

Working for rights from the grassroots

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Many of those working to achieve the Millennium Development Goals espouse a rights-based approach to development. This is based on recognition of the equal rights of all citizens to the resources required for material well-being and social inclusion – an approach currently much favoured by the global North. Blame and shame is a strategy that is used by many organizations to demand that state institutions take on responsibility for ensuring that citizens do obtain their rights. This strategy is useful for external agencies in their dealings with the state. But Shack/Slum Dwellers International (SDI) suggests that some alternative approaches are crucial for poor and vulnerable people seeking to obtain their rights and entitlements if they don't just want to be beneficiaries. Central to these processes are the changing role and relationships of the poor themselves in defining solutions and making them work without allowing the state to abdicate its responsibilities.¹

SDI is a network of people's organizations and support NGOs seeking to address the needs of the homeless. It is active in more than 12 countries in Africa, Asia and Latin America. The current preoccupation of socially progressive donors with the rights-based approach is problematic for SDI in various ways. It may even limit SDI's capacity to secure funds: donors often insist on such an approach and consequently SDI's methods may not fit the conditions they impose on applicants. Moreover, the rights-based approach is influencing the broader discourse in development, including how problems are perceived and solutions developed.

Problems with the rights-based approach

Although SDI believes in rights, it has frequently sought to distance itself from the rights-based approach and the strategies associated with it for reasons other than simply funding. Its concerns are not conceptual, nor ideological. They are structural and pragmatic.²

¹ This paper is written on the basis of internal reflections in SDI and its national federation affiliates, and articulated by the NGO scribes who assist them. This is one more contribution to articulating the position of SDI, and sharing the views of its leadership in an international development debate.

² Hence the discussion does not consider some of the familiar concerns, including the universality of rights, the inter-dependency and/or hierarchy of rights, or issues to do with the international human rights framework.

'It would be inappropriate to deem all rights-based approaches that are based on confrontation with the state to be counter-productive. Certainly, in the absence of democratic spaces – as in dictatorships – there will not be many alternatives. But our experience in the contexts in which we work has been that the building up of organizations of the poor contributes to the realization of rights from below. And this is the path we have chosen.' SPARC

SDI's experience throws up two specific issues arising from the principles and practices of the rights-based approach. The first relates to the vulnerability of the poor and the difficulties (often dangers) they face when openly contesting for power. The second is the extent to which there are pro-poor solutions that can be implemented by the state, and hence the ease with which claims can be articulated and met. The first is recognized by advocates of the rights-based approach; the second does not seem to be.

An alternative to confrontation

The first issue with the rights-based approach relates to the difficulties poor people face when confronting the state. The urban poor are often distant both psychologically and physically from the formal institutions of law and security. Pro-poor laws are often not enforced and, because of their vulnerability, many low-income residents, particularly women, are reluctant to enter into dispute with the authorities.

At SDI's core are local savings schemes, of which women constitute the vast majority of members. The schemes form an organizational platform for residents to explore and determine their development strategies to secure land tenure, basic services, housing and local economic development. Empowerment of the poor is central to their activities.

In a savings group in Byculla, Mumbai, the women produced an alternative response to eviction from their pavement dwellings. Rather than confront the police, they sought to outwit them. When the police arrived, they offered to take down their dwellings. They dismantled their shacks and stacked their belongings and building materials neatly. They invited the police to take away the rubbish on the site where their shacks had stood. Once the police had left, the women replaced their dwellings. As a result, they kept their material possessions, they and their families were not traumatized by the experience, and the police began to see that they could negotiate with the poor. This showed the group that, when the poor are in a vulnerable position, a collective demonstration of strategic resistance can be more effective than confrontation.

How SDI works

Saving groups represent one of two ways in which SDI supports a people-driven development process that addresses vulnerability and basic needs. They strengthen self-reliance and organizational capacity among communities. Their daily collections ensure a

strong local movement with accountable leaders who know of, and represent, the interests of their members. Self-reliance is also considered to be important at all levels. City and national autonomous grassroots movements need to be able to either enter or stand back from any specific political process. Such independence avoids the problems of movements that are highly dependent on their political fortunes.

The second strategy, federation, seeks the redistribution of resources by the state in ways that address the needs of members and strengthen their capacity to negotiate for more. Through federations, local groups work together to help each other secure their development agendas, build people's knowledge of ways in which their aspirations can be achieved, and negotiate with the state. Support NGOs such as SPARC work with the federations to identify strategies, prepare technical arguments and engage in a professional discourse (particularly with officials).

The importance of negotiation

The second issue with the rights-based approach relates to the lack of existing solutions to the problems of the urban poor and the consequent need to develop new ones. Negotiations (and persuasion) with local and national governments are an inevitable part of the process of developing new solutions. A rights-based approach might work for a relatively straightforward claim that involves a simple transfer of financial resources, but its applicability is less evident when there are many and complex needs, with no existing solutions that can be implemented with existing resources. The movement believes that previous development efforts have failed because the poor have not developed solutions that work for them. The political objectives sought by SDI federations require the integration of negotiation and poor people's tried and tested development strategies.

Inevitably, solutions for secure land tenure, basic services, housing and, sometimes, economic development involve the state. The state needs to be an active participant in the process, while recognizing the legitimacy of the federations and their member savings schemes, and the potential offered by people's solutions.

Precedent setting

However, federations often tread a fine line between demonstration and confrontation. They collectively take the risk of demonstrating new solutions to the state, which often involves working outside the law.



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Rather than contesting things that don't work, they engage the state to review alternative options. The federation groups call this precedent setting. It is a challenging of the rules through positive action. For most government agencies, accepting such ideas, which come from the poor and work for the poor, is a huge step. Once taken, it forms a breach in the system and potentially offers opportunities for further policy reform.

Federation members are very conscious that they cannot defeat the state. Often, the more confrontational their position, the more likely they are to risk violence and other forms of repression. As significantly, they believe that their proposals are more likely to be accepted if the state recognizes mutual advantage; and they are more likely to do business if relationships are friendly. A weak and defensive state is more liable to oppress if faced with criticism. SDI groups seek to persuade rather than to threaten, and their orientation is towards what is strategic in the longer term.

Active, not passive, citizenship

The federation position goes beyond building stronger citizen-state relationships and negotiating for the redistribution of resources to the poor. It affirms rights, but not a rights-based approach which depends on state provision for its fulfilment. Rather, the federations seek to develop strategies for the provision of basic services which may require the poor to do more rather than less. The key for them is that the activities strengthen organizational, and therefore negotiating, capacity. Their concept of citizenship is one of active engagement rather than passive recipient. What safeguards their interests is their own collective capacity rather than legal structures and systems. Funders whose underlying concern is with empowerment should bear this in mind. @

