GENDER AND SOCIAL INCLUSION: SOCIAL POLICY PERSPECTIVES FROM LATIN AMERICA AND THE CARIBBEAN

Mayra Buvinic, World Bank

and

Jacqueline Mazza, IADM

mbuvinic@worldbank.org

Abstract: Based on recent experience and good practices with women’s inclusion, this paper analyzes some of the basic building blocks for social inclusion policies in Latin America and the Caribbean (LAC). It distinguishes 3 levels of interventions to advance social inclusion: (1) constitutional frameworks and national policies, (2) institutional arrangements, and (3) pro-active programs to counter specific forms of exclusion. In order to promote inclusion, first it is necessary to insure constitutional and legal protections for group rights. International and national anti-discrimination laws are among the necessary instruments to fight discrimination. National policies include counting excluded groups in national statistics and enacting land and property rights. Second, the paper examines the experience of LAC with government ministries or offices (“national machineries”) created to promote women’s empowerment. It finds that “mainstreaming” the concerns of excluded groups in agencies or ministries has worked in the case of gender inclusion, but success depends on strong support from the executive branch, close alliance with non-state actors and both cultural and political openings. Finally, the paper examines three sets of public policies in affirmative action, education and labor markets to promote inclusion, with particular emphasis on gender. LAC experience offers a good example of the need for both complementary actions in different sectors and participation of state and non-state actors to advance in social inclusion.

Keywords: social inclusion; gender inclusion; national machineries for women; affirmative action; social policy; inclusive education; inclusive labor markets

DISCLAIMER:
This is a draft working paper produced for the World Bank conference, ‘New Frontiers of Social Policy: Development in a Globalizing World’. The findings, interpretations, and conclusions herein are those of the author(s) and do not necessarily reflect the views of the International Bank for Reconstruction/The World Bank Group and its affiliated organizations, or its Executive Directors, or the governments they represent. If you wish to cite from this document please request the latest version from the author(s) or from socialpolicy@worldbank.org.
Social policy can neither be formulated nor advanced when entire groups of the population are excluded from mainstream society, a situation that is endemic in Latin America and the Caribbean (LAC). Exclusion has multiple historic, cultural, social and economic roots and results in the denial of basic citizen rights to individuals on the basis of their gender, ethnicity, race, or other distinguishing group feature. Reexamining social policy through an exclusion lens is not for the faint hearted or those who like single policy solutions. A modern social policy must integrate inclusion across the range of needed social, political and economic interventions to effectively address exclusion’s principal roots.

This paper identifies some of the fundamental building blocks of social inclusion policies and reviews recent experience with these policies in LAC, highlighting good practices and unresolved challenges. It especially draws on the rich LAC experience with women’s inclusion and distinguishes interventions at three levels: (1) constitutional frameworks and national policies which provide the basic structure for inclusive societies, (2) institutional arrangements for promoting and enforcing laws and policies, and (3) pro-active programs which seek to counter specific forms of exclusion.

Advancing inclusion requires rethinking the traditional role of state and non-state actors and the institutions through which they interact. Social inclusion, even under the most enlightened states, could never be achieved directed from above. Rather, excluded populations’ direct involvement and participation is essential to identifying the sources of exclusion and spurring group and community identity which is needed to overcome exclusion and, ultimately, change societies. Attention to the changing roles (rights and responsibilities) of both state and non-state actors is integrated throughout the paper.

I. THE NATURE OF EXCLUSION IN LAC

1) What is Social Exclusion?

The term social exclusion is broad and can have different meanings. But there is general agreement on its core features, its principal indicators, and the way it relates to poverty and inequality (Sen 2000; Bourguignon 1999; Rodgers and others 1995). Social exclusion can be understood as “the inability of an individual to participate in the basic political, economic and social functioning of the society in which she lives” (Tsakloghu and Papadopoulos 2001). Or more concisely, it is “the denial of equal access to opportunities imposed by certain groups of
society upon others” (Behrman and others 2003). The first definition gives the range of behaviors affected by exclusion, showing its multidimensionality. The second points to what perhaps are its two most distinguishing features: that it affects culturally defined groups and that it is embedded in social interactions.

Social exclusion occurs if group membership has a sizable impact on an individual’s access to opportunities and if social interactions occur between groups in a power/subordinate relationship. The group feature argues for reconsidering the focus on individual poverty and inequality prevalent in the development agenda—to focus instead on the neglected dimension of group or “horizontal” inequalities, which reduce individual welfare over and above individual inequality (Stewart 2001). The relational feature highlights the importance of social and cultural and not only economic assets in the analysis of poverty, and underscores the active and deliberate nature of exclusion (Figueroa 2001; Gore 1995; Sen 2000). Exclusion is not inevitable. It results from societal and cultural processes and is imposed in an arbitrary fashion—people are excluded not because of what they do but because of who they are, beyond individual agency or responsibility. As put succinctly by Aggleton, Parker and Maluwa (2004), “social exclusion doesn’t just happen, it has to be made to happen.”

The inadequacy of income is central, but it is agreed that social exclusion refers to a wider set of circumstances than poverty. Social exclusion is more closely related to the concept of relative rather than absolute poverty and, therefore, inextricably linked with inequality. It refers not only to the distribution of income and assets (such as poverty analysis does) but also to social deprivation and lack of voice and power in society.

In LAC, this lack of voice and power is perhaps best reflected in the low representation of excluded groups in political decision making. For instance, in 2002 only 4.4% of Brazilian congressmen and women were Afrodescendents, while they make up almost half the Brazilian population. And although the share of women in parliaments has been rising rapidly in the last decade, they still represent only 13% of those in the senate and 15% of those in the lower chamber of congress in 26 countries (Buvinic and Roza 2004).

There is agreement that social exclusion has both spatial and intergenerational dimensions, and that it is more permanent than transitory. Residential segregation in Bolivian cities, for example, shows the spatial segregation of exclusion: indigenous people in segregated indigenous neighborhoods fare worse (in incomes) than in mixed neighborhoods (Gray-Molina
and others 2003). Exclusion’s spatial segregation suggests the advantage of decentralization schemes and policies that use territorial targeting.

