Economic and Social Rights in Authoritarian Regimes:

Rights, Well-being and Strategies of Authoritarian Rule in Singapore, Jordan and Belarus

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Acknowledgments

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List of abbreviations

BPF	Belarusian Popular Front
BSSR	Belarusian Soviet Socialist Republic
CESCR	Committee on Economic, Social and Cultural Rights
CPR	Civil and Political Rights
CPF	Central Provident Fund
CSO	Civil Society Organisation
EFTA	European Free Trade Agreement
ESR	Economic and Social Rights
EU	European Union
FTUJ	Federation of Trade Unions Jordan
GDP	Gross Domestic Product
GNP	Gross National Product
GUVS	General Union of Voluntary Services
HDI	Human Development Index
HDB	Housing and Development Board
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ILO	International Labour Organisation
IMF	International Monetary Fund
MA	Medisave Account
MCP	Malaysian Communist Party
NAF	National Assistance Fund
NCHR	National Centre for Human Rights
NGO	Non-Governmental Organisation
NTUC	National Trade Union Congress
OA	Ordinary Account
OECD	Organisation for Economic Cooperation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights

PAP	People's Action Party
PAWS	Palestine Arab Workers Society
PLO	Palestinian Liberation Organisation
PPP	Purchasing Power Parity
SIT	Singapore Improvement Trust
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNICEF	United Nations International Children's Emergency Fund
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
USSR	Union of Soviet Socialist Republics
WTO	World Trade Organisation

PART I

- Literature Review & Framework Conceptualisation -

1 Introduction

"It seems that men not unreasonably take the notions of the good or happiness from the lives they actually led (..)"

Aristotle "The Nicomachean Ethics" (350 B.C.E.)

1.1 Relevance of the topic

Analysis of human rights performance is certainly not a new affair – as perhaps the central topic of debates about domestic and international politics it is accompanied by a growing body of academic research, mainly in the fields of law, philosophy and international relations. Over the recent decades there have been increasingly many efforts to investigate practicalities of human rights realisation and factors that promote or stifle their development, conducted not only within research scholarship, but also by restless work of various intergovernmental and non-governmental organisations, which observe and document human rights violations worldwide, illuminating the failures of states to adequately respect, protect and fulfil human rights. All this work has contributed greatly to enhancing the understanding of the relationship between human rights and different forms of government, yet these debates have been largely confined to the realm of civil and political rights (CPR), which more often than not tend to monopolise the entire concept of human rights.

Economic and social rights (ESR) have consequently been overlooked by this research resulting in a lack of conceptual, theoretical and methodological clarity surrounding this group of rights in particular. Several reasons have contributed to this state of affairs. First, scholarly preoccupation with CPR was initially prompted by the end World War Two, and again reinforced by the "third wave of democratisation" drawing research attention to aspects that prompt countries' transition to democratic regimes. The bulk of this research accounted for ESR mainly as explanatory variables, employing socio-economic information to assess or predict the levels of democracy and rarely awarded them individual focus (Landman, 2002). This effectively marginalised ESR from the research agenda, leaving gaps in conceptualisation efforts, theoretical explanations with regard to ESR fulfilment as well as clarity about how they should be translated into public policy (Hertel and Minkler, 2007; Minkler, 2013b, 2013a; Landman, 2002, 2009; Landman and Carvalho, 2010; Donnelly, 2003; Kunnemann, 1995). This unfortunate omission has been somewhat addressed by the United Nations' (UN) work on human development and poverty alleviation, initiated in the 1990s, slowly but gradually

reviving research interest into ESR. While an increasing body of work is currently devoted to questions related to ESR, scholars still emphasise the relative state of underdevelopment when it comes to this group of rights (Donnelly, 2003; Landman and Carvalho, 2010; Landman, 2013; OHCHR, 2006, 2008, p. 1).

A related obstacle causing much confusion has been the prevalent view that all human rights are interrelated,[1] deeming, on the first glance, individual investigations into ESR somewhat redundant. It is often asserted that human rights can only be achieved in democratic regimes leading to the assumption that democracies will also inevitably advance ESR. Yet, while it is indeed true that *all* rights in theory can only be achieved in democratic states (not least because autocracies are distinguished by their violations of CPR), empirical evidence has been cautious to generalise the causation between democracy and ESR (Landman, 2013, p. 5). Virtually all countries are in one way or the other deficient in their fulfilment of rights, and just as there are a number of democracies that have failed to realise ESR for their populations, there are also several autocracies that seem to be doing rather well in this regard. These may or may not be exceptions from the rule, but such examples suggest at a minimum, that the relationship between both sets of rights is less automatic than previously assumed and certainly propose that more attention be devoted to the relationship between the 'rights' and 'regime' variables. Likewise, while studies have explored deficiencies in the human rights records in authoritarian states, we know relatively little about why they *do* further rights, especially ESR.

Finally, the majority of research investigating ESR has been conducted within the subject of law or international law resulting in somewhat unfairly confining human rights (including ESR) to the realm of their legal fulfilment. While their legal articulation may be desired, it is a misunderstanding and a grave oversight to assert that a formal recognition of rights will inevitably lead to their enjoyment in practice. As articulated by Amartya Sen: "[h]uman rights may well be reflected in legislation, may inspire legislation, and may even serve, in many circumstances, as ideals that demand legislative attention. However, these are 'further facts' – not the *defining* characteristics of human rights" (Sen, 2012, p. 91). It is much too common that laws and constitutions articulate rights which fail to be realised in practice and likewise conceivable how in the absence of legal recognition, some states may nevertheless be able to demonstrate significant practical achievements in a variety of ESR domains. It is therefore clear

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[1] The approach to human rights as interrelated has been most widespread and promoted by the international human rights institutions. Alongside others, this principle is laid out in the Universal Declaration of Human Rights (1948), further reiterated in the Limburg Principles in 1986 and reinforced in the World Conference on Human Rights in Vienna in 1993.

that human rights extend far beyond legal measures and these avenues need to be explored when examining ESR performance.[2]

As a result, the philosophical, theoretical, conceptual and methodological debates concerning ESR have not been fully resolved. Among other things, scholars disagree as to how ESR fit into a conceptualisation of rights, what factors promote or stall their fulfilment[3] and how ESR should be measured given their somewhat arbitrary nature. This contribution does not seek to resolve these issues; it cannot. The project is rooted in the belief that meaningful inferences with regard to human rights practices can be made even without explicit unanimity about their foundational issues. Such research *can,* however, contribute significantly to these debates through investigating the puzzle that is ESR fulfilment in non-democratic states and enriching empirical knowledge about this 'black box' of human rights research since neither the rights, nor welfare scholarship offer adequate explanations as to whether, how and why authoritarian states further ESR. But they do provide valuable starting points for theorising about these issues.

While many of the foundational questions are still in the core of heated debates and unequivocal agreement is unlikely to be achieved, this project contributes to clarifying and improving the domain by presenting contextual empirical evidence about the relationship between ESR and autocracies. It (1) draws on existing debates within human rights and political regime scholarship as well as research on welfare states to develop theoretical expectations as to the factors that could promote ESR in authoritarian regimes; (2) investigates the (potentially overlapping) concepts of ESR and political regimes and discusses the trade-offs involved; (3) surveys and critically assesses the existing tools available for evaluating ESR performance; and (4) investigates ESR in three authoritarian states, which, given the dominant theoretical paradigm stand out as outlier cases, portraying 'good' ESR performance given their economic resource constraints, namely Singapore, Jordan and Belarus. Given the state of the overall underdevelopment with regard to ESR, these empirical contributions can contribute to refining existing theories about this group of rights and enable researchers to draw more informed inferences about these issues.

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[2] The Limburg Principles explicitly state that "[l]egislative measures alone are not sufficient to fulfil the obligations of the Covenant" (UN Commission of Human Rights 1987, p. 3para.18), emphasising that a legal perspective may be inadequate to explain ESR performance.
[3] While factors that contribute to the realisation of ESR in democratic states are understood fairly well (e.g. lack of corruption, availability of resources, strong civil society, good governance, etc.), these issues have been largely left unexplored in non-democratic contexts.

1.2   Outline of the problem

It is widely accepted that democratic states have superior human rights records in comparison with autocracies. In fact, 'democracy' and 'human rights' are often understood as interrelated or even synonymous concepts because both are seen as grounded in the notions of freedom, human dignity and agency (Beetham, 1999). This relationship is particularly 'intrinsic' in the case of CPR, for democratic states are largely defined by their record of civil liberties and political rights (Landman and Larizza, 2009; Griffin, 2008; Beetham, 1999), while autocracies are defined by their absence. Such mutual reciprocity, however, becomes less straightforward once the notion of rights is extended beyond the civil and political realm to also encompass economic and social dimensions.

ESR are human rights that relate to the areas of education, health, work, social security as well as the more fundamental requirements often associated with basic needs, such as access to food, housing, water and sanitation. The project conceptualises these rights as an *interconnected set of rights*, which together intend to ensure an adequate standard of living. These issues are later discussed in detail but it is worth noting here that international treaties articulate adequate standard of living as *one among other* ESR (see Article 25, UDHR (1948); Article 11, ICESCR (1966)).[4] International treaties and a significant amount of scholarship, lean towards understanding this right as concerned with the bare minimum in relation to food, water, clothing and sanitary conditions, but this study notably assumes a much wider interpretation of the said right. While it certainly encompasses the minimal resources needed for survival and basic needs, the project invokes the broader concept of 'well-being' as an investigative focus. Here, adequate standards of living are perceived as the overarching goal that all other ESR strive to achieve (Eide, 1995; Hertel and Minkler, 2007, p. 6), yet the value in the right is seen to rest within providing people well-*being*, that is, the ability to *be* well and pursue the lives they "have reason to value" (Sen, 1999, p. 18). In this sense, food, water, clothing, sanitation and mere survival is likely not enough for one to be *well* – crucial for advancing people's standards of living are other ESR, such as education, health care, work and others, which together mutually enhance one another while striving to improve people's individual standing.

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[4] Article 25 of the UDHR states that "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, ad medical care and necessary social services". The ICESCR further elaborate on this entitlement in Article 11.1. that "The States Parties to the present Covenant recognise the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions (..)."

Such a wide conception, is admittedly underspecified, but enables a variety of possible policy responses to advance these rights without tautologically implying the presence of a democratic political regime. It is also neutral to the idea that there exists the 'correct' way of raising living standards and advancing their well-being, and allows for the likelihood that appropriateness of measures taken will be influenced by the cultural, historical or even geographical contexts within which people's lives take place. Indeed, even the UN framework has recognised that ESR are compatible with a variety of political and economic forms of organisation[5] and the panel of experts who composed the Limburg Principles of 1986 have reiterated the point.[6] Democratic processes may well serve to the advantage of ESR, but it may be an empirical rather than normative observation; desired but not causational and there is no reason why both should be linked by definition.

What factors then do contribute to the fulfilment of ESR? The leading theoretical paradigm for explaining ESR performance is primarily dominated by resource-based and procedural considerations. The former take into account that ESR indirectly entail financial investments in education, health care, social security and hence view resource availability as an important factor determining ESR outcomes. Indeed – poorer states are gravely disadvantaged in achieving similar levels of well-being as those with an abundance of assets and to this day, a country's ability to acquire necessary resources remains the principal explanatory factor for improving socio-economic outcomes for their general population. The resource-based account is further complemented by procedural considerations, which insist that although ESR are compatible with a "wide variety of economic and political systems",[7] democratic regimes possess certain advantages expected to result in a higher attainment of ESR. Such benefits relate to the electoral process and input legitimacy, accountability, freedom of speech and

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[5] The UN Office of the High Commissioner for Human rights has stated explicitly "[t]here is a misconception that the realisation of economic, social and cultural rights will flow automatically from the enjoyment of democracy, and that any imbalance in the full realisation of economic, social and cultural rights will in the long term be corrected by the market forces in open economies. The truth is that, unless specific action is taken towards the full realisation of economic, social and cultural rights, these rights can rarely, if ever, be realised, even in the long term" OHCHR (2008, p. 22).

[6] Para 6 of the Limburg Principles states that "[t]he achievement of economic, social and cultural rights may be realised in a variety of political settings. There is no single road to their full realisation. Successes and failures have been registered in both market and non-market economies, in both centralised and decentralised political structures."

[7] The UN Committee on Economic and Social Rights state in Paragraph 8 of the General Comment No. 3 Specifying the States' Parties' Obligations under the ICESCR that "(…) in terms of political and economic systems the Covenant is neutral and its principles cannot accurately be described as being predicated exclusively upon the need for, or the desirability of a socialist or a capitalist system, or a mixed, centrally planned, or laissez-faire economy, or upon any other particular approach. In this regard, the Committee reaffirms that the rights recognised in the Covenant are susceptible of realisation within the context of a wide variety of economic and political systems (…)."

press, as well as implied pressures for redistributing resources (Sen, 1999; McGuire, 2013; Siegle *et al.*, 2004; Baum and Lake, 2003; Haggard and Kaufman, 2008; Gerring *et al.*, 2012; Alvarez, 1999; Muller and Seligson, 1994). Authoritarian states, on the other hand, where violations of civil and political rights are a norm, lack the aforementioned advantages when it comes to sustainably improving ESR. Consequently, although people's standards of living will to a significant extent be determined by the levels of economic growth in any particular country, the existing theoretical account presumes that given similar levels of economic development, democratic states will be better at fulfilling ESR than non-democratic ones.

This research is inspired precisely by the empirical puzzle that some autocracies portray remarkable economic and social rights records, "outperforming" democratic states at similar levels of resource availability.[8] Such observation is puzzling in light of existing theories that point to democratic advantage and draws attention to the need for more nuanced investigation of the insufficiently explored relationship between non-democratic regimes and socio-economic rights in particular. Careful investigations of these outlier cases can be of great value in elucidating previously overlooked factors that may positively reflect on ESR realisation, while addressing a multitude of challenges associated with this group of rights, including the inability of theoretical assumptions to account for the variety of demonstrated outcomes. Democratic regimes at large may well possess more conductive environments for realising ESR, but the presence of autocratic empirical exceptions-from-the-rule alone suggest that other political systems might likewise attain positive results – stretching beyond theoretical deliberations of a benevolent dictator (Griffin, 2008; Wintrobe, 1990) into the practical realm. The need to embark on such research is only made more pertinent by the ongoing debate between proponents of universal rights on the one hand, and cultural relativists on the other, calling for an exploration of rights fulfilment in a truly universal context of diverse cultural, economic and political systems where non-democracies prevail and persist. Rather than providing a defence for autocracies, the project intends to open novel avenues for developing and refining the understanding about ESR so as to enable improvements in people's lives worldwide and serve as means to guide more informed, evidence based discussions in this regard.

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[8] The project employs the Economic and Social Rights Fulfilment (SERF) Index, which arranges countries according to the achievement of ESR relative to the rate feasible, given best practice at particular levels of development. Chapter 5 discusses the measurement and methodological challenges in more detail and analyses the SERF Index alongside other existing tools for making global cross-country comparisons with regard to ESR.

1.3 Research focus

It should be noted here that a concern with socio-economic rights does not necessarily reflect the presence of *high* standards of living. While high outcomes are *likely* to indicate a good performance with regard to ESR, it is not itself a central concern for human rights. The duty that states have in this respect is to strive for a *progressive* realisation of ESR while using *maximum resources available* as per Article 2 of the International Covenant of Economic, Social and Cultural Rights (ICESCR). This clarification has made the development of methodological measures that could effectively be used to compare ESR among various states significantly more challenging and exposed ESR to criticisms of being 'relative' and 'arbitrary', used by some scholars to denounce them as human rights at all.[9] Yet it has also clarified that as rights they require a) that people's well-being is improved in line with the country's resource availability; b) for at least the minimum necessary for a decent life to be guaranteed to everyone regardless of resource constraints (Minkler, 2013b; Hertel and Minkler, 2007; Beetham, 1999; OHCHR, 2008, 2006); and specified that c) poorer states with fewer resources can also be fulfilling their duty towards ESR, even if their citizens do not enjoy high living standards, while richer states that do guarantee high levels of well-being may be failing to meet their obligations if they inadequately address prevailing socio-economic challenges given that they possess the resources necessary to do so. This goes to illustrate that trade-offs between various policy objectives are always at play and states' duties consist of demonstrating *effort* towards improving people's well-being not only through legislation, policy or increased socio-economic spending but also by achieving actual improvements in people's lives.

Note also that concern with ESR and economic growth are not identical. Although resource availability may enable states to improve ESR, there is no guarantee that economic development (as expressed by GDP growth) alone will have a positive influence on ESR (Beetham, 1999). The Office of the High Commissioner on Human Rights (OHCHR) has likewise cautioned that neither economic growth nor democracy is sufficient to realise ESR – specific action and targeted efforts are additionally required to improve ESR in long term. Governments responsible for decisions about how to distribute available resources and structure representation of interest groups can choose to direct funds towards satisfying the short-term needs of electorates (Przeworski and Limongi, 1993), certain groups that possess disproportionate access to decision-making (OHCHR, 2008, p. 22), or reward loyalty, finance

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[9] For the most prominent criticism see Cranston (1983) "Are There Any Human Rights?" in Daedalus 112 (4)

repression or co-opt elites to secure the their rule (Croissant and Wurster, 2013) instead of improving lives for the general population. At the same time, significant advances in raising the standards of living can also be achieved without attaining economic growth through carrying out improvements in governance indicators, eliminating corruption or securing the rule of law (Alkire *et al.*, 2013; UN Commission of Human Rights, 1987, p. 24). Hence, although economic growth indicates improved possibilities for increasing people's well-being, it does not directly follow. Nor does it follow that a sole lack of resources indicates that advances cannot be achieved. As remarked by Eide (1995, pp. 126–127) – ESR do not entail a governmental responsibility to provide all goods and services for everybody, but rather to ensure that people enjoy the necessary conditions to be able to sustain themselves individually. Only in the case of particular welfare services (such as primary education) or situations when individuals are unable to care for themselves, does direct welfare provisions become necessary (OHCHR, 2008, p. 20). Otherwise, ESR may well be better protected though a 'negative' governmental duty to respect and not interfere with rights people already enjoy, together with the 'positive' obligation of making policy decisions that would enhance people's individual skills and capabilities to enjoy their ESR, without necessitating an abundance of funds.

