Impacts of Cash Transfers on Women's Empowerment: Learning from Pakistan's BISP Program," *Social Protection & Labor Discussion Paper 1702*, World Bank Group, 2017.

⁴⁸² Richard Akresh, Damien de Walque, and Harounan Kazianga, "Evidence from a Randomized Evaluation of the Household Welfare Impacts of Conditional and Unconditional Cash Transfers Given to Mothers or Fathers," *Policy Research Working Paper no. 7730*, World Bank Group, 2016.

⁴⁸³ Tia Palermo, Sudhanshu Handa, Amber Peterman, Leah Prencipe, and David Sidenfeld, "Unconditional government social cash transfer in Africa does not increase fertility," *Journal of Population Economics* 29 no. 4 (2016): 1090.

⁴⁸⁴ Forget, Peden, and. Strobel, 2013, 86.

decision-making in ways that make it harder to get out and stay out of poverty in a sustainable way. Making cash resources available unconditionally enables households to make decisions consistent with their own priorities, rather than the priorities of policymakers, which likely results in gains to their agency.

Unlike proponents of CCTs who claim parents need to be educated about how to act in the best interests of their children and engage in behaviour modification, advocates of UCTs argue that misguided altruism or erroneous beliefs are not the reason behind a lack of human capital investment. Those advocating for UCTs argue it is the lack of cash preventing parents from sending children to school or taking them to health clinics. As I have argued in Chapter 4, cash is a necessary precondition for being able to sufficiently access one's other rights, including rights to health care and education, even when these rights are publicly funded since there may be barriers to access preventing greater uptake of these in-kind services.

UCTs have similar effects on children's health and education outcomes as compared to CCTs. A growing body of literature suggests it is the cash that confers benefits and not the conditions.⁴⁸⁵ Access to more cash means parents are not forced to prioritize the education of boys over girls because they can now afford to send all of their children to school.⁴⁸⁶ There is also demonstrable evidence that UCTs have positive impacts on the health and nutrition of not only the children, but the household in general. In a comparison between UCTs and CCTs from 18 programs in 11 countries, it was found that the nutritional status of households improved at the same rate with or without

⁴⁸⁵ Blattman and Niehaus 2014; Cookson 2018; Forget, Peden, and Strobel 2013; Kidd 2016.

⁴⁸⁶ Canavire-Bacarreza et al. 2017; Forget, Peden, and Strobel 2013; Handa et al. 2016; Kidd 2016, 2-3; Woolard and Leibbrandt 2010.

conditions attached to health or education. In fact, nutritional status suffered when program conditions were related to working and saving. The analysis concluded that when given the freedom to do so, families will address their most pressing needs – whatever they may be.⁴⁸⁷

Evidence collected on UCTs can be used to challenge many of the myths surrounding the provision of unconditional cash transfers to the poor.⁴⁸⁸ For instance, policymakers have tended to shy away from unconditional cash transfer programs over worries of dependency, laziness, and irresponsibility. Specifically, policymakers have worried that providing cash unconditionally would (i) induce higher spending on alcohol and tobacco; (ii) be fully consumed rather than invested; (iii) create dependency and reduce participation in productive work; (iv) increase fertility rates when targeted to households with young children; (v) lead to negative community level economic impacts such as price distortion and inflation; and (vi) be fiscally unsustainable. But these worries are unsubstantiated.

One common worry about unconditional transfers is that beneficiaries will waste the money on temptation and luxury items, including alcohol and tobacco. This myth is typically associated with men who are thought to be more selfish spenders. As discussed in Chapter 5, this is one of the reasons Fiszbein and Schady argue women should be the beneficiaries in CCTs. But this worry is not borne out by the evidence. Handa et al. report no significant evidence that cash transfers were being spent on temptation goods. They claim, “the misuse of transfers for temptation goods, specifically alcohol and tobacco, is

⁴⁸⁷ Forget et al 2013, 89. See also Handa et al. 2016; Scott et al. 2017.

⁴⁸⁸ See Handa et al. 2018 for an in-depth analysis of the myths and evidence to the contrary.

not supported by data.”⁴⁸⁹ Similarly, Blattman and Niehaus report that drug addicts and petty criminals from the “slums of Liberia” were provided an unconditional cash grant and spent the majority of the grant on basic needs or starting their own businesses.⁴⁹⁰ This suggests the cash might be viewed differently from other sources of income likely because of the messaging associated with the cash programs.

This bleeds into a second worry about transfers being fully consumed rather than invested. The worry is that the cash will be used for short-term consumption rather than being used for long-term investments, such as human capital or productive activities, and that this will create dependency and reduce participation in productive work. Yet again evidence suggests this is not the case. Beneficiary parents make investments in the human capital of their children.⁴⁹¹ But even increases in short-term consumption patterns for basic needs can be beneficial and should be viewed as investments when doing so helps “maintain the human capital of children through better nutrition and increased capacity to learn.”⁴⁹² Households reportedly use the cash to increase their consumption levels, acquire assets, investment in and acquisition of further revenue from livestock and small business ventures.⁴⁹³ There is also little evidence to suggest providing cash unconditionally will make the poor lazy and encourage them to leave the productive work.⁴⁹⁴ As Handa et al. conclude, “the idea of a “lazy welfare recipient,” is simply not borne out by hard evidence in LMIC settings.”⁴⁹⁵

⁴⁸⁹ Ibid., 270-271.

⁴⁹⁰ Blattman and Niehaus 2014.

⁴⁹¹ Blattman and Niehaus 2014; Canavire-Bacarreza et al. 2017; Cookson 2018; Forget, Peden, and Strobel 2013; Handa et al. 2016; Handa et al. 2018; Kidd 2016; Scott et al. 2017; Woolard and Leibbrand 2010.

⁴⁹² Handa et al. 2018 271.

⁴⁹³ ; Banerjee et al. 2017; Blattman and Niehaus 2014; Handa et al. 2018; Haushofer and Shapiro 2013; Haushofer and Shapiro 2016.

⁴⁹⁴ Banerjee et al. 2017; Handa et al. 2018.

⁴⁹⁵ Handa et al. 2018, 279.

Furthermore, providing unconditional cash transfers to the poor is not associated with increased fertility rates.⁴⁹⁶ The cash does not incentivize households to have more children and may be associated with birth spacing and delayed pregnancies in women who lived in households enrolled in UCTs as children or adolescents.⁴⁹⁷ There are also positive spillover effects from UCTs on the local economy since beneficiaries can purchase more goods from local markets which results in increased demand for goods and services offered by non-beneficiaries.⁴⁹⁸ Nor are the programs fiscally unsustainable.⁴⁹⁹ The benefits to women are examined in section 8.4. UCTs are good social policy and offer many benefits for poor households and their communities.