The intergenerational dimension of exclusion locks people into poverty conditions over generations. In the region this is perhaps most visibly reflected in indigenous children’s consistently lower educational attainments. In Peru, for instance, 1994 data showed that 36% of poor nonindigenous children and only 23% of poor indigenous children had completed secondary schooling (Morán and others 2003). In Mexico, children who speak only indigenous languages perform worse in school than children who are bilingual and speak Spanish as well (Parker and others 2003).

Given these features, indicators to measure social exclusion and its converse, inclusion, fall into seven general categories:

1. Measures of poverty, including the depth of poverty, and measures of inequality.
2. Access to quality social services (including health, education, and housing) and productive resources (land, capital, technology).
3. Access to physical infrastructure, such as water, sanitation, and transport.
4. Access to and participation in labor markets.
5. Social participation and social capital indicators.
6. Justice and political participation indicators.
7. Violence (including homicide) and victimization indicators.

2) Common Features of Excluded Populations

Social exclusion is carved in LAC’s history. It is a product of colonial exploitation of native resources and people, including the African slave trade and forced labor of indigenous peoples. And it is the product of decades, if not centuries, of persistent inequality. Populations with a history of exclusion have different histories, social identities and agendas, and the source of their exclusion is unique. But they also share common features and mechanisms of exclusion. These common features include invisibility in national life, poverty, stigma and discrimination, and suffering the cumulative and intergenerational transmission of exclusion.
Invisibility

First, and perhaps most characteristically, socially excluded groups are invisible in official statistics (censuses and government surveys). LAC knows more about the diversity of industrial production than it knows about the diversity of its people. The numerical invisibility of socially excluded groups reflects and reinforces their exclusion. For instance, less than a third of countries in the region have official statistics on Afrodescendants—despite their constituting around 30% of the region’s population and totaling between 80 and 150 million people. Countries often collect some information on indigenous peoples, but the data tend to be insufficient and unreliable.

In recent years Mexico and Paraguay have instituted special censuses to provide more comprehensive information on the characteristics and needs of indigenous peoples. Only Brazil, Chile, and Nicaragua have begun to collect information on people with disabilities systematically, estimated at 5% and 15% of the region’s population. And information is especially lacking on the conditions of women among the poor—their access to assets and their participation in informal labor and product markets.

Poverty

Excluded groups, sharing poverty and disadvantage, are overrepresented among the poor. In Bolivia, Guatemala, and Peru ethnic groups constitute 60% of those who live below the poverty line (IDB 2003; Patrinos 2000). Afrodescendant populations in Brazil (pretos and pardos) have significantly lower human development (measured by the human development index) than their non-African counterparts (Pantano and Deutsch 2001). Women in excluded populations have lower earnings and wellbeing than all other groups.

The poverty of socially excluded groups is permanent rather than transitory. And unless it is purposefully addressed with a range of social investments, it persists over generations locking individuals into poverty. For instance, in Guatemala in 1998, 58-year-old nonindigenous women had close to two years more of completed schooling than indigenous women of the same age. But for 23-year-old Guatemalan women, the difference was even greater, at two and a half years (Duryea and Pagés 2001).
**Stigma and discrimination**

The poverty and deprivation from social exclusion often produce stigma and discrimination. Stigmatization associates human differences shared by a group with negative attributes that separate “us” from “them,” and reduce “their” status. Power differences are at the core of stigma, since groups with little power cannot stigmatize others (Link and Phelau 2002). Stigma dramatically influences the distribution of life chances. It can be a self-fulfilling prophecy and lead to self-exclusion. It can produce direct discrimination. It addresses basic beliefs about people and who they are (Loury 2002). There is growing research evidence on the stigma of living with HIV/AIDS (Aggleton and others 2004; WHO 2002).

Discrimination, often a consequence of stigma, is another shared characteristic of excluded groups. Discrimination can result from societal imposition or from “self-discrimination,” where the legacy of past discrimination discourages individuals from seeking certain jobs, walking into health clinics, or advocating their rights. In LAC there is substantial evidence of wage discrimination in the labor market affecting women, indigenous people, and Afrodescendents (Deutsch and others 2004; Patrinos 2000; Arias and others 2002; Mezzera 2002). This wage discrimination persists when controlling for education and experience.

In addition to the wage discrimination that results in pay differentials for the same job, members of excluded groups are less likely to obtain jobs in sectors with better pay, as processes of occupational segregation segment the labor market (Deutsch and others 2004). Torero and colleagues (2004) analyze earnings differentials in urban Peru using a 1 to 10 scale of racial intensity. They find evidence of occupational segregation and wage discrimination. Predominantly white individuals have better jobs (in the service sector) and earn higher wages than predominantly indigenous individuals.

**Cumulative disadvantages**

Socially excluded populations suffer cumulative disadvantages when persons exhibit two or more of the ascribed features that lead to group exclusion. In Honduras the Garifunas, an Afrodescendent population, have one of the highest rates of HIV/AIDS in the region. The stigma associated with HIV/AIDS builds on and reinforces gender prejudices. So women tend to be blamed more than men for having HIV/AIDS, and they suffer more stigma than their male counterparts (UNAIDS 2002).
In Latin America the situation of the average woman has improved markedly in recent decades. But disaggregated data show that black, indigenous, and other women in socially excluded groups have been left behind, with many suffering compound discrimination. They are excluded from jobs for women because of their race, and they are excluded from jobs for men because they are women (Crenshaw 2000). In Brazil, according to 1999 data on average earnings of economically active persons in urban areas, white men achieved the best results in the labor market while black women achieved the worst ones, with the lowest earnings. White women did better than black men, but only because they had significantly more education. But when schooling levels were equal, white women did worse than black men. This suggests that the intergenerational transmission of low educational attainments severely constrains Afrodescendents’ opportunities. But if this were not the case, gender would trump race in restricting labor market opportunities (Mezzera 2002).

II. PROMOTING INCLUSION

To combat the more permanent nature of exclusion, social protection and other short-term measures to help poor people weather adverse events need to be complemented by broader policies that expand access to opportunities, assets and services through more systematic inclusion. Developing this broader framework of inclusive policies is still at its beginning stages in LAC, although there is recent progress, especially in the larger, more developed countries in the region.