1.4   Research aim and research questions

What influences the economic and social rights situation in any given country and what should be the focus when examining the autocratic outliers? This project is grounded on the assumption that people's actual economic and social opportunities to a large extend depend on not only the formal, but also informal institutions, that comprise the contexts in which ESR find expression and where individuals and groups advance their objectives (North, 1990; Goodin, 1988). Domains associated with ESR are often perceived as the "business of the state" (Baum and Lake, 2003, p. 336) because education, health care and other social policies that concern these rights are decided upon by the government – even when governments are not directly involved in the provision of socio-economic "goods" and services, states still possess the power and responsibility to regulate other actors in a way that ensures people adequate levels of well-being (Hertel and Minkler, 2007, p. 21). Considering seriously this observation would require to sway the focus towards formal institutions, such as laws, rules or legislation that constrain individual and collective opportunities to improve their well-being.

Likewise, given that autocracies, not democratic states, are in the centre of this research, it is also likely that policies will be influenced by the rulers' own aspirations to retain power (Tullock, 1987) directing their incentives to promote human development or to the contrary –

to guide enjoyment of benefits to certain groups or actors that contribute to regime longevity. Such choices made by the political elites will depend on governance strategies pursued by those in power exerting influence not only on national-level formal institutions, but eventually also the level of well-being enjoyed by the population and are important for ESR analysis outside of democratic political systems.

Decisions that impact governance strategies and public policy, however, do not appear and exist in a vacuum – they are influenced by informal constraints or institutions, that stem from socially transmitted information and determine what is seen as just, legitimate and acceptable (North, 1990; March and Olsen, 1995; Steinmo *et al.*, 1992). Such informal 'modes of action' establishing unwritten but widely shared rules for interaction, direct individual aspirations and structure behavioural expectations on others (Elster *et al.*, 1998; Steinmo *et al.*, 1992; Thelen, 1999; Helmke and Levitsky, 2004), inescapably influencing policy-making as it, too, is conditioned by institutions and driven by what governments *believe* is the rightful political vision and what issues they see worthy of being addressed (Goodin, 1988). Social behavioural norms, sometimes attributed to 'cultures' or moral predispositions, have significant implications for human rights as they direct individual beliefs, societal relationships and create a sense of *justice* prevalent in any polity influencing the contexts in which ESR are realised (Drèze and Sen, 2002). While often overlooked, individual and group dispositions (such as race, gender, social norms or dominant beliefs and practices) can be equally power as formal institutions or specific policies in determining whether or not people have access to socio-economic opportunities and possess the capabilities for improving their well-being (Robeyns, 2000). Therefore, in order to understand the factors behind ESR fulfilment, looking at resources, policies or formal institutions alone is not sufficient – one also needs to analyse the informal drivers or constraints of ESR.

Given these insights, exploring outcomes, processes and predispositions towards ESR in particular states must be sensitive to historical contexts and potential legacies possibly rooted in certain historical developments (Collier and Collier, 1991). Such insights can help explain how rights are advanced and whom they target, simultaneously stemming from and affecting local understandings that shape people's views about welfare provision and associated expectations placed on those in positions of authority (Thelen, 1999; Thelen and Steinmo, 1992).

In this context, the dissertation aims to reconstruct the processes of institutionalising ESR in the absence of democratic political regimes and does so by asking the following research questions for the case-study inquiries:

(1) How has the 'good' ESR performance been achieved?

(2) Why have ESR been advanced under these non-democratic regimes and what factors have promoted developments towards a favourable ESR performance?

(3) How does the way, in which socio-economic outcomes are attained, relate to the concept of human rights?

The project is explorative, follows an inductive logic and it does not strive to universally generalise its findings (Leuffen, 2007; Seawright and Gerring, 2008). Rather, it attempts to uncover and analyse new, unexplored variables that have influenced socio-economic developments in the particular cases and consequently draw comparative inquiries based on the rich and diverse empirical evidence presented.

1.5   Structure of the dissertation

The chapters are organised as follows. Chapter 2 reviews the main body of scholarly work concerning economic and social rights fulfilment in general, situating the study on the intersections between human rights scholarship and research with regard to the welfare state. It proceeds to lay down the leading theoretical paradigm regarding ESR realisation in different regime types and examines particular factors that are of importance in analysing ESR in particularly authoritarian states. Chapter 3 continues with illustrating the conceptual framework and the potential overlaps between concepts of interest to avoid tautologies and enable a valid investigative inquiry. Chapter 4 explains the theoretical and methodological approach, before discussing the available methods of measuring ESR on a global, comparative scale in Chapter 5. It also debates in detail the choice of the SERF index as the guiding tool for choosing case studies and proceeds, in Chapter 6 to analytically explain the selection of Singapore, Jordan and Belarus as the outlier cases deviating from expectations provided by predominant theoretical assumptions. The following Chapters go on to empirically analyse the case studies. Singapore is investigated in Chapter 7, the Hashemite Kingdom of Jordan in Chapter 8 and Belarus in Chapter 9. Finally, Chapter 10 draws together the empirical evidence and outlines the main conclusions emerging from this study.

2 Literature Review

Over the past decades there has been revived interest in economic and social rights (ESR). Fuelled by the United Nation's focus on development, large amount of evidence and data with regard to the socio-economic aspects of people's lives has become available on a global scale, expanding possibilities for understanding factors that improve or undermine people's well-being. Despite this "data revolution", conceptual, theoretical and methodological clarity surrounding ESR and their connection with either civil and political rights or economic development is still deficient (Kunnemann, 1995; Hertel and Minkler, 2007). Most of the existing research on ESR stems from the understanding either that civil and political rights are intrinsically linked to socio-economic rights (Marshall, 1950; Beetham, 1999, 1993) or that they are a consequence of economic development. The former view steered towards an empirical focus on welfare provision in democratic states, harbouring a disbelief that authoritarian states could provide human rights in a sustainable manner. The latter implied an emphasis on improving economic indicators, assuming that ESR would follow. Meanwhile, the regime-type variable mattered only insofar as assessing its impact on producing economic growth, largely ignoring other political, institutional and societal aspects that would promote or infringe ESR.

By now it has become clear that while economic resource availability does positively influence the potential for increasing human well-being, it does not always *result* in improved ESR. Many countries experiencing periods of rapid economic growth have failed to mirror it in the standards of living for their populations, while other states have provided evidence that ESR performance can be significantly improved in the absence of such growth (Alkire and Santos, 2010). Thus, although the relationship between economic variables and ESR remains strong, the ability of monetary aspects (such as GDP or income) to be used as sole proxy measures for socio-economic rights enjoyment has been largely discredited. Instead, as this chapter illustrates, political variables have come to be taken more seriously as determinants of *how* resources are distributed and *how* growth is translated into improvements in people's lives.

Paying attention to political variables implies also dealing with the empirical observation that not only have autocracies survived "democracy's third wave" (Huntington, 1991) but they have persisted, evolved and become much more diverse, at times even resembling democratic states with regard to their political institutions rather than other autocracies (Geddes, 1999). Additionally, many non-democratic governments have demonstrated marked improvements in areas of health care, education and overall living standards, further challenging prior assumptions about ESR fulfilment. A theory based on inherent advantage of democratic regimes cannot account for why autocracies too advance ESR and/or why they succeed in achieving progress in ESR fulfilment, suggesting a more complex relationship. It is clear that the paths of authoritarian welfare provision cannot be fully explained by the leading theories of either the welfare state or human rights scholarship. While human rights focus stresses the indivisibility of all rights, welfare state research has been disproportionately focused on democratic welfare provision. If *politics* matter, what exactly about politics matters and can these facets be also advanced in the absence of a democratic political regime? Recognising the persistence of autocracies and considering the prediction that their number is unlikely to decrease (Merkel, 2010), scholarly interest should be devoted to understanding the implications of authoritarian governance for human rights and ESR in particular. There have been few attempts to systematically tackle the implementation of ESR by non-democratic governments (Arat, 1991; Haggard and Kaufman, 2008; Mares and Carnes, 2009), and the project aims to deepen this inquiry, clarifying this area for future research.

The overall aim of this project is thus to explore this unknown terrain, improving the understanding of the relationship between authoritarianism and ESR. This is achieved through three in-depth case studies of non-democracies that have portrayed a good socio-economic rights performance. What explains these divergences? *How* and *why* have these states come to deliver their respective welfare results? What factors have contributed to this state of events? How does the way in which well-being is institutionalised relate to the overarching principles of human rights? On a broader perspective such analysis helps to extend our knowledge about the indivisibility of all rights in practice as well as enhance the research field of authoritarian welfare states, largely neglected within existing research.

The following section explores theoretical lines of reasoning focusing particularly on the variables of political regime, economic development and ESR.

2.1   Resources, Political Regime and ESR: Triangular Relationship

2.1.1   Political regimes and economic growth

Human rights became the focal point of attention after the atrocities experienced in World War Two. With the subsequent adoption of the Universal Declaration of Human Rights in 1948, scholars' attention was drawn to inquiries about factors that promote human rights and facilitate the processes of democratisation. Yet, under the given historical circumstances, rights were seen to rest primarily within the civil and political domain and the chief effort therefore focused on investigating the relationship between levels of economic prosperity on the one hand, and levels of democracy on the other.

The understanding that economic development is important for rights realisation was tied to the sentiments already expressed in 1941 by Franklin D. Roosevelt in his State of the Union address. He envisioned the "freedom from want" as an essential element of the post-war order, stating that: *"[w]e have come to the clear realisation of the fact that true individual freedom cannot exist without economic security and independence. 'Necessitous men are not free men'. People who are hungry and out of job are the stuff of which dictatorships are made"*. Prosperity was viewed as a favourable element for bringing about people's well-being and, consequently, democracy and human rights. Given these considerations, economic development emerged as a proximate indicator also for ESR assessment.

The view that functional factors (associated with a changing socio-economic environment) are among the principal determinants for democratisation emerged from the modernisation theory, which suggested that economic development brings about social change, altering people's aspirations and eventually creating pressures for more democracy (Rustow, 1971; Huntington, 1968). Early modernisation theorists, in large, tended to imply an exogenous relationship between economic growth and democracy, advancing a rather deterministic theory. It argued that economic growth could be achieved by a variety of regimes, but as countries underwent modernisation, urbanisation and industrialisation, governments would inevitably face bottom-up pressures to open up to the public and create democratic political institutions. More sceptical of such determinism, Lipset observed that when a democratic regime emerges under conditions of relative prosperity, countries are more likely to remain stable democracies (Lipset, 1959).[10] So he agreed that economic variables are important for democratisation, but suggested that

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[10] In his research, Lipset distinguished between four types of regimes: stable and unstable democracies, and stable and unstable dictatorships.

higher levels of economic prosperity make countries more likely to *sustain* democracy rather than simply transition to this political regime. Either way, economic resources were seen to reflect the countries' prospects for democratic governance in important ways, either by suggesting that on some level, improvements in ESR are instrumental in enhancing prospects for a democratic regime in general, or a stable democracy more particularly. Economic development and industrialisation, which prompts societies to transition from traditional to urban lifestyles, similarly urges politics to reflect the increased economic wealth on improvements in people's well-being (Spalding, 1988).

What these theories also shared, was the understanding that economic growth and, by extension, improvements in ESR, are possible without the presence of democracy. Instead, functional factors were seen as primarily responsible for progress made in the realm of ESR as they increased states' potential to pursue developments in health care, education and other domains related to these rights. Early accounts of welfare state research also echoed these findings insisting that the rise of welfare states is associated with urbanisation and a changing demographic environment, which increased pressures on the state to undertake a welfare function (Wilensky, 1975; Rimlinger, 1971; Pampel and Weiss, 1983; Kerr, 1960).[11] The so-called "full-belly-thesis" therefore proposed that, since economic development plays a role in the rise of a (stable) democracy, priority should be placed on meeting people's basic needs before focusing on ensuring civil and political rights (Howard, 1983). Only after a certain level of economic development was attained, could other human rights assume primary importance as civil and political rights were viewed as luxuries for the impoverished and hungry populace seeking to ensure their subsistence needs. If ESR fulfilment inevitably brought about democracy or was a necessary condition for democratic stability, authoritarianism (or at least certain limitations on democratic rights) was seen as a legitimate condition in order to ensure development and growth (Wong, 1991; Kibwana, 1993).[12] Political institutions were thus perceived as insignificant for improving people's welfare in comparison with the large economic and societal factors. Faced also with the empirical observation that the earliest

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[11] Authors argued that eroding traditional ways of life resulted in increasingly many people facing problems selling their labour and calling for social protection from the state (for an overview, see Myles and Quadagno (2002). At the same time, Manfred Schmidt (1989) empirically investigated whether variables concerned with industrialisation could meaningfully predict social spending and found that outliers nevertheless exist, comprised of states that over-spend and under-spend. He suggested that a political explanation for these cases is needed, likely to be rooted in comparative-historiographic analysis of social policies in these countries.
[12] On the other hand, Knutsen (2012) and Acemoglu and Robinson (2006) have pointed out that if industrialisation inevitably brought about democracy, authoritarian leaders who wished to stay in power, would prefer avoiding industrialising in order to not advance economically.

welfare provisions occurred under non-democratic rule,[13] scholars' attention was turned to the question of what political regimes were more likely to produce economic development.

Some authors suggested that authoritarian leaders are in an advantageous position when it comes to pursuing growth oriented policies. Building on the role of the elites in implementing policy, they argued that as authoritarian regimes do not typically require public support, face distributional pressures or political opposition, they are able to extract resources more effectively and impose the costs often associated with efficient and rapid economic development that would, in democratic states, cause public discontent (Barro, 1999; Ezrow and Frantz, 2011; Haggard, 1990, p. 262). Without having to undergo procedural scrutiny of proposed policies implied by the democratic process, autocracies have the potential to take more immediate action that can promote economic growth (Knutsen, 2012; Rodrik, 1999).[14] Conversely, redistributional demands in democracies can have the potential to retard growth (Huntington, 1968; Haggard, 1990) and even "the persistence of liberal ideals and of institutions based on them" (Rimlinger, 1971, p. 12) can restrain democratic states from developing economically or creating institutions for social security.

An 'authoritarian advantage' in promoting economic development has been widely questioned and critics argue that there is nothing inherent about democratic regimes that is contradictory with economic development to support such a claim.[15] Empirical studies have not provided conclusive evidence for this either. While some scholars have found that authoritarian states do grow faster than democracies (Weede, 1983), and that, when structural factors are kept steady, autocracies achieve the same (or even better) economic growth as democracies (Wu,

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[13] In fact, Mares and Carnes (2009) and Schmidt (2003) have noted how welfare states or particular welfare policies (such as insurance for old age, disability benefits and health care protection) first developed under non-democratic governance. Others likewise note the role of particularly monarchies in historically introducing some of the first welfare programs (Mares and Carnes (2009); Miller (2013); McDonagh (2015)). Firstly, such findings suggest that ESR and autocratic regimes may not be conceptually mutually exclusive notions as Mares and Carnes (2009) remark that 2/3 of the countries that adopted insurance policies for old age, disability and health, first adopted them while under authoritarian rule. Secondly, others draw attention to the intentions served by these policies, noting that social insurance introduced under Bismarck and in the Soviet Union aimed to build workers' loyalty to the state, and welfare provision in Germany under the National Socialist Party too was amended so that it would serve national goals (Rimlinger 1971).

[14] Additionally it has also been remarked that autocracies have certain advantages in achieving a better distribution of resources. Olson (1982) pointed out that democratic politics can lead to policies that disproportionately represent interests of specific groups (such as business interests) rather than the overall population. Authoritarian governments, on the other hand, may conduct action more independently of such pressures and can therefore be prone to enacting 'better' policies, as indicated by Wade (1990).

[15] The Singaporean Prime Minister Lee Kuan Yew was perhaps the most vocal proponent of this view also in the international arena, insisting that economic development can only be achieved when individual rights and political freedoms are sacrificed. For a detailed criticism of the "Lee thesis", see Sen (1999, pp. 14–16) and Knutsen (2010, 2012). In short, critics argue that regardless of the seeming empirical relation found by some studies, there is little evidence to suggest either that democracies cannot achieve growth or that they stall it.

2012), the majority of studies find an insignificant overall regime effect on economic growth or none at all (Przeworski and Limongi, 1993; Przeworski *et al.*, 2000; Gerring *et al.*, 2012; Baum and Lake, 2003; Lake and Baum, 2001; Mulligan *et al.*, 2004; Norris, 2012). In fact, others observe that democratic states, not autocracies, have better prospects for furthering economic development. For example, looking at data from all regions of the world combined, Knutsen (2012) notes that, although democratic as well as non-democratic states can have both – good and bad performance records with regard to economic growth, on average, dictatorships only rarely supersede democratic countries. By failing to constrain extractive behaviour of a variety of actors, not just the state itself (Rodrik, 1999; Wu, 2012), autocracies can have retarding effects on economic growth and it is instead democracy that positively correlates with economic development (Knutsen, 2012, p. 394).

Given the inconclusive evidence about the effect of political regimes on growth, it has been suggested that factors other than *regime type* may be more important in accounting for economic development (Przeworski *et al.*, 2000; Przeworski and Limongi, 1993; Knutsen, 2012). The point has eloquently been articulated by Przeworski and Limongi:

> "Our own hunch is that politics does matter, but "regimes" do not capture the relevant differences. Postwar economic miracles include countries that had parliaments, parties, unions, and competitive elections, as well as countries ran by military dictatorships. In turn, while Latin American democracies suffered economic disasters during the 1980s, the world is replete with authoritarian regimes that are dismal failures from the economic point of view." (Przeworski and Limongi, 1993, p. 65)

A number of authors have hence suggested that the impact of democracy on growth may be rather 'indirect' – found in their ability to improve other indicators that in the long-term positively affect economic development (Landman, 2013, p. 14; Baum and Lake, 2003, p. 337; McGuire, 2013). These studies argue that democracy enhances property rights, provides checks and balances for systematic redistribution (Przeworski and Limongi, 1993; Acemoglu and Robinson, 2003, 2006), or improves indicators associated with ESR – life expectancy, infant mortality (Bueno de Mesquita, Bruce *et al.*, 2003; Gerring and Thacker, 2008; Gerring *et al.*, 2005; Navia and Zweifel, 2003; McGuire, 2013), education (Brown and Hunter, 2004; Lake and Baum, 2001; Barro, 1999), or health care (Lake and Baum, 2001). Thus democratic regimes are related to "high quality growth" (Barro, 1999; Halperin *et al.*, 2005; Landman, 2013) and the positive effect also holds for low-income countries, where democracies are found to consistently outperform dictatorships in a wide variety of outcome indicators associated with

human development (Halperin *et al.*, 2005) as well as economic performance (Gerring *et al.*, 2005; Rodrik, 1999).