8.3. Human Rights, Liberty, Economic Efficiency, and UCTs

Having established what UCTs are, a narrow subset of unconditional cash policies aimed at ending the intergenerational transmission of poverty by providing parents with cash grants, I now turn to a discussion of whether UCTs are superior to CCTs in terms of their compatibility with the defenses most often invoked in support of cash transfers. I argue UCTs are theoretically consistent with a human rights-based approach and the political values of liberty and economic efficiency.⁵⁰⁰

8.3.1. Liberty and UCTs

From the arguments presented in Chapter 4 both cash and in-kind transfers can be liberty-respecting. On the one hand, cash transfers enable beneficiaries to pursue their conception of the good and are often thought to minimize concerns generated by

⁴⁹⁶ Handa et al. 2018; Palermo et al. 2016.

⁴⁹⁷ Ibid.

⁴⁹⁸ Banerjee et al. 2017; Handa et al. 2018; Thome et al. 2016.

⁴⁹⁹ Forget, Peden, and Strobel 2013; Handa et al. 2018.

⁵⁰⁰ I take up the question of compatibility with equality, specifically gender equality, in the next section.

paternalism. On the other hand, in-kind transfers, such as publicly funded health care and education, are best understood as institutional supports that can be used to allow individuals to exercise self-control. This was part of the reason Chapter 4 concluded that cash ought to be used to complement in-kind transfers as cash often serves as a precondition for accessing in-kind goods and services. The question at hand, then, is whether UCTs as I have defined them are superior to CCTs when it comes to respect for liberty. The answer: yes.

There are many competing conceptions of the good life, and a defensible liberal theory of justice must be truly committed to equal concern for all persons and should not discriminate among conceptions of the good. As explained by Van Parijs and Vanderborght real freedom, that is substantive freedom, requires more than just the absence of barriers, obstacles, and constraints on individual decision-making. It also requires that one possesses the resources or capacities to carry out one's will or pursue one's conception of the good.⁵⁰¹ When governments implement UCTs as a form of social protection they do so in a way that does not discriminate against differing conceptions of the good when used to complement in-kind provisions. The programs are neutral insofar as they place no conditions on how the cash ought to be spent or require no labour on the part of beneficiaries. Households are encouraged to use the cash as they see fit even while they may also be nudged into making choices that will improve their lives leaving the choosers better off. Branding cash grants as "childcare grants" or "education grants" might be enough to nudge households into making investments in human capital.

⁵⁰¹ Van Parijs 1995; Van Parijs and Vanderborght 2017.

This liberty-respecting component is crucial since one of the problems levelled against CCTs in Chapter 5 was the programs are unnecessarily and unjustifiably paternalistic. Policymakers, local managers, and even Mother Leaders dictate what labour beneficiaries must perform in exchange for cash benefits *and how* beneficiaries ought to spend the cash. Households that fail to comply with the conditions, whether official or shadow, are penalized, sanctioned, and expelled from the conditional programs. The same is true of households that are perceived to be wasteful with the cash transfer by spending it on items or activities local managers or Mother Leaders believed are superfluous. More concerning is the fact that the rationale for implementing CCTs rests on the assumption that parents cannot be trusted to act in the best interests of their children and so need to be conditioned to do so. I argued these negative judgements about the parents' decision-making capacities make a significant and decisive contribution to policymakers' endorsement of the conditional programs. Absent these negative judgements, policymakers would likely opt for unconditional cash transfers instead.

UCTs are superior to CCTs when it comes to liberty because the programs not only allow beneficiaries the freedom to act in accordance with their conception of the good, by trusting parents to act in the best interest of their children but are also not subject to the charge of paternalism more generally. Since UCTs result in many of the same benefits as their conditional counterparts, if not more, the former are preferable because they maximize liberty while having the same positive impacts on children and households. The burden of proof lies with proponents of CCTs to argue why paternalism via conditioning is necessary when it comes to social protection programs aimed at the poor because the same positive outcomes are associated with unconditional programs.

While UCTs are preferable to CCTs when it comes to compatibility with liberty, this statement does not preclude the possibility that other programs may be even more liberty-respecting while achieving the same benefits as UCTs. One concern with UCTs might be that cash is a household entitlement rather than an individual one. This has serious implications for liberty considerations since freedom may not extend equally to all members of a household. Against a backdrop of gender inequality, for instance, UCTs may not increase the decision-making abilities of women. This practical problem, while important and discussed in the next section, does not negate the fact that UCTs are theoretically consistent with respect for liberty. Providing cash to poor households expands the range of opportunities available to the households and individuals within it by providing the means for them to act on these opportunities whether through human capital investments or entrepreneurship. Still, cash programs that are both *unconditional* and *universal* may ultimately be better than those that are only unconditional, but this has no impact on the fact that UCTs are superior to CCTs in terms of liberty considerations.

8.3.2. Economic Efficiency and UCTs

We must now consider how UCTs stack up against economic efficiency considerations. Recall from Chapter 4 that efficient allocations are ones where the allocation of resources is such that value is maximized.⁵⁰² Efficient policies achieve their ends at the lowest possible cost and with the *least amount of effort*. The goal of UCTs and CCTs is the same: to end the cycle of poverty by increasing parental investment in the human capital of their children. The question is whether UCTs are more efficient than their conditional counterparts at achieving this objective. I argue they are.

⁵⁰² Posner 1992.

UCTs are more efficient than their conditional counterparts because they may represent more value for money. At first glance this may seem like a puzzling conclusion to reach given the cost per unit of outcome will likely be higher with UCTs as they are provided to both the “deserving” and “undeserving poor.”⁵⁰³ As discussed in Chapter 5, however, CCTs come with large administrative costs. Local managers and other staff must be trained and supported so they may properly administer the programs and monitor the compliance of beneficiaries. Staff must be trained to determine household eligibility and know when and how to remove beneficiaries that no longer meet the eligibility requirements or because they are noncompliant.

Local managers also expend significant amounts of time and energy ensuring they travel to their clients and record compliance accurately. This often requires they work long hours – longer than what they are compensated for – with no days off.⁵⁰⁴ Local staff are also required to provide workshops to beneficiaries which represents another cost associated with these programs. Moreover, because CCTs require active monitoring, policymakers may be less likely to turn to alternative forms of payment, like electronic and mobile payments, which are generally more efficient than in-person disbursements. Program oversight is thus, costly in terms of both financial resources and also the time and energy of those required to do the actual monitoring in communities.

These bureaucratic costs can be quite expensive in terms of money, time, and resources on that part of the state, but they also consume tremendous amounts of time and resources from the beneficiary households – the mothers specifically. Since local managers are unable to track compliance on their own, they often enlist the support of

⁵⁰³ See Forget, Peden, and Strobel 2013, 90.

⁵⁰⁴ See Cookson 2018.

Mother Leaders and other beneficiary women to fill unpaid administrative and monitoring roles.⁵⁰⁵ This suggests that many CCTs do not have enough staff to manage the programs properly and need to hire additional workers. This would increase the program's administrative costs since women's unpaid labour subsidizes the cost of running CCTs. All in, it takes a tremendous amount of resources and effort on the part of the state, local managers, beneficiary women, and Mother Leaders for CCTs to run.