Social inclusion, much like gender equality, affects how societies function as a whole and needs to be integrated and embedded in a range of policies as well as day-to-day services and cultural practices. Most traditional social and economic policies such as health and education can draw on a defined toolbox of policy instruments, practices and programs. There is no such readily defined toolbox or singly responsible institution for inclusion. Indeed, the very embedded nature of exclusion implies not some simple refinements to existing policies but a deeper rethinking of how development operates and how basic services are delivered. This rethinking is akin to the current debates on sustainable development and social cohesion itself that are changing how development is conducted by introducing and returning to the fundamentals of participation, empowerment, local decision-making, accountability, and the observance of rights.
In this rethinking, the role of non-state actors changes sharply from passive recipients of government programs to citizens with rights and responsibilities capable of formulating community-based solutions, advocating for national policy changes, and empowering local communities. Reflecting this, women’s social gains in LAC can be largely attributed to a strong women’s movement in the NGO sector and its alliance with women advocates in government (ECLAC 2004). Aggleton, Parker and Maluwa (2004) argue that the case of HIV/AIDS in LAC is a good example of the essential new role of non-state actors in asserting the power of community, strengthening social identities through common experience, and forcing change both in national policies and in individual attitudes and behavior.

1) Legal Frameworks and National Policies

Traditionally, discrimination and exclusion were viewed as infringements of individual rights, but a broader understanding of rights is emerging in LAC that acknowledges the importance of group-based or collective as well as individual rights. Therefore, a first step in promoting inclusion in LAC is to insure the fundamental constitutional and other legal protections for group rights. All citizens must be protected against discrimination based on their race, gender, ethnicity or other defining group characteristic (e.g. disability, HIV/AIDS, migrant status). Such basic protections, however, are wholly insufficient without credible enforcement and open access to the judicial system. While it is often said in LAC that there is no shortage of laws on the books, this is less true in the case of protections against group-related discrimination.

Constitutional protections against group-based discrimination

The group feature of discrimination resulting from social exclusion calls for a rights framework based on collective rather than individual rights. In contrast to an individualized view of non-discrimination and equality with no social meaning attached to it, collective rights include context-specific social information on the displaced group. As result, the search for equality moves beyond non-discrimination to non-subordination, and calls for policies that actively seek to redress subordination. It is in this context that affirmative policies and positive discrimination become fair instruments (rather than unjust or discriminatory to those who are not recipient of the benefits from these policies) to combat the structural inequality that affects excluded groups (Saba 2004).
The principal instruments to enshrine these collective rights are international and national laws. There are at least 29 international conventions and declarations related to discrimination, most of which have been ratified by LAC countries. They include UN conventions on basic universal human rights and the rights of excluded groups such as women, children, and racial/ethnic minorities as well as ILO conventions on the rights of workers, and declarations on race and racial prejudices, the rights of the mentally retarded etc. (Unlike conventions, declarations do not require ratification.)

These conventions, once ratified, take precedence over national law. However, experience shows that judges in the region often are not well informed and, therefore, do not use these conventions to issue judgments on the rights of excluded groups. An IDB sponsored project observed this lack of information among judges in three countries regarding CEDAW, the Convention on the Elimination of All Forms of Discrimination against Women. Once judges learned about CEDAW, they were able to use it in their rulings.

Regional vehicles to protect and enforce these rights include periodic progress reports governments are required to submit to regional agencies (e.g. the Inter American Commission on Human Rights and the Inter American Court on Human Rights) as well as international conventions/meetings (e.g. UN Women’s Conference and UN Conference on Racism) which include signed declarations and international enforcement mechanisms. The Commission hears individual petitions, but countries sometimes still are reticent to recognize the precise obligations that they have assumed in terms of social rights.

In response to the region’s recent history of repressive regimes, the Inter American system has largely devoted its resources to counter the violation of basic civil and political rights (through imprisonment, torture and murder). The protection of social rights has taken second stage, with the consequence that the work of the Commission and the Court in enforcing the rights of excluded groups has been insufficient (Rossi 2003). This situation is changing, and the Commission, for instance, has heard the first cases of discrimination against women, but there is a long way to go for the system as a whole to catch up with the protection of social rights.

In the past decade and a half or so, some countries adopted constitutional frameworks that embrace excluded groups as distinct groups in the sovereign nation by acknowledging and sanctioning ethnic and cultural diversity-- a significant step towards social inclusion. An example is the 1993 Constitution of Colombia, which defines it as a multi-cultural nation. Other
countries have enacted laws against discrimination based on race (Brazil, Ecuador), ethnicity (Peru) or gender (Chile). Argentina has strong, overall anti-discrimination legislation and, recently, Mexico approved a singularly comprehensive anti-discrimination law that covers a full range of groups excluded by reasons of gender, ethnicity, sexual preference, religious preference, etc., and could serve as a model for comprehensive country legislation in the region (IAD 2004; CONAPRED 2004).

Many of these national anti-discrimination laws, however, carry reduced implementing capacity because they do not mandate the allocation of adequate public budgets for enactment. Fiscally strapped governments in the region have been reluctant to back these legislations with financial resources, reducing substantially the impact that they can have, aside from the nevertheless important symbolic message that exclusion is not tolerated by the State.

In addition to legislating against discrimination, some governments in the region have begun to actively promote social inclusion by implementing affirmative action programs including, most notably, quotas for women’s political participation and for the participation of excluded races in public jobs and universities, as is described later in the paper.

National policies

Two central, national level functions of a government that is committed to promoting inclusion (and foremost in the advocacy agendas of most civil society organizations) are counting excluded groups in national statistics and enacting land and property rights protections as part of a national framework of citizen rights. Counting excluded populations in censuses and surveys provides the government with basic information for allocating resources, designing policies and programs, and enforcing the law. Many governments in the region have begun to include questions about excluded groups in their statistical systems, but this is only the beginning of needed strengthening of social statistics—a key building block for promoting inclusion.