The numerous examples of countries, where economic growth has failed to produce a democratic regime likewise provide an unsettled account as to how economic abundance relates to regime type further challenging the determinism of functionalist theories. The consensus grown out of empirical and historical evidence seems to be that economic growth and development can be advanced in a variety of political regimes, without necessarily contributing to the establishment of a democratic regime. Instead, while the lack of economic development can lead to coups and decrease stability of the existing status quo (Huntington, 1968), high levels of economic prosperity can potentially increase the stability of the existing regime regardless of its form (Przeworski and Limongi, 1993; Arat, 1988, 1991; Przeworski *et al.*, 2000). On average, however, irrespective of which regime is likely to produce higher levels of economic growth, it is likely that democratic states will pay more attention to translating whatever resources available into aspects of *human* development (such as education and health care) inescapably linked to ESR.

2.1.2 Economic development and ESR

While there is no consensus as to whether economic development necessarily results in an establishment of democratic regimes and enhanced CPR, more agreement surrounds the recognition of resource availability as an important indicator of state's capacity to advance ESR. Following World War Two, GDP and/or GNI came to be widely used as proximate indicators for socio-economic rights fulfilment and remain the foundation for the most widespread line of theoretical reasoning with respect to this group of rights.

As examined in the previous section, early welfare state[16] research recognised economic variables to have also widely influenced the socio-economic contexts of people's lives. It

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[16] The term 'welfare state' is typically referred to in situations when the state acquires responsibility for ensuring some "basic modicum" of welfare (Esping-Andersen, 1990, p. 19). In scholarly literature 'welfare' has typically been used to refer to a) a utilitarian view, whereby it relates to certain *outcomes* people have either had the ability or have chosen to pursue; b) a procedural approach whereby the range of services provided by the government are analysed; or c) specifically government's attention to the poor or 'needy', with the focus on particular policies related to social security or pension. Furthermore, the term 'welfare state' typically refers to the government's attention either specifically to social protection or their provision of public goods more generally (for a more elaborate analysis, see Barry (1990) and Pierson (1991)). Whether the focus is placed on social protection, services, insurance or the generosity of social policies, Rothstein *et al.* (2012) note that the tendency is to understand welfare states as increasingly "encompassing" wider segments of population as redistribution increases. Used in this manner, the notion is not to be equated with ESR because 'welfare state' bypasses normative issues that are implied by the notion of 'rights'. For instance, welfare state analysis focuses on *whether* policies are egalitarian and who the recipients of these policies may be, without implying that there

argued that as people transitioned from agrarian societies and became increasingly interdependent in increasingly urban societies based on organised labour, previous systems of social support involving kinship and patrimonial traditions eroded (Kerr, 1960) and many people faced new social and economic problems, such as inadequate wages, dangerous working conditions, ill health and poor social protection against these adversities. With the changing conditions of people's lives failing to be adequately reflected in an improved well-being, public demand for social protection significantly increased and created bottom-up pressures that facilitated the emergence of ESR. It became necessary to address people's needs and the responsibility to do so fell on governments, private actors and employers (Pampel and Weiss, 1983). Proponents of this view saw the emergence of ESR as a result of the changing environment mediated by economic growth without much regard for the role played by political institutions (Myles and Quadagno, 2002). They insisted, in the words of Wilensky (1975, xiii) that "such heavy categories as 'democratic' versus 'totalitarian' political systems (…) are almost useless in explaining the origins and general development of the welfare state".

Alongside these considerations, other scholars insisted that the role of political institutions cannot be easily disregarded as there is yet another way how economic resources influence ESR – their absence places considerable constraints on social policy choices. Improvements in education, health care, housing, provision of social services and other areas associated with ESR do depend on the resources in the disposal of a state. Typically, governments are responsible for the redistribution of resources and the consequent implementation of ESR – higher levels of economic wealth increase the resource base that allows states to deliver such public goods to their populations (Shue, 1980; Pritchard, 1988; Landman, 2013) or allows to regulate non-state actors that provide them (Baum and Lake, 2003), ensuring that adequate levels of well-being are enjoyed by people. Hence economic development plays a role in not only changing the socio-economic environments that made ESR *necessary* to protect

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is a state obligation to provide equitable welfare. These are issues that ESR address. Future research should conceptualise the relationship between both – *rights* and *welfare* – as closely interlinked concepts, especially because the research agendas of both fields overlap theoretically and empirically. As emphasised by Immergut (1992, p. 2) at the core of welfare research is the question of when and why political communities extend social rights. Notwithstanding the lack of clearly specified definitions and the ensuing confusion about the terms this has generated, this project generally employs the term 'welfare' in reference to 'well-being' rather than specific policies that provide for it. While the conceptual relation between 'welfare' and ESR is specified in more detail in later chapters, it is important to note here that the conceptual vagueness surrounding the term is also mirrored in the literature examined in this work. Studies on 'welfare states' have a variety of focal points – while some examine particular policies, others look at the structure of social rights provision or levels of social spending.

individuals in face of these circumstances, but also *possible* by providing the resources required to advance them (Beetham, 1995, p. 47) mediating distribution through political institutions.

In their analysis of growth, North and Thomas listed factors such as innovation, education, capital accumulation among others that positively influence economic growth. Meanwhile they also remarked that these factors "are not causes of growth; they *are* growth" (North and Thomas, 1973, p. 2). A similar reciprocal relationship also exists between growth and ESR and has been particularly emphasised by the human capital theory[17] - while economic development increasingly enables possibilities for ESR realisation, investments in the realm of ESR positively influence economic development itself (Robeyns, 2006). Population that is healthy, educated and employed can more effectively participate in the economy and generate revenue for the government, producing economic growth (McKay and Vizzard, 2005) as well as contributing to the realisation of ESR themselves. In this sense, not only is growth an enabling element for ESR, but ESR are also enabling elements of growth.

Due to this reciprocal relationship, it is not surprising that monetary measures (such as GDP and income) grew to be considered adequate proxies for ESR measurement globally – the connection between improvements in well-being and economic growth remains strong and has been repeatedly demonstrated empirically (Landman, 2013). It has been asserted that there is a correlation between economic growth and people lifted out of poverty and there is a general consensus that development, which includes economic growth, can enable states to provide the material and non-material resources for a sustainable realisation of ESR (Siegel, 1988). But given this co-dependency, economic resource availability has also served as an "escape hatch" for countries to argue that lack of advances in ESR are due to lack of economic funds rather than states' unwillingness to advance them (Fukuda-Parr, 2012, p. 80).

Employing the Human Development Index (HDI)[18] as a proximate measure of the overall ESR enjoyment, Figure 2-1 affirms the strong correlation between levels of GDP and ESR. However, when separating countries into democratic and autocratic states,[19] it can be observed that, although in general the relationship still holds, autocracies tend to deviate from the

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[17] Human capital theory has been contrasted to a human rights approach in a variety of ways. Most importantly the two differ as the former looks at the ends to justify the means (in this case, investments in education, employment, healthcare or social security), while the latter emphasises the need to achieve certain levels of enjoyment as a moral duty of states, governments and societies not due to the favourable consequences.
[18] The HDI has most widely been employed as a composite index for establishing a proximate assessment of ESR enjoyment as it assesses the average performance of states in the dimensions of education, health care and income – three aspects relating to specific ESR.
[19] Here and throughout the study, democracies are generally distinguished from non-democracies using the classification developed by Cheibub *et al.* (2010).

regression line, especially at higher levels of economic growth. This indicates that *politics* matter indeed as democratic human development performance correlates better with improved economic growth, while the achieved outcomes of particularly richer autocracies cannot be explained with reference to available resources alone.
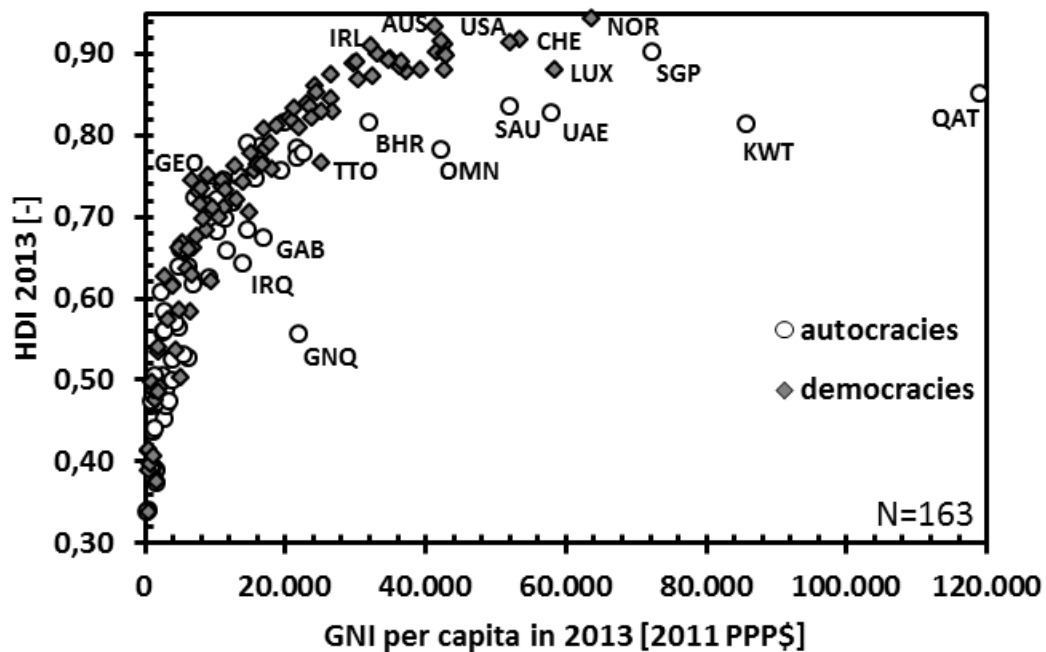
Figure 2-1 *Per capita GNI and HDI in 2013 for democratic and autocratic regimes.*

Part II of the project examines the HDI in more detail, but it is important to note here that the general consensus - which is also empirically affirmed – suggests that resources improve the state's potential to fulfil ESR. This is so especially at lower levels of economic development and it is mostly when certain levels of economic development have been achieved that *political* variables assume explanatory potential making monetary measures less able to explain levels of human development, especially in authoritarian states, which more regularly deviate from the regression line.

The UN's Human Development Reports (HDR) published from 1990 onwards similarly marked the shift of attention from growth-related measures to human development outcomes. The HDR of 1996 recognised that economic growth not always results in human development, remarking that:

> "Human development is the end - economic growth a means. So, the purpose of growth should be to enrich people's lives. But far too often it does not. The recent decades show all too clearly that there is no automatic link between growth and human development. And even when links are established, they may gradually be eroded – unless regularly fortified by skilful and intelligent policy management." (UNDP, 1996, p. 1)

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More recent research on multidimensional poverty has similarly shown that while many countries have experienced rapid economic growth, it has not contributed to improvements in people's socio-economic conditions; and conversely – other countries have managed to achieve stark improvements in well-being without the presence of economic growth (Grusky *et al.*, 2006; Alkire, 2010; Alkire *et al.*, 2013; UNDP, 2014). Examining the relationship between social spending and levels of human development, McGuire (2004) likewise points out that there is almost no correlation between spending and human development outside of the OECD countries. Thus, while economic growth is important for enabling states to lift people out of poverty, it can often fail to improve people's living standards and progressing human development outcomes is possible when indicators of economic growth are kept steady. Economic development is important for rights analysis insofar as it improves people's socio-economic conditions, but there are numerous examples to demonstrate that it not necessarily does so.[20] In the words of the economist and co-developer of the HDI, Mahbub ul Haq, economic growth is important for ESR, because:

> "[n]o sustained improvement in human well-being is possible without growth. But it is also wrong to suggest that high economic growth will automatically translate into higher levels of human development. They may or may not. It all depends on the policy choices that countries make." (ul Haq, 2004, p. 22)

Thus, wealth and monetary indicators should not be the main outcome of interest, as they may indicate states' *capacity* to improve ESR, without implying specifically whether or not they are advanced. Nevertheless, this co-dependant relationship is undeniable and has become an essential element for forming the conceptual understanding of ESR, also acknowledged in the way these rights are formulated under international human rights law. Article 2.1 of the ICESCR states that:

> "Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realisation of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures." (ICESCR, 1966)

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[20] This argument and the approach inspiring the work of the HDR stem initially from the works of Aristotle (384-322 B.C.), who argued that "wealth is evidently not the good we are seeking, for it is merely useful and for the sake of something else" (Aristotle "Nichomachean Ethics"; quoted in ul Haq (2004); Sen (1999)).

Such wording explicitly recognises that, first, as the main focus of ESR is not economic development *per se*, but rather its distribution, poor states cannot be held to the same standards as rich states with plentiful resources. Goods, services and opportunities that these rights ensure must be guaranteed to everyone according to the best of the state's capacity. Second, it acknowledges that ESR fulfilment does not necessarily rest on ensuring full provision of every right mentioned in the Covenant, but rather on the *progressive* realisation of these rights and the use of *maximum resources available* to the state. States' efforts should thus be assessed by whether or not they try to achieve the best possible improvements given the resource constraints they face.[21] This may imply considerable flexibility with what policy choices may realistically be needed to achieve ESR and may be viable given the resources available. For example, sometimes the realisation of the right to education may involve long-term investments in building infrastructure, educating teachers and overcoming cultural norms that restrict people's access to education and knowledge rather than simply allocating funds. Such developments may not be immediately reflected in changes of outcome indicators associated with this right, but nevertheless address the state's efforts to overcome obstacles that restrict people's right to education. The recognition that a realistic improvement of ESR fringes on the resources available to the state and their respective, even unique circumstances, may invoke conceptual criticism, but is necessary to bring ESR closer to the realities of people's lives rather than simply viewing them as aspirational social goals.

These insights notably outline the complex relationship between economic growth, ESR and political variables. Although there is good reason to believe that significant advances in socio-economic rights are *possible* when high levels of economic growth are enjoyed, and conversely, that long-term economic growth can only be enjoyed when accompanied by human development (UNDP, 1996), inquiries regarding ESR implementation concern the *distribution* of economic resources in a way that indicates provision of ESR whether or not it is accompanied by economic growth. Political decisions, effort and policy priorities rather than a mere presence of resources thus play a crucial role in determining ESR related outcomes (Raworth and Stewart, 2004, p. 177). With functionalist explanations dominating the welfare

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[21] The recognition that the fulfilment of ESR is somewhat relative to economic resources has inspired criticism of these rights on the grounds of their arbitrariness. The most prominent argument in this regard has been provided by Maurice Cranston (1983), who argued that including ESR in a list of rights only undermined the legitimacy of all human rights claims. As ESR attainment depends on the availability of economic resources, this group of rights are conditional and hence should be understood not as rights, but rather as aspirational goals. However, it is not relativity in the matter of rights, but rather obligations. It is compatible to recognise that all people everywhere have the right to education, which is not dependent on where people reside. But the obligation that is placed on the state to achieve this, is relative to the resources it is in the possession of.

research unable to account for the importance of *politics* in the process of furthering ESR, the following section assesses the role of political regimes as factors that alongside economic development, influence the distribution of resources and the realisation of socio-economic rights.

2.1.3 Political regime and ESR

Established in the previous sections is the assertion that not only economic development, but also state actions matter for people's enjoyment of ESR. Since governments are primarily responsible for making decisions over the appropriateness of certain policies and realising them as well as determining the economic and political direction of the state (Siegel, 1988; Baum and Lake, 2003) they are also seen as the primary duty-bearers of rights implementation under international law. For the purposes of global comparative analysis, political variables may have a lesser explanatory power than economic ones, but they are nevertheless important for understanding ESR performance in individual countries as political regime, or the rules that determine who has access to power, plays a role in determining what priority is placed on issues related to ESR.

2.1.3.1 *ESR as "the fabric of autocracies"*

In the context of the Cold War, attempts to introduce an international system of human rights protection within the UN experienced a clash between democratic and non-democratic countries with regard to the rights prioritised by different states (Eide, 2000). While Western democracies, emphasised the importance of political rights and civil liberties, several non-democratic states argued that economic development should instead be the primary focus of the post-war context. They suggested that advances in ESR could only be achieved through state direction, even if it came at the expense of limiting people's political freedoms (Donnelly, 2003; Eide, 1995). After the adoption of the UDHR in 1948, the commitments laid out in the Declaration were intended to be made legally binding, but the dominant perception about different groups of rights as somewhat mutually exclusive presented a supposedly dichotomous ideological divide between democratic and non-democratic states globally. Due to pertinent disagreements, instead of one legally binding document for keeping states accountable for their rights commitments, two separate Covenants were produced (Eide, 1995) – the International Covenant for Civil and Political Rights (ICCPR) promoted widely by democratic states, and the International Covenant for Economic Social and Cultural Rights (ICESCR) supported by authoritarian countries partaking in the creation of an international human rights regime at the

time. Based on such concerns borne out of historical context, some scholars have insisted that ESR have a particular connection with and an appeal to non-democratic countries, evoking as proof the apprehensiveness of some democracies to commit themselves to protecting ESR (Kang, 2009).[22]

The claim about Western countries' hesitation to support ESR at large during the drafting process of the International Covenants has by now been widely questioned and largely discredited (Whelan and Donnelly, 2007, 2009).[23] Several researchers have noted that representatives from both – democratic as well as non-democratic states were among the principal drafters of all documents that comprise the International Bill of Human Rights (Eide, 1995; Morsnik, 1999, pp. 28–34)[24] and as summarised by Whelan:

> "[w]hat is patently untrue is the simplistic assumption that the debates about one or two Covenants were primarily, or solely, the result of clashing ideologies on human rights. More important was the attachment of economic, social, and cultural rights to broader political goals within the UN system, most notably the cause of self-determination and economic development." (Whelan, 2010, p. 134)

Not only was the international articulation on human rights worldwide an effort carried out by representatives across a spectrum of political regimes, but claiming ideological and normative affinity of ESR to a certain type of regime based on empirical evidence from some states in general is insufficient proof for establishing inherent relationship. In this regard, the UN Committee on Economic and Social Rights has explicitly stated that:

> "(…) in terms of political and economic systems the Covenant is neutral and its principles cannot accurately be described as being predicated exclusively upon the need for, or the desirability of a socialist or a capitalist system, or a mixed, centrally planned, or laissez-faire economy, or upon any other particular approach. In this regard, the Committee reaffirms that the rights recognised

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[22] Perhaps one of the most controversial examples of democratic states disproportionately supporting a certain group of human rights is demonstrated by the United States of America. Eagerly promoting CPR and democratisation worldwide, they have not ratified the ICESCR and resist constitutionalising ESR. Issues stalling the adoption of ESR within the USA is in detail discussed also by the former Special Rapporteur on the Right to Education Katarina Tomaševski (2005) who notes that the US government perceives these rights not as guarantees, but mainly as aspirational goals to be progressively advanced.