UCTs, on the other hand, would be expected to have much lower administrative costs since they do not need to hire and train staff to monitor compliance. Of course, the programs are still targeted to the poor and so involve some degree of administrative costs.⁵⁰⁶ But this is likely to be less than what is needed for CCTs and nonetheless fiscally sustainable. By providing cash directly to the poor and without strings attached, states would be cutting down on unnecessary administrative costs that make CCTs inefficient social protection programs. UCTs are more efficient than CCTs because they require overall less time, resources, and energy expenditures than their conditional counterparts while still achieving the same outcomes for children's health and education.⁵⁰⁷

8.3.3. Human Rights and UCTs

UCTs are superior to CCTs along the dimensions of liberty and efficiency, but are the programs compatible with a commitment to human rights? As may be recalled from Chapter 2, the international community has repeatedly committed itself to addressing the

⁵⁰⁵ See discussion in section 5.4.2.

⁵⁰⁶ Programs that are unconditional and universal may be even more efficient than UCTs given the former do not require targeting. These programs may require more by way of funds to be disbursed but have less administrative oversight. Universal programs also have the benefit of being better supported by the public and more endowed than targeted programs. See Korpi and Palme 1998.

⁵⁰⁷ Forget, Peden, and Strobel 2013; Handa et al. 2018.

problem of poverty. Article 24 of the Universal Declaration of Human Rights, for example, proclaims that all people have the right to an adequate standard of living (i.e., access to food, clothing, housing, medical care, and necessary social services) as well as the right to security in the event of sickness, disability, widowhood, old age, unemployment, or lack of livelihood beyond their control.⁵⁰⁸ In 2000, through the Millennium Development Goals, and again in 2016, through the Sustainable Development Goals, UN member states pledged to end poverty *for all* in part through the implementation of social protection programs.⁵⁰⁹

Building on these international commitments, Chapter 4 provided two arguments for social protection programs: the normative and the factual arguments. The factual argument asserts that the international community ought to provide social protection programs on the grounds that they have repeatedly pledged to do so as a way of combatting poverty. The normative argument appeals to human rights as a way of grounding claims on the necessity of social protection programs. Social protection programs, I argued, can be interpreted as both a right in their own, where individuals have a right to social protection, and as one of the preconditions for the fulfillment of their other rights, like a right to subsistence or an adequate standard of living. In the case of the latter, one of the duties generated by a right to subsistence is the provision of social protection programs to ensure individuals have their most basic needs met. In this case, social protection programs serve as the means by which a right to subsistence might be guaranteed and so protect individuals from falling below the social minimum.

⁵⁰⁸ United Nations General Assembly 1948.

⁵⁰⁹ United Nations General Assembly Resolution 55/2 2000; United Nations General Assembly 70/1 2015; United Nations General Assembly Resolution 71/313 2017.

Social protection programs are best realized through a combination of cash and in-kind transfers. This is because when it comes to something like a right to health care the state provision of these services may not be enough to secure access to these rights, especially for poor individuals. Cash transfers can be used to complement in-kind ones as the former provide persons with the financial ability to access goods and services which may otherwise be financially inaccessible. More to the point, the SDGs aim to end poverty which means people must be lifted above the international poverty line of \$1.90 per day. This requires that individuals have access to greater amounts of cash and so may justify the provision of cash transfers. Providing cash directly to the poor may be an effective way to sustainably end poverty when used in combination with in-kind supports since at least part of the problem when it comes to poverty is the poor's lack of access to sufficient and sustainable amounts of cash. Cash transfers can provide a floor on which the poor might stand to realize their rights thereby enabling them to pursue their conception of the good.

How did CCTs stack up against human rights considerations? As discussed in Chapter 5, not very well. Human rights are guaranteed to all persons; these rights are inalienable. This means poverty is an unacceptable condition for anyone to live in. All persons living on less than \$1.90 per day ought to receive assistance. The conditionality of CCTs makes the programs incompatible with the notion of *ending poverty for all*. CCTs provide cash only to the “deserving poor” understood as those individuals who are poor through no fault of their own and who will use the cash responsibly by complying with program conditions. Households that are unable or unwilling to comply with conditions are ineligible for program support. This leaves the onus on proponents of

CCTs to establish why poverty is an acceptable condition for the “undeserving poor.”

Even when the programs are provided as part of a larger package of services designed to secure a social minimum, conditioning cash on certain activities is akin to meriting social protection.⁵¹⁰ This runs contrary to the claim that social protection is an inalienable right or a necessary condition for securing other inalienable rights.

UCTs fare better when it comes to compatibility with human rights because the programs do not distinguish between the deserving and undeserving poor in the same way CCTs do. Cash is provided unconditionally to the poor as a way of helping households secure an adequate standard of living. The poor are deserving of state assistance precisely because they live in poverty and this is a violation or nonfulfillment of their rights. Since the primary goal of UCTs is to break the cycle of poverty by enabling poor parents to invest in the health and education of their children, providing cash unconditionally can be used to raise a household’s income over the \$1.90 per day benchmark. Of course, this would mean UCTs must be provided to households in amounts that are sufficiently high so as to actually free households from poverty. A commitment to human rights requires UCTs be provided at sufficiently high levels to move households *not only out of extreme poverty but also out of poverty*. This means that households should be lifted beyond the extreme poverty threshold of \$1.90/day/person and above the \$2.50/day/person poverty line as defined by the World Bank.⁵¹¹

One worry with UCTs might be rooted in the notion that the programs are targeted to the poor and targeting is an imperfect process. Basing eligibility on income thresholds

⁵¹⁰ On merit and equality see Dworkin 1981; Anderson 1999.

⁵¹¹ UCTs may need to be set even higher if we consider that the poverty lines are likely set far too low already. See Koehler 2016.

poses challenges for some impoverished households whose poverty may be cyclical. A household might move across the poverty threshold semi-regularly as its income changes over the year. According to Hanlon et al., there may be no point in attempting means-testing in some regions if three-quarters of households are known to live in extreme poverty. Means-testing in such circumstances “may only serve to exclude poor but recently lucky households – those who had no sickness last year or sold a goat – and next year they will probably be poor again.”⁵¹² This is a practical worry about UCTs and may serve as a reason why unconditional and universal cash transfer programs ought to be preferred. Still, providing cash to the poor is compatible with protecting the rights of all in theory because all those who fall below a certain income threshold would be eligible for the unconditional cash transfers. This is a vast improvement from CCTs which are intended to exclude any persons or households that are *undeserving* of state assistance because they fail to act in accordance with the program mandates.

8.4. Gender Equality, Women’s Empowerment, and UCTs

Having demonstrated how UCTs are compatible with appeals to liberty, efficiency, and human rights, I now turn to a discussion of how UCTs stack up against equality considerations. In this section I assess the compatibility between UCTs and a commitment to achieve gender equality and empowerment. At the level of theory, UCTs are compatible with the goals of gender equality and women’s empowerment. At a practical level, however, UCTs can go wrong insofar as the programs can maintain and magnify existing gender inequalities in society, thereby maintaining the status quo, when implemented under conditions of gender inequality. But the programs are not a form of

⁵¹² See Hanlon, Barrientos, and Hulme 2010, 87-94. Quotation at 91.

exploitation since they do not involve the state taking unfair advantage of beneficiary women. Despite reinforcing gender norms, UCTs are superior to CCTs insofar as the programs can align with the goals of gender equality and empowerment and are also non-exploitative forms of state assistance. The major conclusion to be drawn is conditioning cash goes wrong in theory and in practice, whereas UCTs go wrong only in practice, where conditions of background gender inequality exist.