Access to productive assets (land and capital) breaks the structural poverty of excluded groups. A new generation of land titling and land reform programs in the region benefits women, indigenous peoples and Afrodescendants, recognizing collective and community land ownership when relevant. For instance, in contrast to the land reform programs of the 1960a and 1970s which were gender blind, land titling programs in the 1990s increased individual women’s ownership of land significantly – from fewer than 20% to close to 40% (Deere and Leon de Leal
2001). Such laws are and must be part of a national framework of citizen rights, protected by national constitutions or legislation implementing constitutional guarantees and protections. Only through national legislation can the land and property rights of excluded populations receive systematic, transparent, and uniform protection.

2) Institutional Arrangements

Government mechanisms

Options. Institutional and financial resources are needed to prevent discrimination, promote the law through policies and program interventions, and regulate and enforce its articles. Governments have different institutional options to promote the inclusion of excluded groups and enforce the law. A first option is to use the existing government capacity, without any addition of resources. A second option is to devote additional resources to help “mainstream” the promotion and enforcement functions in existing government agencies. This may entail the addition of staff or staff functions in these agencies, but does not include the creation of a new office. The third and more common option is the creation of an agency, office or council exclusively devoted to some or all these tasks. Two recent examples of this latter option are the creation of SEPPIR, the Ministry for the Promotion of Racial Equality in Brazil, and CONAPRED, the National Council to Prevent Discrimination in Mexico. Offices to protect the rights of indigenous peoples in countries with sizeable indigenous populations, such as Mexico, Bolivia and Ecuador, have been in existence for much longer.

There is more than two decades of experience in the region (and in the world) with government ministries or offices (“national machineries”) created to promote women’s inclusion and empowerment. Eighteen countries in the region have these offices; eight have ministerial ranking (Brazil, Chile, Costa Rica, Guatemala, Honduras, Panama, Paraguay and Peru). Most have been established through legislation or through either an executive or ministerial decree. In addition, sixteen countries have set up parliamentary commissions devoted to women’s issues and five countries (Argentina, Bolivia, Colombia, Nicaragua and Peru) have a women’s ombudsman or a staff in the ombudsman’s office in charge of gender issues (Buvinic and Roza 2004).

There are a number of recent case studies and essays on these “national machineries”. Unfortunately, they are mostly descriptive and there is no available systematic evaluation of their
effectiveness and impact. Most of these writings call attention to the continuing marginality and/or fragility of these mechanisms, in terms of budgets, institutional capacity and government influence (INSTRAW 2005; UNDAW 2004). In contrast, the LAC gender inclusion record is quite impressive, and it is very likely that this is partly the result of these offices’ actions. The record includes significant advances reflected in the ratification by all countries of CEDAW and the regional adoption of the Belem-do-Para convention to combat violence against women. In addition, many countries have enacted national legislation on equality of opportunity and/or violence against women, mainstreamed gender issues and accountability in public expenditures, and implemented affirmative action programs (ECLAC 2004; IDB 1998). As ECLAC concludes in its analysis of national machineries, “the mainstreaming strategy is bearing fruit” (ECLAC 2004, p.77).

While clearly there are many challenges still ahead for insuring women’s full inclusion in LAC society, the studies suggest two elements that are central to the effective functioning of women’s offices: the highest level of support or patronage from the executive branch of government (which translates into budget support) and strong alliance with women’s organizations in civil society (ECLAC 2004; IDB 1998). Therefore, in the case of gender equality promotion, the informal network between state and non-state actors seems to have been critical to the effective performance of the former.

A rarely mentioned facilitating background or contextual factor is the rapid “modernization” of LAC societies, with the shedding of traditional perceptions or attitudes about women’s place in them. This is evident in an IDB sponsored Gallup poll carried out in six major LAC cities in the year 2000. Over 90 percent of 2,022 voting citizens polled randomly in the six cities were willing to vote for a woman presidential candidate. Young, educated and women voters had overall more positive opinions of women and their inclusion in decision making roles in public life than older, less educated and men voters, signaling the changing attitudes of younger and more educated generations (Buvinic and Roza 2004). Along with changing mores, another supporting contextual factor seems to have been the political context that led to the creation of these agencies. A majority of the women’s offices in LAC were established as a consequence of LAC’s return to democracy in the early 1990s and, in general, in developing countries, these offices have performed better when they have been part of a larger transformative government, which broke with the status quo and increased democratic processes.
(Grown et al. 2004). Thus, in addition to government support and strong ties to non-state actors, both political and cultural openings may help explain the successes of these national machineries devoted to gender equality.

Functions. Two main functions of agencies with social inclusion mandates are promotion and enforcement. They can be housed in the same or different agencies. “Mainstreaming” the concerns of the excluded group in government line ministries is a principal vehicle for promotion and responds well to these agencies inherent institutional fragility (representing one or more excluded groups with little voice in mainstream society) and usual lack of sufficient resources. Mainstreaming should increase the positive impacts of government interventions and prevent “legacy” or unintended negative impacts of interventions on the excluded groups. In theory, over time, effective mainstreaming should obviate the need for having a separate agency or function for promotion. However, the experience with government women’s organizations has shown that mainstreaming is a long-term proposition and that technical soundness, instrumental rationales, and financial incentives all help with the mainstreaming task. This experience also has revealed that successful mainstreaming does not eliminate the continuing need for these agencies and their promotion and vigilance functions.

Obviously, the enforcement of rights function of government agencies needs to be permanent, since the potential for rights infringement is always there. The question, to date unanswered, is if it makes sense to have an umbrella agency, such as the newly constituted CONAPRED in Mexico, to promote and oversee the rights of all excluded groups, rather than having separate agencies for different excluded groups (as it currently is the case for most countries). The idea of an umbrella agency has the appeal of potentially increasing the efficiency of the government function and its effectiveness, especially because of its larger support-base, its greater convening power, and the potential synergies from sharing best practices in inclusion across different groups. A potential downside is the loss of uniqueness and group identity.

Interestingly, there is an emerging world trend to begin testing a common machinery to fight social exclusion. The Government of Norway, for instance, who since 1978 has had an agency to ensure the implementation of Gender Equality Act, has recently enacted a new, comprehensive anti discrimination law that includes gender, ethnicity, religious and sexual orientation, and has a proposal for Parliament’s approval to establish a single institution to handle all complaints (Mile 2004). In Norway, the agency to oversee gender equality is funded
by the government but operates independently of it. The same applies to the Commission on Civil Right in the United States. The U.S. Civil Rights Commission has the right to investigate complaints of alleged violations of citizen rights by reason of race, color, religion, sex, age, disability or national origin in fields as wide as voting, employment and civil rights. The Commission can hold hearings and issue subpoenas but it lacks enforcement powers per se and must refer complaints to the appropriate U.S. agency or private organization for action.