[23] Whelan and Donnelly (2007; 2009) argue that United States and the United Kingdom were at the forefront of advancing support for ESR and that the claim about the antagonism of the West is therefore unjustified. Conversely, Susan Kang (2009) analyses the political context of these countries' welfare provision and labour rights, and argues that aside from the drafting process of the Covenants, there is demonstrable evidence about their unwillingness to expand the understanding of human rights to the realm of ESR also domestically.

[24] Donnelly shows how, together with French, Canadian and American representatives, also Chinese and Soviet delegates were equally instrumental for the drafting the UDHR (Donnelly, 2003, p. 22 note 2).

in the Covenant are susceptible of realisation within the context of a wide variety of economic and political systems (…)." (GC No. 3, 1990)

So while CPR may inherently be tied to democratic rule, ESR are in this sense 'regime neutral' in that all states are expected to and do ensure some levels of welfare to their citizens and, although socialist political principles (in democratic or authoritarian states) may be ideationally conductive to furthering particularly ESR, there is nothing conceptually tying these rights with any particular type of political regime or economic order. That autocracies may be more enthusiastic in their promotion of ESR (independently or in relation to CPR) or even evoking human development as justification for violating CPR (Pollis and Schwab, 1979; Freeman, 2013; Osiatysnski, 2007, p. 59) it is an empirical observation rather than a conceptual overlap between ESR and non-democratic regimes. For to claim that ESR are the 'rights of non-democracies' would be to imply that there is something about democratic governance that conflicts with socio-economic rights and there is little evidence to support such claims other than the seeming resentment of particular countries.

2.1.3.2 *Mutually reinforcing rights*

Instead, most scholars insist that all human rights are mutually reinforcing, giving democratic states the upper-hand. They insist that 'freedom from want' is important for a meaningful realisation of CPR and vice versa – ensuring CPR is more likely to guarantee the realisation of ESR. The view that CPR are important to advance other human interests is also reaffirmed in the Vienna Declaration in 1993: "All human rights are universal, indivisible and interdependent and interrelated" (United Nations, 1993).[25]

It is widely asserted that democratic states have superior human rights records, while authoritarian countries are more likely to violate them (Wintrobe, 2007, 1990; Landman, 2006) and the idea that all rights are interconnected has theoretical, historical and empirical grounds. While theoretical issues are examined below, it is important to note here that historically rights are often viewed as the result of individual and group struggles to contain state power (Kunnemann, 1995; Howard and Donnelly, 1986) and the claim is largely supported by an abundance of evidence numerous empirical studies confirming the positive effects of democracy on human rights at large. The Human Development Reports likewise single out democracy as the only form of political governance capable of securing all human rights (HDR

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[25] To clarify, this section is concerned with the analysis of the relationship between CPR and ESR – two "groups" of rights, not the specific effect of certain variables associated with certain rights on other variables, associated with other, specific rights.

2000) and insist that progress in one area of human rights is typically linked with advances in others. The 'democratic advantage' paradigm (Halperin *et al.*, 2005) has thus at large dominated rights research.

One reason why such assertions are commonplace is, however, due to the conceptual overlaps between *rights* and *democracy*, as eloquently pointed out by Beetham:

> "[i]t is often said that democracy is the system of government 'most likely' to defend human rights, while on the other hand democracy itself is said to need 'supplementing' by human rights, as if these were something to be added on to democracy, or even themselves *vulnerable* to democracy, if they are not independently guaranteed. Such characterizations of the relationship, while understandable, are nevertheless wrongly posed." (Beetham, 1999, p. 90)

They are "wrongly posed" because the notion of rights includes (and is often limited to) the domain of CPR, which also comprise the foundational core for distinguishing autocracies from democracies conceptually. Thus, certainly, rights are intrinsic to democracy, as there are significant overlaps between both notions. Yet the other argument such proclamations imply, include the more qualitative belief that the *degree* of democracy is likely to be linked to the overall levels of well-being and ESR enjoyed by the population. People who are impoverished, uneducated, face starvation and unfavourable health conditions cannot be expected to efficiently participate in the political life and take full advantage of civil freedoms and political rights accorded to them (Beetham, 1999, p. 96). Inadequate protection of ESR in democracies undermines democratic institutions as well as the quality and stability of the political regime in general. The argument here is that ESR may be conductive to enhancing CPR, making them a valuable but not sufficient condition for effectively exercising citizenship under democratic conditions (Goodin, 1988, p. 98), but there are no guarantees that ESR will lead to democracy, as demonstrated by a number of resourceful autocracies, where human development has failed to produce a democratic regime. In this sense, the question of interrelatedness, as pointed out by Beetham, is "wrongly posed".

So ESR may enhance but do not guarantee democracy, but what conclusions can be drawn about the relationship of both "groups" of rights in reverse? A number of scholars have asserted that CPR and democratisation are instrumental for the emergence of ESR (Marshall, 1950; Beetham, 1999; Sen, 1999; Donnelly, 2003; Skocpol and Orloff, 1986). The most prominent proponent of the thesis is T. H. Marshall who in his analysis of welfare state development in the United Kingdom argued that different types of rights gradually emerged during different historical periods. According to his study, civil rights associated with liberty, freedom of

speech and property emerged in the 18th century and created a context in which it was possible for political rights to be included in the concept of citizenship during the 19th century. These developments consequently enabled the advent of social rights in the 20th century (Marshall, 1950, 1973). In line with this view, CPR are thought to be crucial for various interest groups to form and formulate their interests so as to later claim these interests as a matter of rights (pertaining to citizenship). Several authors have empirically tested this relationship concluding that, on average, democracies perform better than autocratic states with regard to rights and human development (Landman, 2006; Landman and Carvalho, 2010; Landman, 2013; Spalding, 1988; Weede, 1983) awarding credibility to Marshall's assertion based on historical evidence.

Figure 2-2 examines this proposition by visualising countries' results of the HDI (as a proximate measure of ESR) against their respective Polity IV score (as a proximate measure for democracy)[26] in order to scrutinise whether levels of human development increase with improved democratic rights. The thesis that development outcomes would automatically improve as greater levels of democracy are achieved can tentatively be observed. While it shows that most HDI top-performing countries are indeed high-performing democracies, which only occasionally portray low levels of human development, two additional things can be concluded: (1) the relationship between CPR and ESR is far from intuitive as both – democratic and authoritarian states demonstrate good, as well as bad performance in achieving human development (evidence suggests that additional factors such as economic development might be important, other than levels of CPR alone)[27]; and (2) countries at either end of the regime spectrum actually exhibit high HDI outcomes cautioning against lending an exaggerated role to an exact regime type in ensuring potential for improving human development. Altogether, these observations challenge the argument that political rights are either necessary or sufficient for improving people's standards of living and ESR related outcomes or that higher degrees of democratic governance will necessarily bring about favourable ESR results.

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[26] The Polity IV "conceptual scheme" attempts to capture levels of regime authority by assigning to countries scores on a scale from -10 ("hereditary monarchy") to +10 ("consolidated democracy").

[27] Although there is a wide variation in performance among democracies, the variation in human development outcomes is much higher in non-democracies (See Przeworski *et al.* (2000); Croissant and Wurster (2013); Haber (2006)). Gerring and Thacker (2008) remark that aspects such as ethno-linguistic diversity, natural resources, geographical and historical factors may account for the positive performance demonstrated by some autocratic states, which not necessarily implies that autocratic institutions are the only factor influencing policy development.
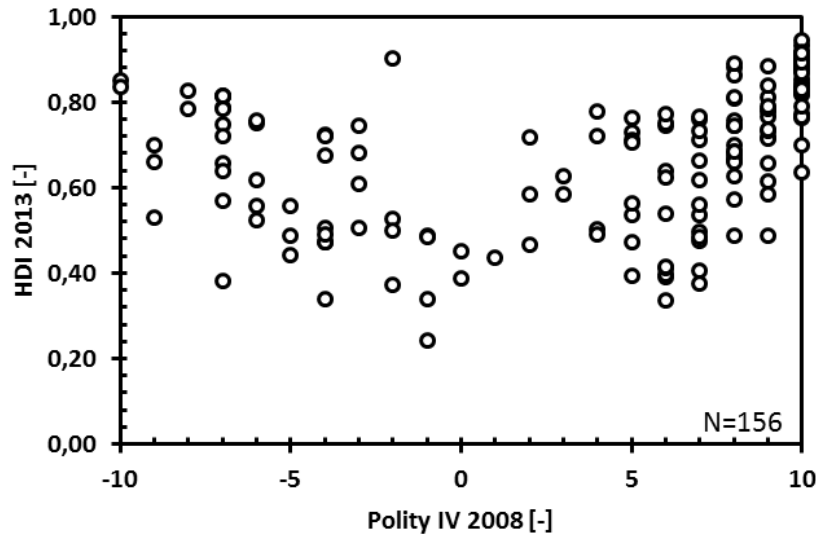
Figure 2-2 *Human Development Index (HDI) 2013 against Polity IV 2008 classification*

The OHCHR has likewise stressed that democracy does not always lead to improved well-being of the population:

> "[t]here is a misconception that the realisation of economic, social and cultural rights will flow automatically from the enjoyment of democracy, and that any imbalance in the full realisation of economic, social and cultural rights will in the long term be corrected by the market forces in open economies. The truth is that, unless specific action is taken towards the full realisation of economic, social and cultural rights, these rights can rarely, if ever, be realised, even in the long term." (OHCHR, 2008, p. 22)

Similar findings are suggested by Schmidt (2003, p. 30) who remarks that the presence of democracy does not necessarily presuppose an extensive welfare state and is itself not a sufficient condition for expansive social policy. Several empirical studies reiterate that aspects other than regime type should be paid attention to. For example, Johnson (1988) compared human rights attainment in India and USA, concluding that significant differences persist even when the variable of regime type is held constant, and proposed that more attention be paid to cultural and philosophical aspects in illuminating potential explanatory factors for varying performance. Another possible explanation advanced by Gerring *et al.* concerns the importance not of the current levels of democracy, but rather the *stock* of democracy that can potentially explain the realisation of ESR related outcomes and economic growth, because socio-economic indicators associated with ESR (such as literacy and infant mortality) take time to change and democratic advantage may be accumulated gradually (Gerring *et al.*, 2011; Gerring *et al.*,

2012).[28] In the same way, Human Development Reports remark that elections alone are not sufficient to ensure the fulfilment of human rights, since the latter "requires inclusive, (..) not just majoritarian democracy" (UNDP, 2000, p. 7) coupled with a separation of powers, an independent judiciary and accountability (Fukuda-Parr *et al.*, 2004). Even in developed democracies, citizens' active participation may be crucial in order to translate the benefits of economic development or democracy itself into individual outcomes of human development (Ranis and Stewart, 2012).

2.1.3.3 *Main lines of theoretical reasoning*

These attitudes thus seem to further echo Przeworski and Limongi's (1993) finding that the 'regime' variable is unable to adequately capture the important aspects about either, economic growth or ESR realisation. Given the cryptic empirical and theoretical relationship between ESR and CPR, it is impossible to claim with certainty that democracies will always succeed to promote ESR or that autocracies will always fair badly. Numerous historical examples demonstrate both assertions not to be the case. While *politics* and institutions which regulate people's access to well-being by determining whether specific action to advance ESR clearly play a role, inferences about these issues can more appropriately be drawn about how regimes will perform in relation to each other, without claiming absolute certainties. More specifically, there are four main lines of theoretical reasoning that are invoked in relation to ESR advancement in different regime settings that investigate what exactly about *politics* is conductive to ESR. They concern (1) formal institutions, (2) the redistribution of public goods, (3) freedom of information and (4) government capacity. They will be examined in turn.

First, electoral institutions in democracies ensure the distribution of power, electoral competition and political accountability – factors important for safeguarding the realisation of ESR, since they tie political elites to their decisions and allow citizens to penalise or reward decision-makers for the success or failures of their policies (Beetham, 1999; Bueno de Mesquita, Bruce *et al.*, 2003; Bueno de Mesquita, Bruce *et al.*, 2005). Authoritarian states, in contrast, by limiting people's political rights deprive citizens of the possibility to fully hold governments accountable. Policy decisions tend to be made by elites anticipating possible challenges in the future (Ezrow and Frantz, 2011; Acemoglu and Robinson, 2003), while mechanisms ensuring that people's opinions are represented in the policy-making process are

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[28] These authors remark that democratic consolidation facilitates stronger economic performance because it ensures that policies are not only implemented but also consistently pursued, expanding government capacities. As a result, democratic advantage appears over time, as the regime acquires stability.

generally absent. Active presence of political opposition in democratic contexts, participation of civil society and the notion of equal citizenship can further motivate oppressed groups to organise as well as formulate and advance their interests in the first place exerting valuable demands on the government (Gerring *et al.*, 2012; Alvarez, 1999; Muller and Seligson, 1994). This, in turn, is likely to further the implementation of egalitarian policies, ensuring that well-being is advanced for the whole society without discriminating certain groups[29] echoing Nussbaum's assertion that "[p]olitics has an urgent role to play providing citizens with the tools that they need, both in order to choose at all and in order to have a realistic option of exercising their most valuable functions" (Nussbaum, 1997, p. 292).

Second, these very same constitutive procedural features of democratic rule are associated with pressures for redistribution and provision of public goods which, among other things, ensure that wealth is not accumulated in the hands of few, but distributed widely (Lake and Baum, 2001; Bueno de Mesquita, Bruce *et al.*, 2003; McGuire and Olson, 1996; Haggard and Kaufman, 2008; Boix, 2003). This argument associates pressures for redistribution with the size of the franchise. Democratic elites and policy makers motivated by the electoral process are expected to be more inclined to increase redistribution, generate more public goods and be more responsive to people's needs because their need to appeal to a wider range of supporters (Lake and Baum, 2001; Brown and Hunter, 2004; Lindert, 1994). With citizens in democracies unsatisfied with public policies, politicians would be inclined to improve access to and quality of public goods and services motivated by the prospect of winning forthcoming elections and maximising their support (McGuire, 2013, p. 57). In autocracies, on the contrary, power, decisions and policy making rest disproportionately on narrow elites, which ensure support predominantly by providing private goods intended principally either for groups keeping them

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[29] On the other hand, Przeworski and Limongi (1993) have hinted that democracies may be inclined to take into account the interests of "short-sighted" voters, which could negatively affect long-term investments needed for carrying out sustainable improvements in socio-economic realm. Similarly, OHCHR (2008, p. 22) remark that democratic institutions alone may often be insufficient to realise ESR especially for the poorest and most marginalised, for whom it is harder to have their interests represented in decision-making. They note that "[t]here can be a tendency for public policies to focus on the needs of those who have greater sway in political processes, particularly at election time. Social benefits may focus on the needs of middle-class swing voters, or economic or trade policy may be shaped to meet the needs of powerful industries. This may divert attention from the most marginalised to those who are more visible and have more power and more access to decision makers in a democracy." Fabre (2000) too has pointed to the existing conflict between ESR and democracy, whereby the needs of the majority may take priority over the interests of the most vulnerable groups. At the same time, Drèze and Sen (2002) have remarked the empirical observation that famines, viewed as a deprivation of a wide range of ESR, have never occurred in democratic states, hence there does seem to be intrinsic aspects to democratic politics that protects the socio-economic interests of people at large.

in power or for themselves (Knutsen, 2012, p. 400; Haggard and Kaufman, 2008, pp. 362–363; Acemoglu and Robinson, 2003). Increased provision of publically dissiminated, not private goods, such as education, health-care and social protection are directly linked to people's quality of life and the outcomes associated with ESR.

Third, democracies ensure the freedom of press, speech and assembly, which helps decision-makers acquire accurate information about people's socio-economic needs, allowing more efficient social policy interventions (OHCHR, 2008; Landman, 2006; Sen, 1999). In authoritarian states these freedoms are often suppressed and policy makers are hence less informed about the actual problems faced by the population. Free media, an active civil society, the presence of unions and freedom of speech allow for social policy to be better targeted and effective (Boix, 2003; Muller and Seligson, 1994; Beetham, 1999) as there are an increased number of individuals and organisations involved in the process of designing policy priorities.

Finally, alongside resource availability, which places significant constraints on any government's ability to address ESR related issues, administrative capacity also plays an important role. But even when the state does possess the necessary resources and intention to direct efforts towards improving these rights, its practical ability to do so is imperative. In the absence of the economic, administrative and human resource capacity (signified respectively by a lack of funds, widespread practices of corruption or inefficient bureaucratic machinery and an underdeveloped human capital), its efforts can fail to produce intended effects mirrored by actual improvements of people's lives. Rule of law, good governance[30] and the absence of corruption are typically associated with democratic states and allow to successfully translate any government's policy vision into concrete action and specific outcomes (Miller, 2013; Norris, 2012; Rothstein, 2011; Holmberg and Rothstein, 2012).

The relationship between economic growth, political regimes and ESR is therefore triangular. Economic development improves states' capacity to advance ESR, but it should not be assumed that such growth alone will inevitably lead to ESR enjoyment. Policy choices made by relevant actors and incentives that drive such choices will determine whether economic development will be translated into improved human well-being (ul Haq, 2004, p. 22; Tomaševski, 2005).

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[30] The notion of 'good governance' typically encompasses a wide variety of components. Landman and Häusermann (2003) give a detailed account for the context of developing the concept, noting that after the World Bank undertook to promote good governance in the 1990s, it came to primarily be associated with a concern for how state capacity influences economic development. Later, the concept of was expanded by the UNDP to include a variety of other facets, such as legitimacy, accountability, competence and the rule of law viewed as conductive to the promotion of human rights.