8.4.1. The Role of Gender Norms in UCTs

Women are an oppressed social group in society. Women's subordinate status can be partially traced to a patriarchal world order in which systems of oppression uphold male dominance in society enabling men to have unjust power-over those who identify as or are misidentified as women.⁵¹³ In Chapter 2, I argued this was the basis for the global focus on achieving gender equality and women's empowerment. I claimed empowerment is best understood as either (i) transforming/challenging power relations; or (ii) increasing agency/expanding choice. I concluded, however, that while no single policy is likely to achieve gender equality or empower all women, some programs are better than others at working towards these ends. It is these programs that we should seek to deploy in seeking a gender equal world.

Chapter 6 identified how sexism and misogyny reinforce patriarchy and are manifested in CCTs through a reliance on essentialist and maternalist conceptualizations of women. Where sexism acts as the justificatory branch of patriarchy by appealing to theory and ideology regarding social relations, misogyny serves as the law enforcement branch of patriarchy.⁵¹⁴ CCTs rely on, maintain, and exacerbate problematic gender

⁵¹³ Bryson 1999; Fraser 2003; MacKinnon 1989; Manne 2018 and 2020; Okin 1989; Young 1990.

⁵¹⁴ Manne 2018 and 2020.

norms because they rest on sexist assumptions about women and require women to perform female-coded activities under threat of expulsion. In mandating that women perform unpaid care and domestic work, the state incentivizes women to comply with patriarchally prescribed behaviour and punishes those who fail to comply. Thus, the programs not only rely on sexist ideology but are also misogynistic since the conditional nature of the programs allows the state to police gendered responsibilities and punish *bad women* for failing to be *good mothers* by not living up to the selfless mother ideal put forward by the state.

UCTs have the potential, at least in theory, to be compatible with gender equality and women's empowerment. The problems associated with UCTs arise in the implementation of these programs given that the programs are operating against a background of gender inequality. In theory, UCTs can be designed in ways that are beneficial for women and girls as there is nothing intrinsically incompatible with the programs and these objectives. In practice, however, UCTs can reinforce unjust gender norms and rely on maternalistic and essentialist conceptions of women even while stopping short of exploiting women.

Unconditional cash transfers have the potential to positively impact the lives of poor women and girls. Providing cash to women can have many benefits. The cash may improve her ability to negotiate household decisions more effectively, improve her social status, and positively impact her self-confidence and self-esteem. It may also provide a greater degree of independence from male relatives.⁵¹⁵ UCTs may be beneficial to women insofar as the cash can be used to invest in the social capital of girl children that might otherwise be unable to attend school due to the household's limited financial

⁵¹⁵ See Ambler and de Brauw 2017; Scott et al. 2017.

resources. As evidence presented in section 8.2. demonstrated, unconditional cash transfers allow households to send their girls to school when financial insecurity had previously prevented them from doing so. This means UCTs have the potential to positively impact women and girls.

There are, however, worries UCTs do not go far enough in challenging unjust systems of oppression and so prevent women and girls from being active and full participants in their lives, their communities, and their countries. To illustrate, Scott et al. argue UCTs reinforce gender roles and social expectations about women, rather than challenge or transform existing gender relations and gendered divisions of labour. This manifests in the fact that gender and power dynamics surrounding who has control over money largely depends on the cultural and social context that the cash is being provided in.⁵¹⁶ In targeting households with children, it is mothers who are most often the recipients of cash and this may reinforce maternalist conceptions of women.

Public policies can inadvertently reinforce unjust patriarchal assumptions by reducing women to essentialist or maternalistic beings. Both, I argued, happen when governments implement CCTs. Dominant cultural norms around gender roles and gender expectations tend to rely on and reinforce the idea that women's natural disposition is one of selflessness and altruism, and that women have an endless capacity for caring. Unconditional cash transfers can and do provide cash to both men and women, but the cash is predominantly given to mothers.⁵¹⁷ The reasoning for this is much the same as it is with CCTs: women are presumed to work harder than men and be better suited to

⁵¹⁶ Scott et al. 2017.

⁵¹⁷ To learn more about programs that provide cash to fathers and how fathers spend this cash differently than mothers see Akresh, de Walque, and Kazianga 2016; Haushofer and Shapiro 2013; Haushofer and Shapiro 2016.

address the needs of children. While the cash is a household entitlement, it is provided to women under the assumption that mothers will use the stipend to the benefit of their child – and not necessarily to the benefit of the woman herself. Women are still perceived to be selfless beings who will prioritize the needs of the household above their own needs.

Importantly, UCTs differ from CCTs because the former lack an enforcement arm. There is no policing of gender norms. UCTs do not require or incentivize mothers to perform patriarchally prescribed activities and behaviours. Gender expectations and responsibilities may dictate that the women engage in certain household labour or put their needs behind those of the household but, due to their unconditional nature, UCTs do not monitor, or police gendered expectations. In this regard, UCTs represent an improvement from CCTs in that the former rely on gendered expectations and divisions of labour but stop short in mandating women engage in this labour.

Governments implementing UCTs often expect mothers to act in the best interests of their children even while the programs do force them to sacrifice their own interests for the sake of the household. Still, in opting for UCTs, policymakers are reliant on sexist assumptions about women. Beyond viewing women as essentialist beings, UCTs also reinforce the idea that women are mothers. Like CCTs, UCTs tend to reinforce the view that women's empowerment is the best way to end poverty. Targeting girls means that girls can grow up to end several of the world's most grave problems because *empowered girls* will grow into *empowered mothers* who will provide better care for their children. Gendered expectations dictate that one of the most important things women will do in their lives is become wives and mothers, and that their characters are naturally predisposed to be ideal partners and carers. Given this reality, UCTs in many ways still

reduce women's role in society to one of reproduction where women are expected to engage in both biological and social reproduction for the state.

The reality is that in practice UCTs do reinforce gender norms and this may partially be the result of tying benefits to motherhood. UCTs are household entitlements and what benefits the household may not benefit the women living in it. Household entitlements obfuscates the reality of who is providing the care and domestic work within a household. It also tacitly assumes that reciprocity exists and, more problematically, that free riding can only occur in the economic sphere.⁵¹⁸ When cash is provided as a household entitlement, it allows men and other members of the household to violate the principle of reciprocity because it allows them to shirk their obligations to engage in care and domestic labour on the assumption that women will provide this labour unconditionally. UCTs, if given at a high enough rate, could enable men to freely enter and exit the formal economy, but will do little to address the fact that women do the lion's share of work when it comes to the household. Women are still implicitly expected to provide their service, love, and loyalty to specific others with whom they exist in social relations – and those others may be free riding on her labour. Even when UCTs do not reinforce traditional gender roles the programs may be problematic because they fail to challenge gender roles and the current gender division of labour – the main source of gender injustice.