**Civil society organizations**

Supporting government institutions are advocacy agencies in civil society, including NGOs and grass-root organizations, which are central to the promotion, vigilance and enforcement of group-based social rights. They help sustain the interest of the government and society in general on the social inclusion of disadvantaged groups and provide a safe and nurturing environment where members from excluded groups can thrive. Effective action usually is the result of powerful alliances between them and their government counterparts. In the US, black churches and black colleges were instrumental in the civil rights movement. In LAC, advancements in women’s rights largely were the result of coordinated advocacy from women’s organizations in the 1980s and 1990s and, national machineries owe their successes partly to their strong alliance with women’s organizations in civil society. Powerful indigenous organizations have lobbied effectively for indigenous rights, especially in Andean region countries. More recently, organizations promoting the rights of Afrodescendents, of persons with HIV/AIDS and of persons with disability have emerged and are influencing public policy and public institutions. These civil society organizations have drawn strength from the return to democracy in LAC and, in turn, nurture the democratic process itself.

3) **Pro-Active Programs**

-Multiple interventions-

In addition to the “macro” legal framework and appropriate institutional arrangements, specific public policies and programs are needed to reach out and insure that excluded groups have access to opportunities and services to overcome exclusion. In social policy, this cannot be done through a policy in a single sector, since exclusion results from the cumulative dynamics of multiple denied opportunities. The cumulative nature of exclusion means that one missed entry
point, say poor maternal health or early school leaving, can combine with other missed entry points -- or discrimination -- to contribute to the persistence or reassertion of exclusion. Intervention to insure inclusive education does not mean the same individual would not face exclusion or discrimination in purchasing land or finding a job and thus be unable to translate the gains from education into overcoming exclusion and poverty.

From a social policy standpoint then, it is important to consider a series of key “policy entrance points” (Marshall 2005) that arise over a person’s life and affect her opportunities and abilities. This adds a layer of complexity to social policies. First, individual social policies must be examined to insure they are both not worsening exclusion as well as actively promoting inclusion in a particular national context. Second, individual pro-inclusion social policies must be part of a wider range of simultaneous policy interventions, targeting key entry points as a mechanism for addressing the multiple sources of exclusion that an individual may encounter. Evidence from LAC indicates that national governments that have the political momentum behind social inclusion do so, not by focusing on a single set of policies, but rather seeking interventions across a wider spectrum of policies. Brazil, Colombia, Honduras and Mexico offer important examples in this regard.

Here we look at three key sets of social policies: affirmative action, education, and labor markets/employment as a way of demonstrating the interrelated nature of pro-inclusion policies and the importance of not focusing exclusively on one single policy instrument to advance inclusion. Education, in particular, has received attention as a focal point for inclusion; labor markets less so, but we argue that seeking gains in labor income and productivity would be particularly critical to unlocking a range of other types of exclusion (e.g. spatial, access to land/credit, access to basic social protections).

**Affirmative action**

Discussion of active public policies and programs to promote social inclusion can too easily become mired in a debate over affirmative action programs. Affirmative action policies, if we understand them to be proactive policies intended to overcome past subordination and redress societal inequalities, whether based on race, gender or other sources, are a fundamental tool in the inclusion policy toolbox. But they are not the only tool. One needs to widen the scope of what is understood to be affirmative action from “quotas” per se for individuals and incorporate
a range of inclusive policy mechanisms that must work in concert with any explicit affirmative action programs. Key areas of affirmative action policy include: education, integrated local and regional development, access to land and capital markets, labor markets, access to justice, and widening political participation.

Although the region’s experience still is highly limited, affirmative action-type policies can be found today in some of the above fields (Buvinic 2004). For instance, Colombian law establishes that 30% of government positions in the executive branch be held by women; in Chile persons with disabilities are given ten extra points in applying for public subsidies or housing programs; Brazil maintains quotas for entry into university for black and indigenous persons; and more than eleven countries in the region guarantee political representation in the form of apportioned seats in the national Congress on the basis of gender, race or ethnicity (depending on the country).

Affirmative action-type tools are preferred in higher education and political representation. Land ownership, corporate ownership and private sector employment are still unlikely targets for social inclusion policies in LAC. (In contrast, for instance, Malaysia’s affirmative action program takes on a wide range of complementary actions and set targets for minority corporate ownership, land ownership, private sector employment, price discrimination for minority businesses and higher education quotas (Yusof 2005)).

In any national context, affirmative policies need to be combined with other interventions to build towards effective and broader inclusive public policies. They are not intended to stand alone. Htun (2004), for instance, concludes that gender quotas in the region can promote representative parity in a positive fashion, but only as long as attention is paid to the development of enforcement mechanisms, the interaction with election rules, and the specifics of the quota laws. The same can be said of educational quotas. They go nowhere without also improving the quality of primary and secondary schooling, and giving minority students support in preparation for university entrance. Extensive attention to enforcement is critical to making affirmative action truly effective as age-old societal norms and discriminatory practices are being challenged. In her extensive review of U.S. affirmative action policy, Barbara Bergman (1996) finds that the policy’s limited impact on the labor market can be explained in large part because of inadequate enforcement by U.S. agencies.
Affirmative action policies can play a wider role in bringing to the forefront issues of discrimination and identity, again with wider societal implications. As an admissions director at a Brazilian state university explains: “The biggest advantage of this quota system is that it has broken this myth of a nonracial society. Brazilians have by and large always believed there are no white Brazilians or black Brazilians. But the debate over quotas has forced everyone to confront the fact that racism, discrimination and social exclusion are alive and well here” (Jeter 2003).