Admittedly, the 'political regime' variable alone inadequately captures all valuable aspects that will guide these decisions, but respect for CPR and procedural accountability typically found in democracies, is likely to help advancing policies that adequately address and positively affect people's socio-economic concerns. This is not to say that democratic states will always outperform autocracies in their efforts to realise ESR[31] – they too may be stalled by inadequate state capacity, economic resource availability or quality of democracy. But, in light of the arguments discussed above, the leading theoretical paradigm suggests that given similar levels of economic development, the procedural, institutional and redistributive aspects of democratic governance are expected to produce better ESR-related outcomes in relation to states operated under autocratic rule. Such theoretical expectation does not claim that autocracies are unable to advance human well-being; it only changes the benchmark upon which *good* performance of autocracies is to be measured, making it relative to democracies at similar levels of resource availability. With principal theoretical expectations established, the following section turns to exploring the key factors that contribute to ESR attainment in particularly non-democratic regimes.

2.2 ESR in Autocracies: Bringing the State Back in

Generally, aspects that impede ESR fulfilment are much better understood than those that promote them.[32] This omission is particularly pressing for authoritarian contexts, due to the disproportionate focus of rights and welfare scholarship on democratic states with an abundance of available, accessible and reliable information.[33] Regardless of the gaps in literature pertaining to efforts of systematically analyse autocratic welfare provision, there are several ways how research on democratic socio-economic performance can contribute to an improved understanding of ESR-related outcomes in autocracies and serves as a valuable starting point.

As noted in the previous sections, early accounts of welfare state analysis emphasised functional forces such as economic development or changing patterns of demography, family or employment as the principal determinants for welfare state development, largely neglecting

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[31] Such a claim would contradict the empirical record of early welfare programs being pioneered by autocracies with the aim to stall the process of democratisation (Esping-Andersen (1990, p. 15); Skocpol and Orloff (1986, pp. 234–235)) and fail to explain the observation that several autocracies continue to be very successful in improving their citizens' health, education and well-being outcomes (Norris, 2012).

[32] For example, ESR attainment is expected to decrease in the context of war, natural disasters, domestic conflict or other situations that deprive people of economic resources (see Landman (2002, p. 902); Felner (2008)).

[33] Some notable exceptions from the explicit democratic focus include Haggard (2005, 1990), Haggard and Kaufman (2008); Mares and Carnes (2009); Cook (2007); Schmidt and Ritter (2013); Beck (1995); and Miller (2013).

the role or explanatory potential of politics (Myles and Quadagno, 2002). In the 1980s, welfare scholars started to increasingly argue for the need to "bring the state back in" the analysis of welfare (Skocpol, 1985; Evans *et al.*, 1985; Skocpol and Orloff, 1986). Without dismissing the importance of economic factors, this "new institutionalist" school insisted that political conditions are of equal importance in understanding cross-national socio-economic policies because policy making, as yet another form of human interaction similarly takes place within an institutional context (Goodin, 1998), which procedurally constrains decision-making and affects consequent outcomes. Such institutional contexts are conditioned by the rules encompassed within political regime settings and their impact on well-being remains a crucial omission in current research (Mares and Carnes, 2009; Haggard and Kaufman, 2008; Nullmeier and Kaufmann, 2010).

In a sense, the state never was missing from rights research. To the contrary, the human rights regime was built on the recognition that governmental authority awards it the power to distribute resources and handle risks posed to individual enjoyment of ESR. Rights analysis has, in fact, been criticised for its overwhelming focus on jurisprudence and formal institutions, which, combined with the overly dominant focus on CPR, halted efforts to inquire about regime effects for the case of ESR. This changed somewhat in the 1990s, when the human development paradigm demonstrated a more complex relationship between rights fulfilment on the one hand and the regime type on the other. Findings of the ensuing HDI illuminated the observation that autocracies and democracies alike could and did improve human development outcomes and people's well-being, reviving research interest in ESR and providing a further relevance for emerging strands of welfare scholarship that highlighted the importance of political variables.

Theoretical assumptions of the project rest primarily on the cross-sections between these developments in welfare and rights research. Over the past decades, welfare scholarship has strongly demonstrated that political variables comprise a significant piece of the puzzle for socio-economic provision not only by determining rules and conditions pertaining to the channels through which ESR are advanced (a point recognised also by human rights research), but, perhaps more importantly, by structuring the relationship between the ruling elites and the general population not only in democratic, but also in authoritarian regimes (Haber, 2006; Croissant and Wurster, 2013). With the dominant theoretical paradigm unable to fully explain ESR provision in autocracies, these insights provide a valuable point of departure for theorising about factors that contribute to influencing people's well-being outside of democratic rule.

2.2.1 Formal institutions matter

Institutions are generally understood as the "rules of the game in a society or, more formally, (..) the humanly devised constraints that shape human interaction" (North, 1990, p. 3). Formally articulated through laws and constitutions, they constrain, enable and provide incentives for individual action, increasing the predictability of decision-making and social interaction in general (Mahoney and Thelen, 2009). Through determining who has access to power, abilities to formulate policy priorities policies, and whose interests these structures advance (Foweraker and Landman, 2004; Landman, 2013; Helmke and Levitsky, 2004; Steinmo, 2001), state-level formal institutions are viewed as central for realising or denying people's rights with governments assuming primary responsibility for ESR fulfilment under international law. Constitutions articulate obligations and entitlements that can be claimed in courts, while laws and policies direct resources and government effort towards furthering individual and collective well-being through providing goods and services, promoting, incentivising or discouraging certain behaviours or imposing and enforcing obligations on individual agents (Miller, 2013; Pierson, 2006). Consequently, it is not solely political institutions that determine ESR fulfilment, but, rather, the embedded mechanisms providing for various actors' interests to be translated into policy-making. Although the bulk of research examining the role of formal institutions is confined to an analysis of democratic states, it can nevertheless help draw insights about aspects that encourage autocratic states to pursue ESR-friendly performance.

2.2.1.1 *Institutions as arenas for social conflict*

Formal institutions have typically been examined in welfare literature under the notion of 'political institutions', conceptualising the state as an arena in which groups pursue their interests in terms of political struggles (Skocpol, 1985, pp. 8–9). Scholars have analysed how formal rules structure representation and what policy options they enable for decision-makers (Myles and Quadagno, 2002, pp. 52–53), whether presidential or parliamentary systems provide different levels of public goods (Persson and Tabellini, 1999), or how institutional settings result in divergent policy outcomes (Immergut, 1992).

Democracy or not, it is clear that the internal institutional structure of any state influences the power balance within the society in different ways. A large section of this research has looked at institutions (such as parties, legislatures, constitutions and electoral laws) in democratic contexts, echoing the sentiment expressed by Svolik (2012, p. 15), that formal institutions in

non-democracies "cannot be taken at face value".[34] Thus, although mainly concerned with democracies, the power resources theory pertains that political institutions determine the extent to which the interests of some, but not others are represented in the policy making process. In this way, mobilised power can be translated into desirable policies through parliamentary representation or union activism (Esping-Andersen, 1990, p. 16) and working class mobilisation can serve as a source for explaining divergent outcomes among different countries (Korpi, 1989) but these interests are negotiated within the strategic contexts set by formal institutions (Hall and Taylor, 1996).

Building on Marshall's (1950, 1973) pioneering thesis that social rights are an important part of contemporary notion of citizenship, Esping-Andersen (1990) in his "The Three Worlds on Welfare Capitalism" argued that welfare states can be classified based on the different formalised arrangements they provide for mediating welfare provision between the state, the market and the family. He suggested that social rights are linked to the decommodification of labour, meaning ways in which public goods and services are institutionalised as a matter of rights, allowing individuals to maintain a livelihood outside the market (p. 21-22).[35] Mechanisms decommodifying labour in social programs comprised the critical dimension that distinguished different types of welfare states. While social-democratic welfare regimes offered benefits granted by citizenship that could be accessed relatively easily, liberal regimes decommodified labour through modest benefits depending on work-based contributions and engaging the market to fill in the gaps; and corporatist (or conservative) welfare states derived the size of benefits from contributions depending on individual income while emphasising the role of the family and tradition. Differences in how social rights were institutionalised, according to Esping-Andersen (1990, p. 17), generated potential for "class-related collective action". It is certainly the major contribution of this work to identify a typology of welfare institutions that influence socio-economic outcomes in divergent ways, but even more importantly, he turned attention to historical aspects for identifying the causes responsible for bringing about the respective systems. He concluded that:

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[34] This assertion is illustrated by research focused on the analysis of institutions in non-democracies, which analyses how authoritarian states can and do make use of political institutions to further their rule, using elections as a tool for co-optation and parties to reduce intra-elite conflicts (Gandhi and Przeworski (2007), Gandhi (2008a, 2008b), Svolik (2012); Magaloni (2008)).

[35] Esping-Andersen (1990, p. 37) saw the introduction of the modern notion of social rights as a process of loosening the commodity status of labour as well as a necessary condition for ensuring tolerable levels of welfare and security.

"(t)he historical forces behind the regime differences are interactive. They involve, first, the pattern of working-class political formation and, second, political coalition-building in the transition from a rural economy to a middle-class society. The question of political coalition-formation is decisive. Third, past reforms have contributed decisively to the institutionalisation of class preferences and political behaviour." (Esping-Andersen, 1990, p. 32)

Others examining a smaller set of cases have likewise emphasised how political institutions structure access of different groups to political representation. For instance, Immergut's (1992) analysis of health politics in France, Switzerland and Sweden show that diverging outcomes are associated with differences in existing political institutions and varying levels of electoral pressure that groups may exert on decision-makers, rather than different ideological patterns or interest group demands. She demonstrates that because of the diverse institutional rules and procedures in each country, similar legislative proposals have led to the adoption of different health care systems and remarks how political institutions ensure various openings or obstacles to certain political actors, swaying their ability to advance policy or influence decision-making.

Although the major portion of contributions analysing political institutions is confined to advanced welfare states and criticised for its dismissal of similar formalised structures in authoritarian states, they can nevertheless provide insights which may with caution be applied to non-democratic contexts. For authoritarian institutions can also empower different groups to pressure political elites to introduce policies that address changing environments. Such mechanisms may admittedly function differently and the groups' access to power may be more restrained, but ways in which power is distributed among interest groups and organisations in autocracies will nevertheless influence policy priorities and socio-economic outcomes.

The observation that policy outcomes among authoritarian states differ significantly has been a prevalent concern, with autocracies often portraying both – best and worst performance in a number of indicators (Geddes, 1999; Croissant and Wurster, 2013) making possible generalisations difficult. For one, such findings are not surprising because other that being united by the rather vague concept of 'non-democracies', these states differ with regard to groups that comprise the "ruling elites", established decision-making procedures as well as the structure of the relationship between elites and the general population, all of which influence incentives for social policies. In other words, the political institutions in non-democracies are by no means uniform. Some autocracies have parties and legislatures that constrain the government's policy choices in a similar (albeit certainly not identical) vein as they do in democratic countries by enabling different groups to assume some political agency and

advance their interests and provide checks on their leaders' power. Others may have an institutional setting that awards disproportionate power to certain organisations, such as a political party, the royal family or the military. Additionally each state also differently structures the role and representation of other organisations, such as trade unions, business organisations, church, civil society or collectives and family, which likewise play a role in explaining people's enjoyment of ESR (Landman, 2006). Each institutional setting has implications for what priority is given to advancing people's well-being so divergent outcomes are by no means surprising although theoretical assumptions are deficient in helping to sufficiently understand this variety.

Some valuable studies nevertheless provide insights into how people's well-being may be affected by authoritarian political institutions. For example, Haggard's (1990, p. 3) analysis of socio-economic provision in Korea, Taiwan, Hong-Kong, Brazil and Mexico points out that "elites have inherited or built organisational structures that significantly constrain the ability of societal actors to achieve their political and economic objectives" but remarks that these constellations may also enable some groups to voice their interests and achieve favourable outcomes. Particularly elections in non-democracies have been found conductive to improving socio-economic outcomes – Miller examined a range of human development outcomes (child-mortality, literacy, health and education) in authoritarian regimes and found that positive effects of electoral institutions can also be observed in non-democratic contexts. Electoral autocracies (even without elections being entirely free and fair) still pressure governments to pursue human development outcomes, while autocracies without electoral institutions tend to focus their efforts of co-optation (Miller, 2013). A similar point is echoed by Haggard and Kaufman's (2008, pp. 362–363) broad analysis of democratic and non-democratic regimes in Latin America, East Asia and Eastern Europe concluding that in the absence of competitive checks and balances (provided by electoral channels), dictators or elites may increase the provision of public goods and social assistance, but have fewer incentives not to accumulate assets in their own hands.

Aside from the positive effects for social policy and human well-being, the presence of multi-party elections and legal constraints on the ruler can also serving dictators' own ends. By providing guarantees that leaders will refrain from abusing their power, these institutions reduce incentives for opposition groups to overthrow the existing regime (Magaloni, 2008; Svolik, 2012; Gandhi and Przeworski, 2007; Gandhi, 2008b). For this reason, multi-party elections have been found more likely to exist in regimes with strong opposition, where rulers

are required to seek cooperation with non-regime actors (Gandhi, 2008b; Gandhi and Przeworski, 2007). Not only do electoral institutions thus stabilise the rule but they may also change the constellation of social contracts themselves through extending the selectorate, construing the image of political pluralism and influencing other actor's strategies of pursuing their interests, making them more likely to succeed through cooperation rather than opposition.

Thus, on the one hand, electoral institutions in autocracies benefit the population by implying an additional concern for the overall population or at least groups with access to power resources, involving them in decision-making or constraining other decision-makers in their pursuit of policies potentially seen as undesirable by the general public (Wright, 2008; Robinson, 1998). This may not only result in an expansion of socio-economic rights but also contributes to performance-based legitimacy (Huntington, 1991) – if leaders manage to improve people's well-being, they are more likely to be seen as advancing the collective interests of the society. On the other hand, therefore, creating parties and legislatures also benefits regime longevity by creating stable environments that help advance economic growth (Gandhi, 2008b; Przeworski *et al.*, 2000; Knutsen, 2012), in turn providing further resources for distribution – necessary for improving socio-economic outcomes for the general public or a more limited interest groups.

2.2.1.2 *Institutions as sources of state capacity and information*

The previous section discusses the importance of formal institutions as determinants of power balances in the society, which structure different groups' access to decision making and influence their ability to advance their interests. Explored in this section is the importance of the quality of these institutions as reflective of state capacity, the lack of which can be a significant impediment to development. Even if states do attempt to further policies aimed at advancing ESR, they may be stalled not only by social factors (such as changing patterns of demography, family and employment as recognised by the 'first generation' of welfare scholarship) (Freeman, 2013, p. 378; Myles and Quadagno, 2002, p. 51), but also by a corrupt and inept bureaucracy posing obstacles to a meaningful implementation of these policies (Agbakwa, 2002; Norris, 2012). The quality of political institutions may thus be indicative of any state's capacity to advance ESR, illustrating their "administrative infrastructure" for furthering ESR.

In her book "Making Democratic Governance Work", Pippa Norris (2012) emphasises that enhancing governance capacity is crucial for enabling any state to meet the needs and demands of their citizens. The argument is likewise applicable to authoritarian states as improved

governance indicators has several advantages also for autocratic political elites. First, it may help to implement the ruling elites' political vision and policy goals more effectively without posing a direct threat to the non-democratic rule. Even if ESR *per se* are not the primary goal of governments, it significantly expands possibilities to achieve economic development and improve variety of socio-economic indicators, which can contribute to ensuring regime stability. Fukuda-Parr *et al.* (2009) also emphasise that the state "capacity" consists not only of financial resources, but also the administrational and organisational aptitude, as well as the available human resources that this capacity helps to improve. Given resource constraints faced by most states, enhancing these aspects of governance may allow improving ESR performance even without achieving significant economic growth (Alkire *et al.*, 2013; UN Commission of Human Rights, 1987, p. 24) – eliminating corruption and improving the rule of law can be seen as a long-term investment, which allows to reduce costs in the future, address systemic shortcomings that impede ESR realisation (Obinger, 2004) and improve the accountability of those in power.

Second, establishing reliable institutions can considerably contribute to facilitating people's trust in the effectiveness of the state and improve social cooperation among the citizenry. Bo Rothstein (2005) argues that mutual social trust, which arises in situations, when individuals, groups and organisations share an understanding of trustworthy and impartial political institutions, can generate wide-ranging improvements for the society and human development outcomes. In the absence of such trust, he finds that individuals instead perpetuate "disloyal behaviour" (2005, p. 7) because they believe that others will do so as well. Analysing 18 OECD states between 1984-2000, Rothstein *et al.*, (2012) additionally concluded that impartial, trustworthy and uncorrupted state institutions increase citizens' support for their welfare policies. In authoritarian settings, such support can garner acceptance for the regime as a benevolent pursuer of public interest, decreasing incentives for opposition and contributing to regime longevity.

Third, concerns about the information-sharing processes enabled by democratic procedures is one of the central reasons why democratic states are expected to be more effective in realising ESR. Freedom of speech, press, the media as well as electoral institutions that concern participation transmit information to decision-makers about the needs of the society, public opinions and support for or resistance to policies advanced (Miller, 2013; Magaloni, 2008). While autocracies are likely to limit these freedoms to a certain extent, building participatory institutions can help authoritarian leaders overcome the informational vacuum that obscures

their rule and allow to target their interventions more effectively without fear that they would backfire due to opposition from the public.

Turning attention particularly to authoritarian states, Charron and Lapuente (2011) find that different types of autocratic regimes may actually vary in their incentives for improving the quality of governance in the face of increased resources. Their analysis of 70 authoritarian regimes from 1983-2003 find empirically that single-party autocracies proportionately improve governance with increasing economic growth, while monarchies and military regimes are more influenced by the ruler's understanding of the time horizons of their reign – the longer they expect to be in power, the more aspects of governance are improved. This shows that not only can improved state capacity positively influence authoritarian stability, as discussed before, but attempts to improve governance can themselves be motivated by the rulers' outlook on their longevity, tying efforts directly to strategies of governance.