Since the main goal of UCTs is ending current poverty and breaking the cycle of intergenerational poverty – not empowering women – the goals of gender equality and women's empowerment may be neglected for the sake of combatting poverty. The cash is

⁵¹⁸ Carole Pateman, "Democratizing Citizenship: Some Advantages of a Basic Income," *Politics & Society* 32, no. 1 (2004): 89-105., 101.

meant to benefit the children and not necessarily the women who may receive it. What little social protection women might be said to receive from the cash stems from their familial or reproductive roles and not necessarily from a recognition of women as rights holders who are entitled to social protection as an extension of their rights.⁵¹⁹ This is, ultimately, a major shortcoming of UCTs, but one that can be resolved.

Many of the concerns with the programs can be alleviated or eliminated under different contexts. In more egalitarian circumstances UCTs need not reinforce essentialist and maternalist conceptions of women. UCTs rely on *existing* gender inequalities, but since the programs do not explicitly require women to engage in gendered labour this leaves open the possibility that UCTs could be practically justifiable in places with more equitable distributions of labour. Expanding the programs into individual entitlements, as a basic income would, may turn out to be better for women in theory and in practice.⁵²⁰ Since UCTs are theoretically consistent with a commitment to gender equality and empowerment they are superior to CCTs as the latter remain problematic for women even in theory.

8.4.2. UCTs as Non-Exploitative

The final charge against CCTs was that the programs were exploitative. I argued conditional cash transfer programs involved the state (A) taking unfair advantage of beneficiary women (B) to use their labour to the benefit of (A) and children (C), but not

⁵¹⁹ Hania Sholkamy, "How can Social Protection Provide Social Justice for Women?" *Pathways Policy Paper*, Brighton: Pathways of Women's Empowerment, IDS, 2011.

⁵²⁰ For debates on cash and its impact on gender roles see Ingrid Robeyns, "Will a Basic Income Do Justice to Women?" *Analyse & Kritik* 23, no.1 (2001): 88-105; Barbara Bergmann, "Basic Income Grants of the Welfare State: Which Better Promotes Gender Equality?" *Basic Income Studies* 3, no. 3 (2008): 1-7; Anca Gheaus, "Basic Income, Gender Justice and the Costs of Gender-Symmetrical Lifestyles," *Basic Income Studies* 3, no. 3 (2008): 1-8; Jacqueline O'Reilly, "Can a Basic Income Lead to a More Gender Equal Society," *Basic Income Studies* 3, no. 3 (2008): 1-7.

(B), since the state mandates women to perform this labour as a result of their gendered vulnerability. The question must then be asked: do UCTs fit within the paradigm of third-party state exploitation? In short, I argue UCTs do not involve the state exploiting beneficiary women since there is no exchange of goods or services by which we can say a transaction or exchange has occurred. UCTs are arrangements in which the state (A) typically provides cash to women (B), to provide benefits to children (C). All three parties are set to gain from the cash program and, most significantly, while the state may expect that women will perform care and domestic labour, it does not require women to perform this labour in exchange for cash.

Unconditional cash transfers differ from conditional ones in that the former do not result in exploitation and the latter do. Much of this distinction rests on the idea of doing versus allowing harm to occur. UCTs may rely on the highly gendered structural inequalities, but the successful functioning of these programs need not rely on (or take unfair advantage of) structural inequalities in society.⁵²¹ This is because the programs do not require any labour to be performed in exchange for state assistance. Since there is no exchange taking place between the state and the beneficiaries, except the transfer of cash from the state to poor households, the state does not take unfair advantage of beneficiary women. The state is simply providing households with cash unconditionally as part of a package of social protection programs to ensure households are above the social minimum.

CCTs, I argued, are transactionally exploitative in a way that relies on structural harms and this understanding can help to parse out why UCTS are not exploitative in my

⁵²¹ As discussed above, under more egalitarian conditions UCTs are compatible with achieving gender equality and empowerment.

account. I have already said the transfer of cash between the state and the households is not an “exchange” since beneficiary women are not required to engage in labour for the state. More to the point, there would need to be an exchange between the two parties that violated the consent or the fairness for exploitation to occur. Insofar as the women agree to enrolled in the programs and are not deceived about the programs the consent condition is met. And receiving money unconditionally does not appear to act as a demeaning choice, especially if provided in sufficiently high amounts. But perhaps the arrangement violates the fairness principle by enabling the state to gain excessively or at the expense of (B).

According to TPSE, exploitation occurs when the state or its proxy representative take unfair advantage of structural inequalities in their interactions with beneficiary households in a way that benefits (A) and harms women either as individuals or as members of a social class. But this cannot happen with UCTs as the programs are provided unconditionally. There is no bargain to engage in that can result in an unfair distribution of benefits and burdens. As with CCTs, it also makes little sense to think of UCTs as programs by which the state pays women to engage in certain forms of labour or to compensate for their traditionally unpaid labour. This is because the cash is a household entitlement that need not be paid to women in all cases, and the programs are provided unconditionally. With CCTs the state provides cash in exchange for women’s labour whereas with UCTs the state simply provides cash to poor households unconditionally. There is no mandated exchange between the two parties. This remains true even though the state may benefit from the unpaid labour performed by beneficiary women. Might this be a case of gendered exploitation, nonetheless?

Recall that Young, a structuralist, argues gender exploitation involves the (i) the transfer of the fruits of material labour to men; and (ii) the transfer of nurturing and sexual energies to men. Women, she argues, are subjected to gender exploitation when “their energies and power are expended, often unnoticed and unacknowledged, usually to the benefit of men by releasing [men] for more important and creative work, enhancing their status or the environment around them, or providing them with sexual or emotional service.”⁵²² It may be the case that men within a beneficiary household take unfair advantage of the women by having them perform certain kinds of labour. Indeed, the men may free ride on the labour of women within the household. But this does not result in the charge that UCTs are cases of Third-Party State Exploitation.

What it does mean is that in contexts of gender inequality, states may be flouting their duty to correct gender inequalities stemming from unjust gender norms and may be benefitting from the existence of these norms, but the state does not exploit. The state might be said to maintain the structural conditions that enable exploitative practices to occur, and this may be wrong, but this is distinct from the wrong of exploitation. Against conditions of gender inequality UCTs may rest on the assumption that women will perform unpaid care and domestic labour for the household. This assumption may be patently unjust and may allow gender inequality to flourish at the household, community, and national levels such that men are able to take advantage of women. The state may maintain the structural conditions that enable or allow exploitative practices or transactions to occur when UCTs are not part of a larger package of social protection that also actively combats gender inequality. But the state does not exploit. The state does not

⁵²² Young 1990, 51.

take unfair advantage of women's gendered vulnerabilities by enacting UCTs nor do the programs require the forced transfer of labour from women to men. On their own UCTs are not exploitative policies.