Rethinking Education

Excluded populations, by virtue of their poverty and more limited access to financial capital, seek inclusion largely through improved education and employment. In the European understanding of inclusion, employment holds the key to skills, sufficient income and esteem to enable mobility out of poverty and marginal neighborhoods. Latin Americans, in contrast, believe that exclusion begins much earlier in their region, through lack of access to quality education and low rates of school completion, so that intervention at labor market entry point is not sufficient; inclusion must start earlier through more inclusive education (Ocampo 2004).

Education is a well-known tool to break intergenerational disadvantages, with tailored interventions becoming more common in the region. Inclusive education is different than the education currently provided in much of the region (Verdisco and others 2004). It would include:

- Broad-based incorporation of all racial, ethnic and excluded groups in primary, secondary and tertiary education, without major inequities in participation at the tertiary level. Among the tools to address inequities are financial assistance to low-income and excluded populations to increase enrollment and retention.
- Minimal variations in school quality, so that students in areas of high ethnic or racial concentrations do not receive substantially inferior education because of their economic status or where they live;
- Targeted learning interventions to diminish educational performance differences between ethnic, racial groups, gender (cross-cutting), and other types of exclusion.
- High degree of physical access to schools to ease access for socially excluded populations.
A basic starting point for inclusive education is officially registering children for school. In more countries in LAC than might be expected, school registration is dependent on formal birth certificates or proof of parental citizenship/birth that is often unattainable or nonexistent for rural excluded populations. This lack of proof of identity affects school attendance, but also voting, land ownership and a host of other rights. In the Dominican Republic, for example, many children of Haitian parents— even if they were born in the Dominican Republic— cannot register for school because parents lack birth certificates. Small but important efforts to provide identity documents to excluded populations, particularly indigenous peoples and women, are underway in countries such as Bolivia, Guatemala and Peru.

Inclusion needs to be considered at each of the key intervention points in education, from registration, to curriculum development and design, to the links between education and work. Although universal primary education has made great advances in LAC, a recent study by Jeffrey Marshall (2005) found a high correlation between government spending on secondary education and educational exclusion measures. Experiences in the region to date have covered a range of different aspects of inclusive education. Some of the interesting efforts include:

- Providing bilingual education—in Bolivia, Ecuador, and Honduras.
- Expanding physical access and introducing innovative pedagogy to include people with disabilities in regular classrooms— Mexico’s 2002 “inclusion in higher education” program.
- Adapting curricula to stress multiculturalism and the contributions of Afrodescendents and indigenous cultures, as well as to combat cultural stereotypes— Colombia’s Ministry of Education chair on Afro-Colombian studies.
- Offering educational subsidies, scholarships, and admission quotas to students from excluded groups-- Brazil’s scholarships for Afrodendents and indigenous peoples to prepare for foreign service exams and state university reserved places for pardos and pretos.
- Linking programs to eradicate the worst forms of child labor with education and school attendance—in the Dominican Republic, where indigenous, migrant, and Afrodendent children are disproportionately represented among child laborers.

The low educational attainment of most excluded groups in the region (women are the exception) underscores schooling’s importance in inclusion initiatives. But the elimination of
gender gaps in educational coverage in the region has only modestly reduced gender gaps in employment and income in the short term. In fact, one of the weaker linkages in social policy is the translation of education gains to gains in the labor market, particularly for women and other excluded groups. Gains in labor income and performance are essential to building the assets needed to permanently leave poverty. Despite the best record in the developing world for “gender inclusiveness” in educational coverage, and despite the fact that women in some LAC countries have actually greater educational attainment than men, these gains have not translated into the labor market (Marshall 2005). This suggests that education is not the silver bullet for eroding social exclusion, especially when associated with gender, ethnicity and race. It needs to be complemented by labor market and other interventions to enhance assets and opportunities (Hannum and Buchmann 2003). Education offers an important example of the need for complementary inclusion actions to insure the gains in one social field—education— are not lost in another.

Inclusive labor markets and employment

While many factors interplay in creating social exclusion, labor market exclusion — the inability to generate a livable family income, the devaluing or lack of recognition for one’s daily work, discrimination, lack of basic legal protections on the job — prompts a chain of social and economic effects that deepen and solidify it. These effects include physical segregation in marginal neighborhoods, social stigma associated with poor quality jobs, unsafe working conditions, and early school leaving, which create lifelong impacts. As the European experience reveals, the labor market is one of the weakest links between excluded groups and mainstream society, so extending it offers the prospect of both combating poverty and exclusion (Tsakloghu and Papadopoulos 2001; Atkinson 2004). Improving the labor market performance of excluded populations serves national economic objectives as well since the excluded are most likely to be trapped in subsistence or low-wage, low-productivity labor.

Women have joined the labor market in Latin America and the Caribbean in a wave that has been termed “remarkable.” Increases in female schooling have had a positive effect in women’s rising participation rates, although education only accounts for 30% of the overall increase (Dureya, Edwards, and Ureta, 2004). Other factors contributing to this trend are the decline in fertility rates and increases in productivity of housework. However, despite progress
achieved in the last few decades, women’s overall participation in the labor market continues to be lower than men’s, and the challenges are greater for women in rural areas and for indigenous women.¹

There has been a narrowing of the wage gap (women’s hourly wages relative to men’s) in key middle income countries in the region but this gap continues to exist.² Information may still be limited because of inadequate reporting of work. Marshall (2005) finds that women are less likely to report working than men. He finds that in the countries in the region where women are more likely to report working, the differences in earnings with men are actually greater.

Although the gender gap between men and women has been narrowing, the family gap between women with children and women without children shows a rising trend (Waldfogel 1998). In LAC, evidence suggests that a wage gap exists between men and women but also between mothers and non-mothers. Piras and Ripani (2004) analyze the effect of motherhood on wages and labor force participation in four Latin American countries and find that, unlike in developed countries, in LAC wage penalties and premiums are not borne equally among all mothers. In Peru, for example, there is a penalty in wages for having children less than 7 years old, while in Brazil and Bolivia, being a mother has a positive effect on wages compared to non-mothers. Family-friendly policies that allow women to reconcile their responsibilities at home and work are needed to mitigate the negative impact of having children on women’s earnings.