In short, formal institutions matter for ESR fulfilment because outcome indicators are likely to be influenced by the institutional structure and public policies, which determine the organisational conditions in which these rights can find expression, who has stake in the agenda-setting and decision-making process, and hence, what priorities are advanced. Although, as underlined by Pierson (2006), the effects of some formal institutions (such as public policies) will be indirect, they nevertheless sway prospects of ESR realisation. Importantly, improving governance aptitude through the establishment of effective institutions can: a) improve decision-makers' knowledge about societal needs; b) allow for more efficient (and less resourceful) interventions; c) improve the regime's ability to advance their political vision; and d) help foster people's support for the existing regime, promoting its stability.

2.2.2 Governance strategies matter

The previous section has already pointed to the importance of intentionality when examining political institutions and the interests of actors that guide the emergence of public policies. It is reasonable to assume that positive outcomes in the realm of ESR can be seen as indicative of the government's attempts to improve people's well-being (Miller, 2013; Goodin, 1988) which is a valuable start for examining the *effort* dimension of ESR realisation that determines whether or not resources are distributed so as to benefit people's well-being. Therefore to fully understand the logic of welfare provision outside of democratic contexts, attention should be paid to the incentives that may induce authoritarian rulers to promote human development, analysing the preferences of particularly executives and elites as important actors in policy-

making in autocracies. Issues of autocratic elites' intentions, as this section will show, have likewise been mirrored by the early work on authoritarian welfare provision. The main point of departure is the observation that in democratic states, formal institutions typically structure interests between formalised interest groups and organisations (parties, unions, NGOs and civil society) and determine the extent to which they can influence decision making. These same groups may be of less analytical value in non-democracies, but the principle that some actors may exert disproportionate influence over public policies still stands. An "executive-centred" approach can reveal insights about the political incentives of leaders to expand social policies, which can be motivated both – by concerns for the population or an attempt to satisfy the interests of certain groups (such as "launching organisations" (Haber, 2006), bureaucrats or the military). Whose interests autocrats will take into account will depend largely on the governance strategies employed by the ruling elites aimed at securing their power.

Rational-choice literature on political economies of authoritarianism has been useful in providing information about the rationales behind choices dictators make. Although these studies do not specifically speak of welfare, they is largely based on the premise that all dictators' main objective is to stay in power (Tullock, 1987), for which well-being provision can be instrumental. A number of authors have argued that the institutionalisation of welfare in authoritarian regimes can serve as an important tool for ensuring regime resilience. Within this literature, one of the most elaborate accounts of such autocratic intentions is provided by Rimlinger, who argued, for example, that Bismarck's social protection policies largely served as a tool to build loyalty of the working classes towards the state. He writes:

> "The social insurance legislation of the 1880s made social and economic relations among individuals an object of statecraft. It was a conscious attempt at cementing the social fabric of the industrial order, with the interests of the state instead of the welfare of the worker as the primary objective." (Rimlinger, 1971, p. 9)

Other notable examples emphasising the role of social policies in achieving the authoritarian intention of maintaining power include the analysis of Soviet Union (McAuley, 1979; Kornai, 1992), China (Leung and Nann, 1995; Zhu, 2011) and Latin America (Haggard and Kaufman, 2008; Brown and Hunter, 2004). Pepinsky (2014, p. 633) has also cautioned that "authoritarian institutions do exactly what their creators want them to do, and leaders adjust institutional forms when doing so is in their interest". Taking this into consideration, scholars have suggested that there are three main strategies available to authoritarian leaders for maintaining their rule, which consequently influence the distribution of available resources. They can invest

their resources in (1) financing repression so as to extract assets from the population; (2) rewarding loyalty and co-opting strategic groups; or (3) striving to legitimise their rule among the general population (Wintrobe, 1990, 1998; Merkel *et al.*, 2013; Gerschewski, 2013, 2014; Gandhi and Przeworski, 2007; Backes and Kailitz, 2016). Although these strategies are often employed in combination with each other (Croissant and Wurster, 2013; Gerschewski, 2014), they structure the relationship between the ruling elites and the overall population differently and, hence, have different implications for social policies.

Dictators who rule by repression do no rest their authority on popular support and have few incentives to direct resources towards improving the lives of citizens. Instead, the regime aims to expropriate assets from economic activity and invests considerable amounts of resources in sustaining the repressive state apparatus. In short, it acts like "a group of roving bandits" (McGuire and Olson, 1996, p. 72) with little regard to people's general well-being. An economic consequence of using terror and repression, stemming from potentially short time-horizons of their rule as McGuire and Olson argue, is that economic activity is also repressed, declining tax revenues and investments, which in the long-term leaves not only the people but also the dictator worse-off due to the declining amount of resources available to be seized. Additionally, Haber notes that financing repression requires a lot of expenditure and lack of remaining available funds takes away considerably from the capacities of the government itself to generate assets either needed to run the country (Haber, 2006) or furthering people's well-being. Dictators may stay in power through employing repressive strategies, but it is unlikely that funds will be directed towards satisfying the needs of poplations subject to this rule.

Some authors have hence suggested that terror as a strategy of governance may be unattractive for rulers also for reasons other than the ensuing economic challenges. They argue that "even very coercive regimes cannot survive without some support" (Geddes, 1999, p. 125) because employing repression inevitably results in what is called a "dictator's dilemma" (Wintrobe, 1990, 1998). Repressive leaders may never be entirely confident about the amount of support they actually enjoy from the population and their "launching organisations" (Haber, 2006). This, in turn, makes them feel consistently threatened as they face the fear of being overthrown, imprisoned or even killed. To avoid the dilemma, it may be in dictators' own interests to instead seek at least some forms of support, either from the overall population of a more limited selectorate (Bueno de Mesquita, Bruce *et al.*, 2003) to prolong their tenure.[36] McGuire and

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[36] Initially, repression was perceived as the main mode of governance distinguishing democratic regimes from dictatorships. From 1960s, the "totalitarian paradigm" highlighted the role of ideology and terror, and saw

Olson (1996, p. 72) similarly note that "[i]f a leader can seize and hold a given territory, it will pay him to limit the rate of his theft in that domain and to provide a peaceful order and other public goods" leaving not only the dictator and his subjects more prosperous economically, but also allowing for the establishment of credible sources of allegiance for the regime contributing to the stability of his rule.

One option for the dictator to avoid regime decline may be convincing those capable of overthrowing his rule that it is more advantageous to cooperate instead.[37] This strategy involves co-opting strategic groups by offering them an arrangement for sharing rents, which may involve monetary benefits, favourable opportunities to the members of these organisations or other kinds of advantages in order to reduce their incentives to overthrow the dictator. Certain informal arrangements, such as clientelism and corruption may also be tolerated, helping supporters of the regime achieve personal gain and tying their source of revenue directly to the leader's office (Haber, 2006).[38]

Focusing on co-optation as a strategy of authoritarian governance is likely to reflect on social policy and people's well-being. For example, welfare provision may be extended to selected beneficiaries based around the sectors that support the ruling elites as opposed to only the rulers themselves and their immediate circles (Mares and Carnes, 2009). How wide or narrow this selectorate will be, will differ among states. For example, Cook (2007) illustrates the use of this strategy in examining welfare distribution in the Soviet Union, organised around the

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dictatorships as ruled by tyrants who maintain power by exerting credible threats over the general population (Boix and Svolik (2013); Friedrich and Brzezinski (1965), Arendt (1973)). Throughout 1980s the focus was shifted due to the observed diversity of autocratic rule whereby the image of repressive tyrants was no longer able to adequately characterise the regime category. Scholars proposed that the non-democratic concept should be modelled on the realities of contemporary politics, which involve complex strategies and multifaceted causalities, prompting a focus on socio-economic factors as drivers of the emergence as well as persistence of autocratic rule (O'Donnell, 1979). This strand of research was most notably succeeded by the study of institutions, exemplified by Geddes' (1999) work and the idea that political institutions, previously perceived as a 'window dressing' in non-democratic rule, may have a stabilising effect on the regime and positively influence the durability of authoritarianism. Authors found electoral institutions to be useful tools for co-optation; argued that parties can help reduce conflicts among the elites and suggested that rulers frequently use these institutions for strategic purposes (Gandhi and Przeworski, 2007). More recent strands of this literature focuses on paying more attention to legitimacy, alongside coercion, co-optation and repression as ends of institutional intra-state architecture (Kailitz and Stockemer (2015); Kailitz (2013); Gerschewski (2013)).

[37] Tullock (1987) noted how the vast majority of dictatorships are challenged not by popular uprisings, but internal coups.

[38] Haber (2006) additionally distinguishes another strategy – one where the regime sets up rivalries between new or existing organisations (such as the party and the military) forcing them to compete for power with each other to reduce the potential for either group to pose a credible threat to the existing rule. However, as the main aim of creating alternative organisations is nevertheless attempting to create obstacles for specific groups to overthrow the regime, the project perceives it in line with other strategies of co-optation due to the similar implications for the formation of social policy.

working class as a critical group with a credible opportunity to overthrow the regime had they so wished. Following a similar logic, communist China prioritised industrial workers as welfare recipients (Leung and Nann, 1995), while other states provide disproportionate advantages to members of certain organisations (such as the military or a political party). Consequently, when the regime is focused on co-optation, the system of benefits or even rights may be extended, but it may unevenly benefit certain strategic groups incentivising them to cooperate with the regime or absorbing them within the regime itself. While it may increase the number of beneficiaries in comparison with when repressive strategies are employed, welfare is likely not to extend to the entire population.

Facing the restraints and insecurities associated with the use of repression and co-optation, autocracies can also be inclined to respond to the preferences of the general public through satisfying the needs of the overall population. This strategy is associated with seeking legitimation for the rule, which increases public support and provides stability for the dictator, while at the same time being conductive to promoting economic development (Gerschewski, 2013, 2014). With regard to the benefits for economic growth, McGuire and Olson suggested that dictators that have a reliable chance of maintaining rule in the long-run may act as "stationary bandits" (Olson, 1993; McGuire and Olson, 1996; Knutsen and Fjelde, 2013) – motivated by their drive to stay in power, they have incentives to invest in enforcing long term property rights and providing public goods, because their interest lies not in gathering all revenue from their citizens, but in creating conditions in which assets can be collected in the future. The authors concluded that

> "[a] secure autocrat has an encompassing interest in his domain that leads him to provide a peaceful order and other public goods that increase productivity. Whenever an autocrat expects a brief tenure, it pays him to confiscate those assets whose tax yield over his tenure is less than their total value." (McGuire and Olson, 1996, pp. 72–73)

Thus, if a dictator plans to maintain his rule, it may be in his own interest, as well as that of the general population, to increase the socio-economic well-being of the citizenry. Others have similarly found that in states where the fulfilment of ESR is generally high, the regime, whether democratic or authoritarian, tends to be more stable (Arat, 1988; Przeworski and Limongi, 1993). Failure to meet people's needs is, conversely, likely to weaken people's support of the regime and thereby decrease its stability and time-horizons.

Such an interaction between the ruling elites and the population has been characterised as an "authoritarian bargain" (Desai *et al.*, 2009) – an unofficial agreement between the people and

the 'state', whereby citizens relinquish their political rights for economic security and the provision of public goods.[39] Part of this bargain rests on performance legitimacy, that prescribes attention to people's living standards to ensure support for the rule. An associated problem, however, is that any state's ability to achieve constant progress relies largely on the possibility of providing resources necessary for enabling improved performance (Lipset, 1959, p. 9). Consequently, it may result in a "performance dilemma", which undermines legitimacy if the state fails to deliver increased well-being or when it fails to respond to calls for democratisation supposedly generated by the rise in people's living standards (Huntington, 1991, p. 50; Inglehart and Welzel, 2005).

Even when the claim for legitimacy is accepted by the society based on policy outcomes, the state must nevertheless strengthen its capacity in order to advance its political or ideological vision (Brooker, 2013, p. 107). Thus, the "bargain" consists of not only performance, but also at least some levels of input legitimacy, whereby increases in living standards are supplemented by improved state capacity or even controlled political liberalisation for maintaining popular support. When states have an abundance of resources in their possession, they are able to provide generous welfare benefits to satisfy the population (Miller, 2013), but when resources are limited, they may increase people's participation in decision-making to improve the effectiveness of their policies or even subject themselves to electoral pressure. Consequently, people give their tacit consent for the rule not due to terror or coercion, but by voluntarily acknowledging the authority of the non-democratic rule, providing leaders a legitimate basis to govern.[40] Although empirically "benign despots" (Haber, 2006, p. 698), or "benevolent dictators" (Beetham, 1999; Griffin, 2008) may be rare, this strategy nevertheless remains a viable or even preferred option for rulers whose aim it is to maintain stability, as alternative means of securing obedience may be even more costly economically and risky from a strategic standpoint (Brooker, 2013, p. 108; Levi *et al.*, 2009).

Note that legitimation understood this way does not have a normative implication – it does not maintain that the autocrat is *justified* to hold office or even that these policies are 'best' for the population in the normative sense. Legitimacy is understood here as the "degree to which

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[39] Cook (1993, p. 1) similarly uses the social contract concept to explain the relationship between the rulers and the population referring to "a tacit agreement to trade social security for political compliance".
[40] Electoral institutions, accountability, freedom of speech and media, and active participation of civil society comprise aspects of input legitimacy, which help translate individual preferences into political outcomes. Although autocracies are typically recognised to be structurally disadvantaged to provide input legitimacy (Schmidt 2012) and therefore believed likely to employ other methods of legitimising their rule, the increasingly diverse strategies of authoritarian governance may provide a challenge to such assertion.

institutions are valued for themselves and considered right and proper" (Lipset, 1959, p. 71) and legitimation is perceived as the process of gaining people's support (Gerschewski, 2014). This follows Weber's notion of '*Legitimitätsglaube*', who argued that "the basis of every system of authority, and correspondingly of every kind of willingness to obey, is a belief, a belief by virtue of which persons exercising authority are lent prestige" (Weber, 1978, p. 382). It is hence built around the ability of a political regime to instil a *belief* that its political institutions are valued as right for the society and people's perceptions will determine whether the ruling elites have a legitimate right to rule (Lipset and Larkin, 2004; Beetham, 1999).

Aside from legitimacy based on procedural or socio-economic performance, it can also stem from ideological or historical sources, be based on "mentalities" (Linz, 2000), charisma of the leader or the belief that the government is pursuing collective interests, enforcing a shared view that the regime is justified to hold power.[41] Consequently, the concept is not a fixed category; it is instead fluid and may change over time. In this sense, Dahl (1971) perceived legitimacy as a 'reservoir' that can be built up and may provide some leverage for the governments – even if not all actions are perceived as legitimate by the people, political stability is maintained unless levels of legitimacy fall below a certain critical threshold. This approach is in contrast with normative definitions that tie the concept of legitimacy to justice and analyse why the holding of power by a certain political body is permissible or why their rules should be obeyed. Political legitimacy as a non-normative category is pivotal as one of the tools for ensuring regime support and is likely to be advanced in any political order, even if coercion and repressive instruments are also employed. And while legitimacy beliefs are an accumulated result of states' legitimisation efforts, citizens' expectations placed on the decision-makers influence what actions a government should pursue to strengthen this belief.

In other words, rational-choice accounts suggest that autocrats' strategies of maintaining power matter for ESR, because they structure their relationship with the overall population and regulate what priority is accorded to socio-economic concerns. Although such 'good' behaviour may indeed be likely rooted in rationales of calculated gain in one way or another benefiting autocratic rule (Tullock, 1987, p. 12; Tullock and Rowley, 2005), resulting policies will also positively reflect on the overall levels of well-being enjoyed by the population. Such

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[41] Weber proposed three main sources of legitimacy: tradition, charismatic authority and the rule of law. If legitimacy stems from tradition, people perceive authority as "good and proper" because it has persisted for long periods of time. Leaders' personal charisma may also lead people to believe in the legitimacy of the rule, but when it arises from the rule of law, legitimacy beliefs are rooted not in a particular leader or specific ideology but rather the state's *legal* composition, therefore perceived by Weber as the most stable form of legitimacy.

incentives may play a larger role in some types of authoritarian rule than others. For example, Bueno de Mesquita *et al.* (2003) point to the importance of the proportion between the relative size of the selectorate and the winning coalition in providing varying incentives for policy making – the more people are encompassed by the "winning coalition", the more the regime benefits from switching the provision of targeted goods to untargeted public goods (see also McGuire, 2013). Autocrats' motivation as to which strategies of governance to focus on, may also diverge depending on their expected length of tenure. It is likely that dictators who strive to maintain their rule in the long-term may be inclined to rest their power on ensuring at least some levels of legitimacy – mediated by the availability of economic resources, they may choose to distribute resources to the population or advance effective policies that can essentially be aimed towards addressing similar objectives. For this reason, monarchies, which are generally interested not only in holding on to the rule for the present but also ensuring that their offsprings can securely maintain it, may have greater incentives to pay attention to the overall well-being of people subject to their power as the legitimacy of the future leaders rests, in part, on the achievements of their predecessors. Military dictatorships, in contrast, are not associated with legitimate claims for future rule and hence have a reduced interest in gaining legitimacy in ways mentioned above.[42] Some scholars have examined autocrats' incentives based on their behaviour in face of economic development. For example, Eibl *et al.* (2012) argue that economic resource availability reflects positively on socio-economic spending in party and personalist autocracies, while monarchies and military regimes are less likely to translate growth into increased attention to ESR-related domains, who instead, invest in repression and co-optation. Alagappa (2001, p. 50) suggests that increased levels of growth can also explain the declining use of coercion, as it subsequently reduces the role of the military, replacing it with improved state capacity that promotes the rule of law, accountability and transparency in decision-making. Although inconclusive, these findings propose that autocrats' incentives are powerful drivers of public policy and their governance strategies may help better understand socio-economic performance as mediated by economic resource availability. Behaviour of dictators who focus on legitimising their rule, rather than repress the population

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[42] Although in general military regimes underperform in a number of outcome indicators, Mares and Carnes (2009, p. 98) point to the wide diversity of policies implemented in military regimes, so the regime type itself is not of particular use in explaining social policy outcomes and existing variations. McGuire's (2013) findings of social performance likewise contradict the assertion – he finds monarchies least successful in improving infant mortality in comparison with military, multi-party regimes or one-party regimes, who perform best.

or co-opt elites, is more likely to be consistent with the interests of the public, advancing socio-economic outcomes for those under their rule.