8.5. Conclusion

In this chapter I presented unconditional cash transfer programs (UCTs) as a viable policy alternative to conditional cash transfer programs. UCTs, as I outline them, are a specific kind of anti-poverty program deployed in the Global South to combat poverty by providing households with cash that can be used to invest in the human capital of children. I argued UCTs are superior to CCTs by demonstrating how the former programs (i) align with the arguments offered in Chapter 4 in support of cash; and (ii) are more consistent with a commitment to gender equality and empowerment and so are better for women and girls comparatively speaking. At the level of theory, there is nothing incompatible between providing cash unconditionally and the political values of liberty, economic efficiency, equality, and human rights. The same cannot be said of their conditional counterparts.

At a practical level, however, UCTs can go wrong when they maintain and magnify existing gender inequalities in society and so uphold male dominance. But unlike CCTs, UCTs do not police gender norms and so do not force women to engage in patriarchally prescribed behaviours nor does the state exploit women using these programs. The state may allow injustices and inequality to occur. But the state does not take unfair advantage of structural inequalities to excessively gain from or at the expense of the beneficiaries even while it may allow the conditions under which other forms of exploitation may take place. The programs themselves do not place undue burdens on beneficiary women. In

implementing UCTs, governments might be flouting their duty to correct gender inequalities stemming from unjust gender norms and may be benefitting from the existence of these norms, but the state does not impose the harm of exploitation.

UCTs are superior to and ought to be preferred over CCTs because they are better for women and girls. This conclusion is striking given that the original CCT developed in Mexico had gender equality as one of its main objectives. *Progresa* was introduced as a tool for promoting gender equality.⁵²³ It was hoped that beneficiary women would become economically empowered leading to more equitable intra-household negotiations and that girls would be better invested which would help them break free of poverty. Unfortunately, this was not borne out by the evidence and led to gender equality and empowerment objectives being dropped from current and future CCTs to avoid building an unattainable goal into the programs.⁵²⁴ This further strengthens the case for UCTs since the programs confer many of the same benefits of CCTs (i.e., combatting poverty and increasing investments in children etc.) without all of the problems associated with conditional cash transfer programs, and in a way that may better works towards the gender equality and women's empowerment. UCTs may not represent the ideal pathway towards empowering women or achieving gender equality, but the programs are superior to their conditional counterparts and so should be preferred. If the international community is committed to ending poverty and achieving gender equality, then states ought to implement unconditional cash transfers over CCTs since the former need not pursue poverty eradication at the expense of women and girls.

⁵²³ Jenson and Nagels 2018.

⁵²⁴ Ibid.

9. CONCLUSION

9.1. Introduction

Governments are increasingly recognizing the value of cash transfers in supporting the poor. There remains much debate about whether social protection programs ought to provide cash conditionally or unconditionally to poor households. Proponents of CCTs argue cash should be conditioned upon strict behavioural requirements so that parents use the money responsibly by investing it in health and education of their children.

Proponents of UCTs, on the other hand, maintain it is the cash – not the conditions – that improves investments in the human capital of children from low-income backgrounds.

The purpose of this chapter is twofold. First, I provide a re-statement of my position and a succinct summary of the arguments contained in this dissertation. Second, I offer a brief look to the future of cash transfers given the global pandemic we now find ourselves in.

9.2. Argument Summary

The purpose of this dissertation has been to demonstrate that conditioning cash, rather than cash itself, is problematic in theory and in practice when it comes to combatting poverty and achieving gender equality and women's empowerment. There is a societal expectation that women will do unpaid care and domestic work. In conditioning cash, the state reinforces that expectation and increases the amount of labour required from women by placing the responsibilities associated with child-rearing solely on beneficiary women in the hopes this will break the cycle of poverty. This program mandated labour incentivizes women to comply with patriarchally prescribed behaviours to access program benefits. In opting to implement CCTs, the state can provide cheaper forms of welfare and shirk its global obligations to end poverty and achieve gender equality.

My argument against conditional cash transfer programs has advanced in three forms by (1) challenging the justifications typically invoked in defense of the programs and showing how the programs are incompatible with defenses of cash more generally; (2) demonstrating how the programs reinforce a patriarchal world order by incentivizing women to comply with essentialist and maternalist conceptions of women in order to be “good mothers”; and (3) establishing how the programs result in the state exploiting beneficiary women as individuals and as a social group.

The arguments presented in preceding chapters have proceeded as follows. I began by first contextualizing CCTs against the commitments of the UN and its member states to end poverty for all and achieve gender equality and women’s empowerment by 2030. This required an examination of these two international priorities and a deeper investigation into the theoretical conceptualizations of empowerment and gender equality. To this end, Chapter 2 outlined a brief history of the UN’s major commitments to poverty eradication and gender equality by looking at the Universal Declaration of Human Rights, the Beijing Declaration and Platform for Action, the Millennium Development Goals, and the Sustainable Development Goals. Building on this, Chapter 3 outlined the two major approaches to empowerment – empowerment as challenging power relations and empowerment as choice expansion – and demonstrated how both approaches have been coopted in problematic ways through “Smart Economics” or “Girl Effect” policies which view women and girls as the solution to poverty. I concluded that while no policy will empower all women and girls or achieve gender equality on its own, policymakers seeking to end poverty must ensure the policies they promote do not hinder progress towards equality and best work toward this end. In outlining these global

pledges, I went on to show how CCTs do not satisfy both goals, but rather attempt to eradicate poverty at the expense of gender equality and women's empowerment.

Considering these global commitments, Chapter 4 tackled the question of whether cash-based social protection programs are defensible. First, I provided two broad arguments in support of social protection programs. The factual argument asserted that social protections programs ought to be implemented because UN member states have committed to doing so through SDG 1. The normative argument established how social protection programs can be viewed as a right in their own or as a necessary precondition for the fulfillment of other rights by providing a social guarantee for a right to an adequate standard of living. I went on to argue that cash is a necessary component of social protection programs and ought to be used to complement other in-kind provisions to ensure individuals can take advantage of their in-kind goods and have meaningful access to them. I concluded that there is a time and place for both cash and in-kind benefits and that cash is a justifiable component of social protection programs through appeals to human rights, liberty, economic efficiency, and equality.

Of course, cash can be provided in a multitude of ways and so Chapter 5 explored the rationale behind conditional cash transfer programs and evaluated the programs against the arguments typically offered in support of cash. I argued the rationale for these programs was deeply flawed and was in tension with the arguments justifying cash provisions in the first place. To do so, I examined the three arguments invoked used to justify CCTs; that CCTs are justified when (i) when private investment in the human capital of children is too low; (ii) when conditioning cash on good behaviour would increase public support making the programs better endowed and more feasible; and (iii)

when parental investment in their children's human capital is not socially optimal because of market failures.⁵²⁵ I demonstrated how these arguments are insufficient for establishing strong reasons for conditioning cash to the poor. Finally, I argued that CCTs are theoretically inconsistent with the arguments used to support cash provision because the very act of conditioning removes much of the justification for providing cash in the first place. Moreover, a commitment to human rights and poverty eradication requires states to lift all persons, not just the supposedly deserving, out of poverty. CCTs are in tension with a commitment to human rights because the programs provide cash only to the responsible poor who are willing and able to comply with program mandates.