Across the region, most striking are the significant limitations in labor market gains faced by women and other groups because of persistent exclusion from key occupations, from formal sector employment, and from better and higher quality jobs. Occupational segregation – the clustering of women in lower paying fields such as teaching, domestic service, and office work – is pervasive in LAC and shows no signs of abating despite other advances. Deutsch, Morrison, Piras and Nopo (2004) find that occupational segregation by gender did not decrease in the period studied (1989-1997) despite important economic shifts in occupational structure and macro circumstances, suggesting that culture and tradition are as important as economic factors in determining over or under representation of women – especially those less educated – in some

¹ In Brazil and Colombia around 56% of women participate in the labor market, 55% in Peru, 44% in Chile, and 43% in Mexico, while in all these countries the participation of men is over 88% (World Bank, 2003).
² Data and analysis is not available for all countries, so it is unclear whether decreasing wage differentials is more universal in Latin America and the Caribbean, or present in only key middle income countries.
occupations. They refer to discrimination as the main cause for the male-female wage gap, rather than occupational segregation.

The informal sector employment “crisis”, where one out of two workers in the region now work, is disproportionately a crisis of low-quality employment for excluded populations. More than one half of female workers in the region are in informal employment. Women comprise from 42% of the informal sector in Panama to 73% in Bolivia, and particularly high informality rates are observed among indigenous women. Not only are women’s average earnings in informal employment lower than in the formal sector work, but also female informal workers are excluded from formal social insurance as they lack maternity employment protection and other benefit provisions available exclusively to women (Barrientos 2004).

Current trends in LAC indicate that without attention to labor market exclusion and labor discrimination as part of a comprehensive social inclusion policy, advances in incomes and livelihoods for women and other excluded groups will be substantially curtailed.

Labor market policies and programs in LAC have not often been designed, analyzed, or evaluated in terms of promoting greater inclusion. Targeting in labor market programs, if undertaken, has typically been based on income (programs for the poor), gender (smaller, specialized interventions), or, more commonly, self-targeting for the poor (job training or placement services with eligibility criteria that fit mainly the poor or whose wage levels are so low as to appeal only to the very poor).

There are exceptions to this general trend of more universal or self-targeted programs with the region’s experience in training programs for disadvantaged youth, women and persons with disabilities. Examples of IDB–financed projects include a Mexico labor market loan that includes training for the disabled in firms; technical training and labor intermediation projects for disadvantaged youth, including women, in Argentina, Chile, Panamá, and Peru; and technical assistance to Argentina, Chile, and Uruguay to help expand labor force participation of the blind. Promoting labor market inclusion does not always imply programs to target specific populations (indigenous people, people with disabilities). Depending on the nature of exclusion and the size of the excluded populations, universal labor market programs can be tailored or supported with additional services to ensure greater participation by excluded populations.

There are a number of key ways that labor market policies and programs in the region can be strengthened to support greater social inclusion. These pro-inclusion efforts can draw on the
lessons from labor market program experience in the region. Inclusive labor market programs should include initiatives as the following:

- **Improved labor market data and analysis on excluded populations.** While the groups or peoples facing labor market exclusion are broadly similar across Latin American countries (e.g. women, indigenous peoples, Afrodescendents, persons with disabilities), the nature of discrimination and which instruments are most effective in overcoming it are likely to vary significantly by country. Household and labor market surveys as well as data collection on program beneficiaries are important statistical inputs to understand how labor market exclusion works in any one national context, and how labor markets affect different groups. Within the region there has been increasing attention to collecting data on race and ethnicity in national censuses and household surveys, spurred by two important region wide conferences sponsored by the Inter-American Development Bank, the World Bank, and regional national statistical institutes: *Todos Contamos I* (Cartagena, Colombia, 2000) and *Todos Contamos II* (Lima, Peru, 2002). To date, data on program beneficiaries has largely been collected only by gender so very little is known about the differential impacts of programs on excluded groups. Data disaggregation is as important for labor market policies as for broader national inclusion policies.

- **Use of traineeships for improved labor market insertion.** One of the important lessons from a series of youth and of women training initiatives in the region (eg. Chile, Argentina, Venezuela, Peru, Panama) is the improved labor market placement that results if classroom training is combined with traineeships within firms (also see Probecat program, Mexico). For disadvantaged youth, job skills are less of a barrier to an entry-level position than the lack of a social network and work record. Labor market insertion of excluded groups is also likely to be improved by utilizing an evolving market of training/placement brokers – NGOs or for-profit firms that compete for contracts to train and broker a traineeship slots in local firms. By providing oversight and monitoring of trainees, such brokers are able to overcome employer reluctance to hire workers from excluded groups or workers without personal contacts with the firm. Evaluations of the *Chile Joven* project demonstrated an increase in both job placement and income for disadvantaged youths over a control group that did not participate in the program. Another interesting outcome was the high share of youth that
returned to education after the training. This regional experience with youth training for the disadvantaged has a number of wider lessons for labor market programs in the region. First, especially for *Chile Joven*, it demonstrates that well-designed labor market tools can improve income and job placement for groups facing labor market exclusion. Second, competitive mechanisms and support from intermediary institutions in the private not-for-profit and profit sector may help employers overcome biases and concerns about providing jobs and traineeships to more marginal populations. Third, members of an important segment of the workforce subject to disadvantage can be provided with the skills and experience to improve their first job experience without the long-term, highly expensive intervention that characterizes such programs as Job Corps in the United States. That first job experience, as research demonstrates, is significant to longer-term job performance and earnings potential. Again, this is an area where collaboration between state and non-state actors is key for improving labor market insertion.

- **Improving anti-discrimination laws and labor protections.** Many countries in the region have broad civil protections against discrimination and more specific legislation related to the labor market on the books. Implementation and enforcement, however, are very limited. Three key problems, common to the region, are a lack of government enforcement, lack of a civil legal tradition defending individuals, and large informal sectors that are outside the labor codes’ protection. Labor ministries in LAC are traditionally poorly funded with limited expertise and resources to enforce civil and work-related rights. This extends to both guarantees against discrimination and protections on the job, such as enforcement of working hours and minimum wages, prohibitions against child and forced labor, and occupational health and safety laws. There is also little to no tradition of civil suits to compel government enforcement of existing laws or to compensate victims of sexual, racial, or other discrimination. Add to this the dramatic increase in informality in the region. Workers without a formal work contract not only fear to assert their rights, but also have virtually no legal basis from which to do so. National antidiscrimination policies in the region need to be strengthened through more vigorous attention to enforcement, citizen education, legal services for the poor, and the strengthening of antidiscrimination protections as a civil right apart from employment status. Critical to implementing and enforcing anti-discrimination provisions is the role of non-state actors as representatives and advocates for
the excluded. Non-state actors are essential to disseminating the rights inherent in non-discrimination, empowering excluded populations to assert and protect those rights, and obtaining the resources to sue for non-compliance.