2.2.3 Informal institutions matter

While rational-choice accounts provide some explanations about the incentives which may drive ruling elites to improve socio-economic aspects of people's lives, they do not offer a thorough understanding of how these policies may be perceived in any given society. Similarly, a focus on formal institutions is insufficient for it is not only the formalised "rules of the game" that have capacity to influence people's socio-economic opportunities, but also informal ones, such as social norms, conventions, taboos, customs or other types of socially determined, informally transmitted behaviour (North, 1990, p. 46; March and Olsen, 1984; Shepsle, 2006, p. 1033). In this regard, Tullock and Rowley (2005, pp. 88–89) argued that ethical values which guide such personal beliefs do not appear in vacuum, but follow a process whereby they are taught and learnt by people. For legitimacy purposes, any ruler must meet not only the physical needs of citizens and their desire for increased well-being, but also informal expectations placed upon them. Unlike formal institutions, which are clearly articulated through official channels, informal institutions are socially shared rules that may be deeply rooted in the society and exert considerable influence over individual behaviour without being formally implemented and codified (Helmke and Levitsky, 2004, p. 727). Therefore, in order to understand factors behind ESR fulfilment, looking at resources, policies or formal institutions alone is not sufficient – contexts are crucially important in understanding the effects of regime type (Haggard and Kaufman, 2008, p. 362; Pepinsky, 2014) and they include informal drivers and constraints that guide individual action as well as expectations placed on decision-makers in positions of authority.

The performance and policies of non-democracies differ greatly when it comes to the outcomes in question even within autocratic regimes with a similar institutional setting or levels of economic resource availability (Haggard and Kaufman, 2008). Game theoretic models of dictators' behaviour typically employ a top-down logic of explanation and hence only address a part of the puzzle. The problem with rational-choice accounts is that in most scenarios they assume actors and individuals are self-aware, informed, rational participants pursuing the overall objective of maximising their interests. By implication, Rothstein *et al.*, (2012) note that they must not only be continuously aware of their interests, but must also possess access to all information necessary to predict possible outcomes and actions of others in a variety of

scenarios. Such approach becomes problematical given that the "welfare state is a complicated piece of machinery and for most citizens it is very difficult to calculate the likelihood (or risk) that they will be winners or losers over their lifetime in this system" (Rothstein *et al.*, 2012, p. 8). In other words, it is unlikely that rational individuals even possess knowledge of all information necessary for enabling them to calculate and act on their meticulously envisioned scenarios to maximise their well-being in a uniformly predictable manner.

This complexity points to the view that such assumptions about individuals may not be entirely exhaustive. Steinmo (2008, p. 163) puts forward a conception of human behaviour as one of not only self-interested 'rational' actors, but also norm-abiding rule-followers, whose behaviour depends on formal rules and individual preferences, *as well as* the contexts in which individual interests are pursued. Focusing more on the bottom-up effects of regime legitimation, authors argue that knowledge itself is not uniform and processes through which humans form their beliefs and decide upon appropriate action are largely influenced not only by subjective social and cultural factors, but also their previous experience. Surely, the guarantee of economic security is an important aspect of why people ascribe to the 'authoritarian bargain', and abide to the rules set forth by the government, but certainly is not the only factor that fosters people's belief in the legitimacy of the rule.

Building on the criticisms of the 'hyper-rationality' of agents, scholars suggest that a more plausible approach takes into account collective memories and discourses (which can be politically construed) as informative of people's decisions (Rothstein *et al.*, 2012; Schmidt, 2009). North (2006, p. 1005) similarly remarked that "[h]ow we translate evidence from the exterior world through the senses and combine it with beliefs and previous knowledge to create explanations for the social science world" is crucial in understanding social events, but comprehensive theories in this regard are lacking. In this sense, informal institutions are "a set of shared understandings that affect the way problems are perceived and solutions are sought" (Thelen, 1999, p. 371) and influence both, bottom-up as well as top-down aspects of policy making. While on the one hand, they impact people's essential choices of pursued outcomes, their expectations towards authorities and demands placed on social policy, they also determine ways in which decision-makers themselves perceive their responsibilities and rationalise appropriate solutions to prevalent concerns. The latter is pointed out by Katzenstein, who emphasises the important role of social norms in shaping politics of national security in particular as rational calculation:

"Norms typically inform how political actors define what they want to accomplish. Norms help coordinate political conflicts (regulative norms), and they shape political conflicts over identity (constitutive norms). To disregard norms and take the interests of actors as given is thus to short-circuit an important aspect of the politics and policy of national security." (Katzenstein, 1998, pp. xi–xii)

This argument draws attention to the temporal and interpretive nature of rationality itself that is heavily influenced by contextual aspects of life, recognising that individual and collective understandings of justice, rights and other normative notions (the 'rationality' of individual action) is not only guided by their understanding of personal utility, but also by individual worldviews, by what action individuals expect from other agents and what is perceived as appropriate and desired (Rothstein *et al.*, 2012, p. 8; Hall and Taylor, 1996). The project is grounded on the view that people's actual economic and social opportunities to a large extend depend on institutions, both, formal and informal, that create the contexts and structure ways in which ESR find expression and where individuals and groups pursue their objectives (North, 1990; Goodin, 1988). Such contexts for individual or collective action are constrained not only by formal institutions, comprised of laws, rules or legislation, but also by informal modes of action (Thelen, 1999) that establish what is perceived to be normal, what outcomes are seen as desirable, or what people should themselves aspire to do and become (Sen, 1999). These informal institutions are not only background conditions for other factors that explain policy outcomes, but can themselves be forces that powerfully shape people's well-being.[43]

Capability theorists have particularly drawn attention to how informal constraints can be useful in explaining some patterns of rights variation owing to culturally rooted restrictive behaviour. First, they start by insisting that people's actual states of *being* and *doing* should be the concern of analysis, instead of, for example, legal provisions formally granted by governments. Placing the freedoms people enjoy in the centre of analysis accentuates that even when *de jure* protections of ESR are ensured, their *de facto* enjoyment can be stalled not only by deficient state capacity (such as infrastructure, roads, teachers, doctors, effective administrations or economic resources), but, more importantly, by different social or cultural norms that influence people's abilities to attain these rights in practice (Robeyns, 2000; Nussbaum, 2000). Even if,

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[43] For example, Minkler (2007) demonstrates that child labour results from more than simply functional issues of poverty or a structural lack of legal protection – cultural factors and gender biases expressed as informal institutions and prevalent social norms also play a crucial role in promoting the practice. Similarly, she notes that historically, numerous rights claims have been advanced in the absence of constitutional guarantees or protection by social movements, underlining the role of non-judicial aspects as source for translating rights claims into policy (Minkler, 2007, p.29).

for instance, an educational facility exists and there are plenty of teachers to meet the respective societal demands, but the prevailing social norms are not supportive towards women attending school, it will significantly impact whether their right to education is attained (Nussbaum, 2000). Such examples echo the understanding that individual opportunities are often conditioned by social structures or dominant beliefs and values that provide the contexts of ESR (Drèze and Sen, 2002). Like formal institutions, societal norms too have the capacity to support certain types of conduct and behaviour while discouraging others and are thus important for ensuring that ESR are enjoyed.

Moreover, formal and informal state level institutional settings, can also affect locally shared understandings of rights themselves through guiding people's individual goals and aspirations (Sen, 1988, 2004b, 2005; Robeyns, 2005; Nussbaum, 1997). The notion of 'adaptive preferences' usefully underlines this point[44] by suggesting that individual preference formation is heavily influenced by people's overall conditions, be it deprived circumstances, opportunities or restrictive cultural norms. Intuitively, people adapt their aspirations based on information about what opportunities are available to them. In this sense, someone facing circumstances of extreme deprivation is unlikely to aspire to *be* and *do* something they are aware is clearly beyond their reach or they may not even be aware that such opportunity exists. Perceived stereotypes about gender or race may influence the aspirations of women or minorities, who can adapt their ambitions to become only what the conditions, in which their lives take place, enable them to become. Individuals thus internalise their formal and informal circumstances, and accordingly build views about valuable 'beings and doings', eventually depicted in their socio-economic states. In a similar vein, they can also internalise community values or socially accepted behaviour imposing a "psychological price" (associated with guilt) for breaking the norm, which may potentially even override material benefits and monetary considerations as a motivation for rule-following behaviour (Lindbeck, 1995).

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[44] The concept of adaptive preferences is evoked in the capability theory primarily as source of criticism for measuring development through subjective notions of well-being, emphasising that people may come to normalise their states of *being* and accept their dispossessions as a norm. For example, people in ill-health may believe entirely that their health is under no risk, while others, who experience life-long discrimination may perceive it an inevitable part of life undermining people's subjective mental metrics as possessing valuable explanatory potential for aspects of objective well-being. While this criticism is well grounded, the project evokes 'preference adaptation' in a different sense, one that stresses its pervasive role in determining socio-economic outcomes individuals *choose* to pursue. This is particularly important because certain outcomes are used as proximate-measures for ESR attainment and preference adaptation, significantly influenced by informal institutions, play a role in swaying people's choices in life in one direction or another.

Informal institutions can also *enhance* rights enjoyment. Increasingly, studies draw attention to the empirical role of traditions, social norms, family and kinship structures in mitigating risks and improving people's well-being (OECD, 2007; Polese *et al.*, 2014) through the provision of 'coping strategies' for individuals and groups facing inadequate access to socio-economic goods. Channels through which such strategies are exercised, can likewise become formally institutionalised by structuring the delivery of social services in a way that implies reliance on these structures (such as the church or family) no longer associated with exit or coping mechanisms, but rather comprising the rules of the game already embedded in the welfare state. Whether formalised or not, certain welfare responsibilities, such as care for the elderly, may come to be associated with actors other than the state and related public expectations transferred to the family or community. This too may benefit autocratic rule by shifting the legitimating threshold from the government away from the performance dimension while allowing to considerably reduce welfare expenditure.

Such aspects bring out the dual nature of institutions in general, which on the one hand constrains individual and collective behaviour by guiding people's aspirations and expectations, but on the other hand, enables it by providing strategic contexts in which people can advance their interests, cooperate, resolve conflict (Goodin, 1998; Katznelson, 1997) and allowing groups to recognise their potentially overlapping interests in the first place (Thelen, 2002). They structure societal interaction and the relations between the state and the society through informing individual behaviour, action and interaction with others, and creating stable expectations about what behaviour may be expected from others (Helmke and Levitsky, 2004; Elster *et al.*, 1998). Decision-makers are inevitably embedded in these contexts so public policies cannot be reduced to merely "goal-oriented activities of the state" (Steinmo, 2008, p. 21); they rather result from various institutional configurations and organisational interests taking shape through an interplay between formal and informal institutions, with attention also to the expectations placed on the ruling elites (Thelen, 1999, 2002). For instance, people's perceptions about the extent to which one is to rely on the state for social protection as opposed to family, community groups, religious organisations or own individual efforts for attaining well-being will be, in part, borne out of informal institutions. Likewise, their understanding about particular ESR – what constitutes acceptable working and housing conditions, necessary levels of education and satisfactory health – will be borne out of informal constraints.

So although not necessarily legally codified, informal institutions contain valuable information about what is desirable or seen as just, legitimate or acceptable in any society (North, 1990;

March and Olsen, 1995; Steinmo *et al.*, 1992) inevitably shaping also legitimacy concerns of the ruling elites. On a wider level, expectations placed on the government too can be 'adapted' in the sense that, guided by ethical, cultural or moral considerations, citizens may find that the regime is meeting their expectations with regard to foreign policy, providing adequate security, stability, presenting military power or reflecting desired ideological predispositions even under comparatively repressive circumstances (Tullock and Rowley, 2005). Such sources of legitimacy may prompt people to support government activity that reflects their ideas about appropriate action including such that not necessarily further their well-being or maximise their personal utility. In this regard, Katzenstein (1998) shows how norms have helped shape security policy in Japan, which may consequently become embraced by the people as righteous in themselves.[45] The point is underlined by Rothstein (1998), who proposes that institutional configurations may themselves generate cultural acceptance and Goldstein's (1988) analysis of trade policy in the United States reinforces which illustrates that the institutional structure formally intended to address trade issues strengthens certain informalised ideas while undermining the importance of others, with long-lasting consequences. These insights demonstrate the reciprocity between norms and formal rules echoing Thelen and Steinmo's (1992) assertion that with time, existing institutional settings may solidify into worldviews, accepted and reinforced by the society and potentially employed to legitimise the status quo.

Note that not all 'cultural' or moral beliefs, values or regularised forms of conduct can be classified as institutions. Helmke and Levitsky (2004, p. 727) have usefully distinguished informal institutions from merely patterned behaviour underlining that institutions "must respond to an established rule of guideline, the violation of which generates some kind of external sanction". They use the example of corruption, which is not formally articulated and could be seen as a behavioural pattern, not an institution in itself. Yet when corruption is rooted in shared expectations among members of the society and public officials, and carries important repercussions in case of non-compliance, it can be considered an informal institution.

Accounting for informal factors in understanding the rights situation in any country requires paying attention not only to state actors and formalised rules of the game, but also other agents and socially embedded norms that equally guide individual behaviour, social relations and politics in general. Policies instituted by the government can usefully signal their intent and

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[45] Katzenstein (1998) remarks that instead of being an inevitable and irreversible notion, cultural norms can often be traced back to political processes, which shape them through processes of contestation and political reinforcement.

efforts in realising ESR, but achieved outcomes themselves cannot fully be explored without paying close attention to what ideational norms formal rules promote or how these are perceived by other societal actors, who embody, interpret, reshape and legitimise them. These shared understandings help define "what the state can and should do to address societal problems" (Skocpol, 1985, p. 15), how problems are rationalised in the first place and whether people perceive their objections to particular issues as legitimate and believe that they will be treated accordingly (Thelen, 1999, p. 384; Pierson, 2006, p. 127). When political elites are seen as respectful of such shared beliefs, the regime is more likely to be perceived as ruling in the interests of the people – the belief of legitimacy is enforced because individuals voluntarily accept the reproduction of the existing status quo (Mahoney, 2000, p. 509). Regardless of whether people actively support it or passively consent to it, Mahoney remarks that such legitimation occurs from individual "self-understandings about what is the right thing to do, rather than from utilitarian rationality, system functionality, or elite power" Mahoney (2000, p. 523). Accordingly, the state comprises various organisations and collectives that advance their own goals in any given strategic context posited by formal rules, and serves as an arena for influencing politics and policies through the production of meanings and perceptions of legitimacy (Skocpol, 1985, p. 28) likely to be reflected in ESR outcomes attained.

2.3   Conclusion

In exploring the determinants of authoritarian ESR performance the project follows four main emerging lines of theoretical reasoning. First, economic resource availability is recognised to have profound impact on the capacity of any state in providing well-being and increasing the realisation of ESR related outcomes, while remaining attentive to the observation that resources alone are not always sufficient for achieving improvements. A particular effort and intention on behalf of the government is necessary to improve ESR.

Second, formal institutions or "rules of the game" (North, 1990, p. 3) play an important role in structuring the contexts in which individual welfare can be advanced, often prioritising the interests of some groups and giving them (sometimes disproportionate) access to power and/or opportunities. At the same time, formal institutions can also help effectively advance government vision by building state capacity and achieving economic development, itself conductive to investments in ESR.

The third theoretical preposition touches upon the *effort* dimension of governmental action, namely, by suggesting that authoritarian strategies for maintaining power matter as they

structure the relationship between the government, particular groups and the overall population embedding varying incentives for advancing ESR in these strategies. Authoritarian leaders who strive not only to gain power, but also to maintain it by focusing on legitimation, are more likely to expand the freedoms associated with well-being to a larger franchise.

Finally, informal institutions are viewed as equally important for understanding ESR outcomes because they influence the modes of behaviour that are seen as acceptable in the society. On an individual level, informal aspects of life affect one's aspirations and determine choices individuals make with regard to their own well-being. On a societal level, informal practices can provide socio-economic 'coping strategies' for people in times of need and shared beliefs can structure expectations placed on decision-makers. On a governmental level, social norms and expectations may be reciprocated by the formal configurations of welfare institutions. When the regime is seen as respectful towards informal institutions, values and beliefs prevalent in the society, it is likely to be perceived as ruling for the good of the people accumulating legitimacy and acquiring stability. Especially in autocracies, contexts, ideas and regime motivations are likely to considerably contribute to outcomes advanced and freedoms people enjoy, comprising an important part of the puzzle for exploring ESR attainment.

3 Conceptual Framework: In Search of a Regime-neutral Definition

The analysis presented in the previous sections illuminates how implications about ESR in political science are often deduced from research on other concepts, such as poverty, welfare or development. This has created not only some conceptual confusion over the extent to which these notions are interrelated or overlapping, but also disagreement as to what should serve as the appropriate measurement metric for assessing ESR.

Human rights are typically proposed to be of central importance for advancing meaningful development, rooted in the understanding that ensuing progress can only be enjoyed by the overall society when accompanied by a defence of rights. There are nevertheless disagreements about the content of human rights, especially if their definition is expanded beyond the relatively non-contentious civil and political domain to also include economic and social rights.[46] The supposed differing nature of the sets of rights has led Maurice Cranston to argue that the whole viability of human rights is undermined if ESR are included in the definition – due to their aspirational character they should not be considered rights but rather social goals and political aspirations (Cranston, 1983).[47] Perhaps because of this very problematic, majority of research on human rights has overwhelmingly focused on CPR, causing justified criticism for more attention to be devoted to the investigation of the philosophical, empirical and methodological issues surrounding ESR (Pollis and Schwab, 1979; Kunnemann, 1995; Hertel and Minkler, 2007; Donnelly, 1999b, 2003, 2006; Landman, 2013).

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[46] Some of the main conceptual objections of rights are based explicitly on criticisms surrounding ESR. A pertinent argument has been the supposed non-justiciability of ESR by the courts, as their content addresses not only negative duties (requiring the state mostly to refrain from their violation), but also positive obligations of action. Another point of contention has been the lack of specified action, as many ESR call for the achievement of outcomes without determining concrete policies required to attain them. Moreover, their dependence on the levels of a particular state's economic resource availability has complicated matters further, as ESR require progressive realisation, but it remains unclear how this is to be assessed given the variety of political and economic systems around the world, which advance various policies through a diverse involvement by the state.