To further demonstrate the flaws associated with CCTs, I launched two final criticisms against the programs stressing the ways these programs pursue poverty eradication at the expense of women and girls. In Chapter 6, I argued CCTs are bad for women because they rely on essentialist and maternalist conceptions of women that are maintained by sexism and misogyny – both of which uphold a patriarchal world order. I did so by showing how CCTs are unable to combat persistent gender inequalities because they rest on sexist ideology (i.e., “the selfless mother” ideal) and go so far as to police women's behaviour to ensure they act in accordance with the state's interpretation of good mothering. Due to the harms generated by CCTs, I concluded that the programs are incompatible with a commitment to gender equality and empowerment since the programs do not challenge existing power relations and do not increase the agency of women in any substantial way. The programs reinforce unequal power relations and force women to perform patriarchally prescribed labour to serve the state and its interests.

⁵²⁵ Fiszbein and Schady 2009.

I then levelled an additional critique against CCTs that argued the programs are exploitative because they involve the state taking unfair advantage of beneficiary women. Since neither transactional nor structural accounts of exploitation were sufficient to establish the wrong-making features of CCTs, I developed my own account of exploitation which blended these two approaches. CCTs are an example of what I called Third-Party State Exploitation in which the state (A) takes unfair advantage of beneficiary women (B) to use their labour to the benefit of (A) and children (C), but not (B) since the state requires women to perform this labour because of their social position and the presence of gendered vulnerabilities. Exploitation, I argued, occurs even when women benefit from the transaction because (i) they do not receive their fair share of the cooperatively produced gains or (ii) the exchange comes at the detriment to women as a class who collectively bear the brunt of the state taking unfair advantage of gendered vulnerabilities.

Given the number of issues faced by CCTs, I explored an alternative approach to cash-based social protection programs. In Chapter 9, I argued UCTs are superior to CCTs insofar as the former overcome many of the challenges raised against the latter. To reach this conclusion, I demonstrated how UCTs, as I defined them, are theoretically consistent with a human rights-based approach and the political values of liberty, economic efficiency, and equality. While I argued that UCTs are not exploitative the programs can reinforce existing gender inequalities in some instances. Despite this qualification, UCTs are nevertheless superior to CCTs since the latter go wrong in theory and in practice, whereas the former only in practice against background conditions of gender inequality. This leaves open the possibility that UCTs could be beneficial for women and girls under

more equal conditions. It also may mean cash programs that are both unconditional and universal, like a basic income, may be better still at working towards gender equality and empowerment. But that is the subject of a different dissertation.

9.3. Looking Ahead

In many ways the world came to a grinding halt in early March 2020 because of the COVID-19 pandemic. All of us have been impacted – albeit to differing degrees. It is crucial to query the value and impacts of UCTs and CCTs given the “unprecedented times” we find ourselves in. It is my view that in examining the effects of COVID-19 lockdown measures we may find even stronger reasons to prefer unconditional cash transfers over conditional ones to protect the most vulnerable in society. The current situation serves to highlight additional problems with CCTs in a pandemic and post-pandemic world.

The effects of the pandemic are far reaching, and it is likely that we will continue to face anticipated and unanticipated consequences for years to come. The economic and social impacts of the pandemic have been and will continue to be significant with impacts expected to be long-lasting and highly uncertain. Full or partial lockdown measures have affected over 2.7 billion workers, or 81% of the world’s workforce, with many losing their jobs and their livelihoods.⁵²⁶ For the first time since 1998, global extreme poverty levels have risen with between 71 to 100 million people being pushed into extreme poverty in 2020 alone. This increase effectively wipes out all progress made towards eradicating poverty since 2017 and these increases are not borne equally.⁵²⁷

⁵²⁶ UN Women, Policy Brief: The Impact of COVID-19 on Women, April 9, 2020, 4.

⁵²⁷ “Projected Poverty Impacts of COVID-19 (Coronavirus),” World Bank, June 8, 2020, <https://www.worldbank.org/en/topic/poverty/brief/projected-poverty-impacts-of-COVID-19>.

Regions already facing high rates of extreme poverty such as Sub-Saharan Africa were expected to be the hardest hit in terms of rising poverty rates. India, Nigeria, and the Democratic Republic of Congo were expected to see the largest increases in extreme poverty with each expected to see increases of roughly 12 million, 5 million, and 2 million people to those already living in extreme poverty.⁵²⁸ In April 2020, David Beasley, the chief of the World Food Programme, announced that COVID-19 had “sparked the worst humanitarian crisis since World War Two” with over 125 million people currently going hungry, and another 130 million at risk of starvation as a direct result of COVID-19 and the policies intended to curb its spread. The perfect storm of conflict, global hunger, extreme weather, and a pandemic means that “we could be facing multiple famines of biblical proportions within a few short months” if swift action is not taken.⁵²⁹

In addition to increasing poverty rates, the pandemic has also wreaked havoc on the lives of women and girls. Much of the progress made for women and girls over the last few decades has been lost because of the pandemic and lockdown measures. The economic effects have been compounded for women and girls who typically earn less, save less, are closer to living in poverty, and hold more precarious jobs in society. Many of the first round of layoffs were in the services sector – a sector in which women are overrepresented. Additionally, women are more likely to work in the informal economy with few workplace protections and limited access to social protection. UN Women has

⁵²⁸ “Projected Poverty Impacts of COVID-19 (Coronavirus),” World Bank, June 8, 2020; Daniel Gerszon Mahler, Christoph Lakner, R. Andres Castaneda Aguilar, and Haoyu Wu, “The Impact of COVID-19 (Coronavirus) on Global Poverty: Why Sub-Saharan Africa Might Be the Region Hardest Hit,” World Bank Blogs, April 20, 2020.

⁵²⁹ “As Famines of 'Biblical Proportion' Loom, Security Council Urged to 'Act Fast' || UN News,” United Nations (United Nations, April 21, 2020), <https://news.un.org/en/story/2020/04/1062272>.

projected the impacts of a recession caused by COVID-19 “will result in a prolonged dip in women’s incomes and labor force participation, with compounded impacts for women already living in poverty. For those who, as a result of recent economic growth managed to escape from extreme poverty, they are likely to fall back into this most vulnerable of situations once again.”⁵³⁰

Women’s reproductive and sexual health too is at risk because of the pandemic. New funding priorities and a re-allocation of resources for pandemic-related health measures have meant that women’s reproductive and sexual health services are being underfunded and/or inaccessible for many.⁵³¹ Women may be at increased risk of exposure to COVID-19 because of occupational sex-segregation since women make up 70% of the global health workforce. Personal Protective Equipment (PPE), made using male bodies as the standard, leaves women vulnerable due to ill-fitting masks and protective covers.⁵³² The inaccessibility of menstrual products, coupled with PPE procedures and protocols and higher patient caseloads, means that it is often not feasible to change menstruation materials, which can lead to women bleeding through their PPE leading to shame and stigma.⁵³³

Reported rates of gender-based violence have increased exponentially as economic and social stress coupled with restricted movement and social isolation measures have left many women and girls trapped at home with their abusers.⁵³⁴ UN Women has

⁵³⁰ UN Women 2020, 4.