- **Reforming labor intermediation systems.** While much of the focus on labor market programs has been on providing better training for skill development, labor intermediation systems to link workers to jobs and training are a relatively neglected tool for advancing the labor market performance of excluded populations. Labor market transparency – open announcement of jobs; jobs filled based on qualifications not personal connections – is very limited in the region and a serious barrier for upward mobility of excluded populations. Labor intermediation activities serve both workers and employers by promoting a more efficient match of worker to job. Recent reforms in both the OECD and Latin American countries are leading to new models of intermediation services that expand the range and type of services and more directly involve private and nonprofit providers.\(^3\). The Inter-American Development Bank is embarking on policy case research to test whether, like training, women make disproportionately greater gains from using intermediation services to find jobs. The first case study to be completed will be Mexico in mid-2006. Peru has established a network of Intermediation and Labor Information Centers (CIL) that draws churches, nongovernmental organizations, private training schools, and local firms into a provider network to place workers seeking jobs. Its particular advantage for excluded populations is the use of a variety of community organizations to deliver job placement and assessment services, bringing them to communities where excluded populations live. Providing services to anyone who walks in does not undermine the ability to serve more excluded populations. To open doors for excluded populations, national labor intermediation services or networks need to be able to serve a wide range of income categories and employers, not only the poorest or the lowest wage jobs. Labor intermediation services can adapt universal services to the needs of excluded populations or provide specialized assistance that makes the service more accessible to excluded groups. This includes, for example, staff who speak indigenous languages, mobile units that bring services to hard-to-reach communities, and training in working with disadvantaged populations.

\(^3\) For a fuller discussion of the international models for labor intermediation services, see Mazza (2003).
• **Improving school-to-work transition and skill deficits.** The labor market cannot leapfrog over the severe disadvantage faced by excluded populations when they enter the labor market with fewer years of education and lower quality schooling. This initial disadvantage accumulates in the labor market as workers with low skills receive little investment in skill development on the job and are rarely able to return to education later on. As a social inclusion strategy, increasing educational attainment and quality for labor market integration is needed in the first place to be complemented by stronger school-to-work transitions and adult training and learning. Policies that facilitate the transition from school to work for women, for instance, can be particularly effective in preventing informal employment. Once leaving the educational system, workers in the region encounter, in many countries, low-quality systems of skills training based on large, public-funded state institutions with poor linkage to private sector demand and modern training methods. Reform of training institutions to insure greater linkage to private sector employment and greater emphasis on low-income workers plus school-to-work transition programs targeted at excluded populations are also needed policy interventions to make Latin American labor markets more inclusive.

III. **CONCLUDING COMMENTS: SOCIAL INCLUSION AND RETHINKING SOCIAL POLICY**

Traditional approaches to social policy often fail to take account the complex processes of exclusion which deny groups access to the very services and opportunities provided by social policy. Social inclusion cannot be advanced, however, by focusing the inclusion lens on only one type of social policy or on state and non-state actors separately. Lessons from Latin America and the Caribbean have made clear that inclusion’s multiple sources need to be addressed through constitutional and legal frameworks and national policies, institutional arrangements, and specific policies and programs.

The experience with constitutional frameworks and national legislation show that legislating on group social rights sets the basic conditions for inclusive societies, but that they need to be complemented by effective enforcement and regulation, as well as training of the legal profession. Key national policies include strengthening the collection of statistics on the excluded and increasing their access to productive assets.
“Mainstreaming” the concerns of excluded groups in agencies or ministries appears to have worked in the case of gender inclusion, but this requires the presence of a government agency or function devoted to coordination and vigilance. This agency’s success depends on strong support from the executive branch, close alliance with non-state actors, and both political and cultural openings.

In the past, education has been touted as the basic building block towards social inclusion but it is not a silver bullet. The record from Latin America and the Caribbean shows that, even when broader educational coverage and attainment is achieved, exclusion can be reasserted in the labor market where excluded groups suffer centuries-long discrimination and fewer returns for the same human capital assets. Complementary interventions are required, especially to improve the long-term labor market performance of excluded groups and sustain their livelihoods. Duryea and Pagés (2001), for instance, argue that increasing education will not be sufficient to boost productivity without a broader range of productivity-related improvements such as in infrastructure and credit. Labor market discrimination and greater transparency in hiring must be addressed in order for education and skills training gains to translate into increased hiring and promotion of excluded populations. An additional consideration for LAC is creating more comprehensive systems of social insurance and, where appropriate, unemployment insurance to protect incomes and smooth out negative economic cycles all too common in the region (Mazza, 1999). This policy evolution will require more creativity in applying systems of social insurance to the informal sector, where the majority of the excluded work, as well as promoting the greater formalization of the workplace.

Promoting inclusion through the examples of affirmative action, and labor market and education policies and programs requires rethinking and recasting current policies, drawing on many of the above mentioned initiatives. It requires expanding the role of non-state actors in terms of participation in policymaking and implementation and in strengthening the role of non-governmental organizations as representatives of the excluded. Public officials in the region are beginning to understand that inclusion—even in the fields of education and labor markets—can only be promoted through interrelated initiatives in social, economic, legal and cultural spheres. It is the sustained combination of policy and program interventions on the different levels described in this paper that should offer a more comprehensive and effective policy framework for advancing social inclusion in Latin America and the Caribbean.
References


CONAPRED, 2004


Marshall, Jeffrey H. 2005. “Social Exclusion in Education in Latin America and the Caribbean” Paper presented to the Inter-American Development Bank, Social Inclusion Trust Fund, 


Saba, Roberto 2004. “(Des)Igualdad Estructural” Unpublished manuscript.