⁵³¹ Ibid., 10-11.

⁵³² Ibid.

⁵³³ Kamna Kakkar, “On My First Day of Covid ICU Duty, I Bled in My PPE. Periods Happen, Even in a Pandemic,” *The Print*, May 28, 2020, <https://theprint.in/opinion/on-my-first-day-of-covid-icu-duty-i-bled-in-my-ppe-periods-happen-even-in-a-pandemic/430967/>; “Nine Things You Need to Know about Periods and the Pandemic,” United Nations Population Fund (United Nations Population Fund, May 28, 2020), <https://www.unfpa.org/news/nine-things-you-need-know-about-periods-and-pandemic>.

⁵³⁴ UN Women 2020, 17-19.

reported “increased violence against women around the world, with surges being reported in many cases of upwards of 25% in countries with reporting systems in place. In some countries reported cases have doubled.”⁵³⁵

Above all, the pandemic has made clear what many of us have known for years: the formal economy is supported by the unpaid labour of women and girls around the world. The increasing demand of care work has exacerbated already existing inequalities in gendered divisions of labour. As schools closed and health services became overwhelmed women’s unpaid care and domestic labour increased. School and daycare closures increased the demand for unpaid childcare. This responsibility has fallen on women because of the existing structure of the workforce and social norms around care labour.⁵³⁶

To combat the effects of the pandemic, UN Women recommends, amongst other things, that states “put cash in women’s hands,” and that “if a country has an existing program in place that can directly place money in the hands of women, such as conditional cash transfer programs using mobile banking, those programs should be expanded” and the UN can advise governments on conditionalities.⁵³⁷ The report also recommends that states introduce new cash transfer schemes for women with care responsibilities in order to combat the deepening gender inequalities in unpaid labour.

I have argued that cash transfers are an essential part of social protection programs and ought to be used to complement other in-kind transfers. Given the arguments presented above, cash must be provided unconditionally. This is made all the truer since

⁵³⁵ UN Women 2020, 17; Amy Copley, Alison Decker, Fannie Delavelle, Markus Goldstein, Michael O’Sullivan, and Sreelakshmi Papineni, “COVID-19 Pandemic Through a Gender Lens,” Africa Knowledge in Time Policy Brief. World Bank, Washington, DC, 2020.

⁵³⁶ UN Women 2020, 13. See also Kate Power, “The COVID-19 pandemic has increased the care burden of women and families,” *Sustainability: Science, Practice and Policy* 16, no. 1 (2020): 67-73; Copley et al. 2020.

⁵³⁷ UN Women 2020, 9.

conditioning cash in a global pandemic would likely have devastating effects and dangerous consequences for beneficiaries. Conditioning cash during a global pandemic makes little sense. It is unrealistic to require parents to send children to school or clinics as this may increase their likelihood of being exposed to COVID-19. Indeed, it is understandable why parents might keep their children home from school to protect themselves from exposure to the disease. It is also understandable that households facing increased financial pressures due to constrained labour markets may require children to work and earn an income. Job losses or job insecurity, already a problem for households living hand-to-mouth and in extreme poverty, may mean that children are sent to work to keep their household afloat.

Conditioning cash would mean households would need to have their compliance recorded in order to receive their cash. But monitoring compliance has often meant the women travel out of town to larger centres to meet with local managers. This increases the likelihood of the women being exposed to COVID-19, especially since these are often large group gatherings so monitoring can be done faster and more efficiently. Group gatherings in any capacity are highly discouraged and should especially be discouraged for people who are at serious risk of developing COVID-19 related complications. Persons living in poverty may be considered an at-risk or an especially vulnerable population. Conditioning also requires a high degree of administrative capacity which is costly in terms of money and resources. In a global pandemic, governments may be unable to bear the additional costs associated with CCTs, nor may they have the institutional capacity to deliver such programs since governments are already under enormous strain from the current crisis.

The COVID-19 pandemic has shed light on the importance of social protection programs, especially for the most vulnerable in our societies. Cash transfer programs will be necessary in the short- and long-term as part of emergency responses and economic recovery plans. Unconditional cash transfers may be less costly to administer and more effective in protecting the vulnerable during these uncertain times. In April 2020, the International Growth Centre recommended governments drop conditionalities on existing cash transfer programs and instead “deliver unconditional grants to all recipients that are adequate to provide food security and consumption smoothing for at least three months.”⁵³⁸ Governments should redirect existing programs and platforms to deliver cash to maximize coverage, especially coverage to individuals who are informal workers or “newly vulnerable.” These unconditional cash transfers should be complemented with information campaigns to make the programs more effective.⁵³⁹

Social protection programs and fiscal stimulus packages developed in response to the global pandemic must apply a gender lens. Cash must be an individual entitlement rather than a household one and should also be de-linked from work to protect women who are at higher risk of poverty. A gender lens must be applied as women can easily be excluded from the programs, even if accidentally.⁵⁴⁰ This may mean programs that are unconditional and universal are the most effective given the circumstances.

⁵³⁸ Shahid Vaziralli, “A social protection response to COVID-19 in developing countries,” International Growth Centre, policy brief, April 2020, 8.

⁵³⁹ Ibid, 8-10.

⁵⁴⁰ Pakistan’s Ehsaas Emergency Cash Program relies on mobile phone registrations and requires a national ID to register. Women are at risk of being disproportionately excluded because of the gender gaps in mobile phone ownership and national ID possession. Shelby Bourgault and Megan O’Donnell, “Women’s Access to Cash Transfers in Light of COVID-19: The Case of Pakistan,” Center for Global Development, June 30, 2020.

There are less than 10 years left to achieve the goals set out in the UN's Sustainable Development Goals. The international community has committed itself towards ending poverty in all its forms and to achieving gender equality and women's empowerment by 2030. While it remains unlikely that either of these goals will be met, that does not mean that we should stop working towards either. The pandemic may have slowed progress, but it cannot stop us from achieving these ends. There is still time to make meaningful progress towards a world free from poverty and gender inequality. The extent to which progress can be made largely depends on the kinds of social programming put in place to combat poverty and gender inequality.

Given the theoretical and practical problems associated with CCTs, it is unlikely that conditional cash programs will prove useful in reaching these ends, especially since UCTs are vastly superior and make more sense in the current climate. If our international priority is to end poverty, then it must be done in a way that is compatible with gender equality and the empowerment of women and girls. To do otherwise is to combat poverty at the expense of women and girls, which is exactly what CCTs do.

The pandemic has granted us the unique opportunity to change the way our social, political, and economic systems work. Just as the Great Depression and Second World War led to the development of social welfare programs and the recognition of human rights, so too might the pandemic lead to social policies that make our societies more resilient and more just. Conditional cash transfer programs are not the way forward, but unconditional cash transfers may be one part of a scheme of social policies that moves us ever closer to the benchmark of a poverty free and gender equal world. Cash transfers are a necessary component of social protection policies and can push us towards a more

equal and just world, but not if that cash continues to be provided with gendered, disempowering, and exploitative strings attached.

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