[47] A powerful response to this objection has been provided by Amartya Sen, who underlines that the recognition of rights should not fringe on their feasibility – just as the fulfilment of an outcome does not necessarily make the outcome a right, rights do not become non-rights if they are not fulfilled (2004, p. 326). Donnelly (1999a) similarly stresses ways in which all human rights, ESR and CPR alike, can be difficult to implement and suggests that they do not seize being *rights* only due to this complexity (Donnelly, 1999a; Minkler, 2013a).

On the other hand, ESR have been defended on the grounds of their fundamental role in guaranteeing people's basic needs with regard to well-being, as well as their significant overlap with the concept of 'basic rights', understood as the "central human endowments" without which the enjoyment of any other right is unimaginable (Shue, 1980, p. 19). Empirical explorations of the devastating consequences on people's rights posed particularly by situations of poverty and deprivation where ESR are inadequately respected, protected and fulfilled (Hertel and Minkler, 2007; Minkler, 2013a; Fukuda-Parr *et al.*, 2015) provide perhaps the most convincing rationales in favour of these rights.[48] Although the philosophical debate about what justifies human rights remains unresolved,[49] it is evident that ESR are vital to a holistic understanding about the human condition due to their effect on individual survival and livelihood. Yet, given this ambiguity, it should be clarified what is understood by "economic and social rights" within the boundaries of this project – the following sections first explore the more general notion of human rights before turning to the analysis of particularly ESR and political regimes, demarcating the concept guided by the need for a regime-independent definition.

3.1 Human Rights

Human rights are typically understood as endowments that people have by virtue of their humanity. The concept has come to signify agreed-upon moral prerequisites necessary for people to achieve the objectives overriding all human rights: life in dignity, enhancing people's agency and expanding their freedom as inevitable aspects of enabling individuals to exercise

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[48] Hertel and Minkler (2007) note that poverty and deprivation resulting from failures to meet people's nutrition, shelter, housing, health, employment and social security needs – domains of ESR – are responsible for millions of preventable deaths each year. According to estimates of the World Bank (2015), 12.7 per cent of the world's population in 2012 lived at below $1,90 a day severely limiting their opportunities to achieve a dignified life. Notably, while monetary aspects of livelihood used to be the principle measure for poverty around the world, the understanding of this concept has developed over the years, and is exhibited in a more comprehensive understanding and assessment of deprivation. For example, building on insights provided by the work on human development, Alkire and Atkinson have advanced the concept of multi-dimensional poverty, allowing to assess the notion in terms of deprivations of particular dimensions associated with impoverishment. The Index emerging from their work serves as a "reversed" HDI, consisting of ten indicators which measure deprivations in the same dimensions as examined by the HDI – education, health and standard of living (Alkire and Santos (2010)). This approach enables looking beyond aggregate numbers, not only by identifying the poor and locating them in particular regions, but also by specifying concrete deprivations individuals face in hopes of contributing to the implementation of a more targeted and efficient policy (Alkire (2010); Alkire *et al.* (2013)).

[49] Even those who advocate in favour of human rights, disagree as to the foundational basis of human rights – be it laws of nature, human rationality, local communities, or the international human rights regime (Gregg 2012). Some of the most well-known rights justifications concern basic resources (Rawls 2001, pp. 58–61), basic needs (Osiatysnski 2007), basic rights necessary for a decent life (Shue 1980; Beetham 1995), capacity for rationally purposive agency (Gewirth 1982), or consensus standards (and customary law) (Donnelly 2003; Fukuda-Parr *et al.* 2015).

their full potential as moral agents.[50] As noted by Donnelly, "[h]uman rights are "needed" not for life, but for a life of dignity. "There is a human right to x" implies that people who enjoy a right to x will live richer and more fully human lives" (Donnelly, 2003, p. 14). He further clarifies that "[w]e have human rights not to the requisites for health but to those things "needed" for a life worthy of a human being. (…) When human rights claims bring legal and political practice into line with their demands, they create the type of person posited in that moral vision" (Donnelly, 2003, p. 14). In this sense, rights may specify certain actions, but they are all aimed at achieving their overarching goals of dignity, agency and freedom, which is ultimately what people are entitled to. Correspondingly, as entitlements they imply obligations on other agents, whose duty it is to respect, protect and fulfil them – traditionally this responsibility is imposed on states and governments who ought to implement rights and have a duty to eliminate obstacles standing in way of their fulfilment. The relationship of state responsibility has been explicitly defined under the framework of international law, justified by the view that state authorities, more than anyone else possess the ability to fulfil human rights.[51]

An unfortunate consequence of recognising state responsibility, however, has been the extensive legal focus that has dominated research on human rights, with scholars and monitoring bodies focused primarily on analysing the *de jure* and *de facto* implementation of international treaties. States are certainly important in advancing human rights, as they provide institutional guarantees which people individually have little control over. Electoral rights, for example, or the freedom of speech are areas almost exclusively determined by government's legal provision and enforcement of these rights. While this may be so, it does not exclusively imply that human rights are confined to legal provision. The primacy of institutional protection may apply more in the case of the so-called "liberty rights", but the implementation of ESR cannot wholly be understood as a result of the existence or absence of legal articulation or state action alone. For instance, education may be formally ensured for all, but individuals and

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[50] The idea of human rights can be traced back to antiquity with various philosophical justifications employed throughout the years. The post-war international human rights regime, however, as a 'political' document has notably avoided addressing philosophical concerns about foundational issues, allowing for a broad range of moral approaches to be compatible with the concept of rights (Kunnemann 1995; Cmiel 2004), much in line with the Rawlsian idea of an "overlapping consensus" (Rawls 1971). For a thorough discussion of the theoretical background of human rights, see Donnelly (2003, pp. 7–22); Cmiel (2004); Beetham (1993).
[51]Rights have also been evoked as individual protections against state authority - an argument which gained ground particularly following the atrocities experienced during the World War Two. The contemporary understanding of rights, however, substantiates state responsibility also on the grounds that currently, national authorities are in the best position to assess the needs of their people, implement laws that advance rights fulfilment and counter any attempts to infringe on rights people already enjoy.

particular social groups can be curtailed from attaining education by the lack of infrastructure (such as roads or electricity) or discriminatory cultural practices (Nussbaum, 1997, 1999, 2000). The International Council of Human Rights Policy has recognised the legal accountability of not only the state, but also non-state actors, insisting that other individuals and international organisations are likewise obligated towards human rights, which, at a minimum, implies the responsibility to respect others' rights (ICHRP, 1999). States can still be held accountable for failing to identify, regulate and overcome obstacles caused by other actors, but the level of rights enjoyment is likely to result from non-legal aspects of life – practical, environmental, cultural or social. Amartya Sen's proposal that, as the rights concept is one of a moral nature, the notion of duties should be expanded to include all people in a position to help (Sen, 1999, 2004b) serves to re-focus rights realisation towards the variety of factors involved in their attainment. Although, for the most part, individuals cannot be kept legally accountable for the rights situation of others, everyone should be morally impelled to advance others people's rights, when in a position to do so. This insight rightly points to the necessity of analysing individual and group action when assessing particular human rights situations, as it suggests that "imperfect obligations" may likewise exist without being concretely specified (Sen, 1999, p. 230) or articulated within formal institutions. By invoking the Kantian concept of "imperfect duties" towards others (Kant, 2012, p. 34), Sen demonstrates that the entitlements to freedom and dignity may invoke a broader responsibility that that of the state, and may morally require individuals, groups or communities to further the well-being of others, whenever possible.

As rights strive to ensure individual agency, dignity and freedom, central for their comprehensive conceptual understanding are the principles of (1) universality and equality; (2) inalienability; and (3) accountability – all of which can be seen as "'free-standing' procedural rights in the sense that they are intended to be read in conjunction with other human rights" (Vizzard, 2005, pp. 34–36; Fukuda-Parr, 2012).[52] These principles have been enshrined in the International Bill of Human Rights and can be seen as underlying and accompanying a realistic realisation of all rights (UN Commission of Human Rights, 1987; OHCHR, 2006, 2008). Each principle is further examined in turn.

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[52] The aforementioned principles are often accompanied by others, further specifying and narrowing the concept of rights. The choice to opt for a limited number of these 'procedural rights' is examined below in more detail, but it is guided by the need for a regime-neutral definition of rights, which would not tautologically imply the presence of a democratic political regime.

First, Article 1 of the UDHR asserts that "[a]ll human beings are born free and equal in dignity and rights" and it is crucial for an understanding of human rights that they belong to people by virtue of their humanity regardless of their nationality, religion, ethnic origin or any other social or economic status (OHCHR, 2008) and are implemented accordingly. The universality principle of human rights thus encompasses equality and non-discrimination and underlines that purposefully stripping any group of people of their rights, even if they are at large enjoyed by others, is incompatible with the notion of human rights.[53]

Second, if human rights are entitlements justified simply by the condition of being a human, it is essential that they should not fringe on conditionality or membership in any non-exhaustive category. In this sense, they are inalienable – 'being human' is the only condition for holding rights, and since individuals will never cease to be human, they cannot be stripped from their status as rights-holders. This is so regardless of whether rights are guaranteed by legal provision, recognised by the state or the society.[54]

Third, the principle of accountability echoes the aim of human rights as enhancive of human agency, dignity and freedom because these overarching goals can be attained only when those in authority are accountable to the public about the decisions they make; when people are active participants of these choices and, consequently, have control over the environments in which they conduct life. In this sense, participation is an essential part of accountability and a mechanism to ensure that policy adequately represents the needs and wishes of the people.

While these three principles are also internationally recognised, they are often supplemented by a reading of accountability as including specifically the rule of law or implying the

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[53] Historical examples of discriminatory rights practices are not hard to find. For example, Germany under the National Socialist German Workers' Party or the apartheid regime of South Africa were infamous for providing 'rights' that were only available to particular groups of people while conducting severely discriminatory practices towards other groups.

[54] Under international law, the only recognised exceptions to the principle of inalienability apply to 'special situations' (such as "due process" applying to prisoners found guilty of war crimes) and public emergencies (such as military conflict or national disasters) (OHCHR 2006). The principle of inalienability is a significant departure from the legal positivist perception of human rights. Waldron's (1987) analysis of the works of Bentham and Burke shows how they viewed rights enjoyment stemming from legal provision within the realm of domestic jurisdiction rather than moral principles. Jeremy Bentham perceived the idea of rights as "nonsense upon stilts" for he saw it impossible to claim that people deserve something they cannot possibly have. Correspondingly, rights could only make sense if understood as *legal* rights, prescribed by the government. Edmund Burke (1910) on the other hand, perceived rights as derived from the social contexts that procure them, claiming it "meaningless" to speak of rights in abstract form. More recently O'Neil (2005) has echoed this sentiment noting that only institutionalisation determines the presence or absence of rights. While the argument is occasionally advanced also in contemporary debates, a response to this institutional critique has been pointed out by Amartya Sen, who argued that no right can be secured with institutionalisation alone in its legal sense - it must also be supplemented by an active discussion and social monitoring to correct persistent inadequacies and reform institutions if they are incapable of adequately meeting human rights (Sen (2004b, p. 347); See also Nickel (1987)).

indivisibility and interrelatedness of all rights (OHCHR 2006).[55] While there may exist an empirical relationship between the existence of CPR on the one hand, and ESR on the other,[56] the problem with including these other principles conceptually among the 'free-standing rights' principles' lies in their specificity, which significantly complicates the task of making regime-related inferences about rights. If rights were conceptually defined as having attributes that only pertain to democratic states, it would make investigations in autocracies tautological and call into question the compatibility of ESR with a wide variety of political, economic and social systems or an "overlapping consensus" of morality (Rawls, 1971; Hertel and Minkler, 2007, p. 5). For example, in his analysis of the notion of indivisibility Nickel (2008) argues that this specific principle has a limited relevance particularly to (developing) states, which under dire conditions are compelled to accept that certain rights *can* be advanced before others with the view of progressively achieving attainment of all rights. Giving some rights priority over others does not neglect the view that rights can be mutually reinforcing; it merely reflects the realities of people's lives within different contexts. Likewise, the progressivity clause of ESR allows states to nationally decide upon the justified prioritisation of some rights based on conditions of need. For example, as education is a catalyst for a number of other rights (such as the rights to health, work and food), states may consider investing in education so as to improve other rights outcomes as well (OHCHR, 2006). Such a view, however, calls for a narrower application of the concept of indivisibility than commonly assumed – recognising the ability of rights to advance others without pertaining that CPR and ESR are themselves inseparable notions. The project is interested exactly in the oddity that autocracies seem to further ESR under conditions of limited CPR, exhibiting potential to challenge the claim of indivisibility. The study is therefore in search of a regime-neutral definition that would not preclude rights realisation in the absence of democratic electoral procedures. As has been previously noted, there is no guarantee that democracy will necessarily deliver all human rights (OHCHR, 2008, p. 22) or that authoritarian governments will not be accountable in the implementation of their policies – they too can be associated with the rule of law and have instituted participatory mechanisms that enable individuals to take part in decision-making

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[55] The principle of indivisible rights typically reflects the belief that all rights are of equal importance and they cannot be denied on the grounds that some rights are more important than others. Interrelatedness of rights, on the other hand, represents the view that all rights are mutually reinforcing and achieving any right is complementary to fulfilling any other right. Together, the principles subscribe to represent a holistic understanding of rights, all of which need to be fulfilled in order to guarantee individuals a dignified life (see para 5 United Nations 1993).

[56] In political science, the principle of interrelatedness of rights has caused particular contention. Specific studies examining the relationship between ESR and CPR are examined in section 2.1.3., but existing work has failed to produce a clear consensus about the empirical relationship between different sets of rights.

processes that affect them, fulfilling at least some important procedural aspects deemed necessary by the interrelatedness-hypothesis. But consequently, the principle of accountability needs to be understood in a way which at least theoretically allows for a wider variety of procedures possibly conductive to accountability.

Similarly, some interpretations of the principle of universality significantly expand the notion beyond non-discrimination and equality, claiming instead the moral superiority of a 'Western' conception of rights. These rest on the assertion that the post-war rights consensus transcends cultural differences and ought therefore to be embraced by all countries, cultures and people everywhere. Foundational claims of such wide-universalism has been questioned by a number of scholars who recognise cultures and communities as sources of morality and see morality as determined largely by beliefs and tradition, which are clearly not universally shared. Yet, the relativist positions too vary with regard to the levels of legitimacy provided to culturally determined values and approaches to balancing between universal rights and legitimate cultural peculiarities (Dunne, 1999).[57] While this debate remains unresolved, cross-country comparisons require scholars to be sensitive to these differences and embrace the idea that rights fulfilment inevitably involves trade-offs. The resulting national level variations may not be accepted worldwide, but legitimised by the societies in which rights-realisation takes place.

If the Bill of Rights is employed for evaluative purposes, one may have difficulty finding states that are not deficient in realising at least some rights as prescribed by the Covenants. Policy-making is an exercise of trade-offs, with states choosing to invest in some areas over others, frequently also involving the prioritisation of some rights concerns over others. Such decisions may be entirely legitimate, as different societies may value different "capabilities"[58] and urge their governments to act on these concerns. Amartya Sen argues that imposing the same

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[57] Foundational questions that concern the universality of rights cannot be fully captured here, but there are numerous contributions to this debate worthy of attention. To name a few, see Steiner and Alston (1996, 1996, pp. 192–232) Nickel (1987); Donnelly (1999a). Pollis and Schwab (1979) further analyse the extent to which the rights concept as reflected in international law is applicable to non-Western societies suggesting that colonial legacies have actually been responsible for removing many existing rights from various forms of "traditional" societies, where they had existed before colonial rule.

[58] Sen (2005) and Nussbaum (1997) have examined the overlaps and differences between the concepts of rights and capabilities, pointing out that while there is a great degree of convergence (particularly as ESR are concerned), the concept of capabilities is unable to capture the normative and procedural aspects encompassed by the notion of rights. Nevertheless, the basic idea of capabilities and the associated concept of 'human development' is that of "enriching the lives and freedoms of ordinary people (..) much in common with the concerns expressed by declarations of human rights. The promotion of human development and the fulfilment of human rights share, in many ways, a common motivation, and reflect a fundamental commitment to promoting the freedom, well-being and dignity of individuals in all societies" (UNDP 2000, p. 19). With both concepts overlapping, capability scholars' observation of the plural nature of well-being (Nussbaum and Sen (1993); Sen (1999)) and assertion that given the freedom, people may choose to pursue various and diverse outcomes in life should be taken seriously also when exploring ESR outcomes.

standard on everyone would not only enforce moral supremacy, but also underestimate the importance of *progress* in the views and values people possess (Sen, 2004a, 2005). Instead, he proposes that decisions about relevant objectives of policy (or capabilities) should result from public deliberation, scrutiny and the changing contexts of people's lives, which recognise that views and beliefs may develop, adapt and transform in light of the conditions within which people's lives are actually conducted. To illustrate the point, Sen insists that "given the nature of poverty in India as well as the nature of available technology, it was not unreasonable in 1947 (when India became independent) to concentrate of elementary education, basic health, and [similar objectives]" (Sen, 2004a, p. 79). However, as the socio-economic and political context changes, so do people's interests and aspirations, and public policy should reflect such developments accordingly. Capability approach remains relatively open to a pluralistic application of divergent values, suggesting that individual agents should be enabled to pursue the kind of "lives they have good reason to value" (Sen, 1999, p. 18). This view is reiterated in the Human Development Reports stating that the value of freedom also consists of "being able to live as we would like and even the opportunity to choose our own fate" (UNDP, 2000, p. 19) – this choice will likely be guided by goals, values or aspirations that may differ not only among communities, but also individuals themselves.

These insights usefully clarify the idea that there may be multiple perceptions of agency, dignity and freedom and a pluralistic conception of human rights must be sensitive to such divergences. Cross-country and cross-regime inquiries should be open to embracing a 'minimum universalist' view characterised by the conviction that universal rights exist, but their exact content and trade-offs among them can legitimately be decided within the respective societies (Dunne and Wheeler, 1999) enabling an 'overlapping consensus' over human rights consistent with a wide range of theories or philosophies without establishing a comprehensive social, political, economic or moral doctrine (Renteln, 1988; Kunnemann, 1995; Eide, 2000; Minkler, 2013a). If a focus on freedom, agency and dignity is to be retained, the attention to diverse perceptions of these notions ought to be retained. Guided by these considerations, the project substantiates the concept of rights only with the principles of (a minimal) universality, inalienability and accountability as underlying all human rights, allowing various societies themselves to provide certain rights with substance. Rights prescribe merely "minimum standards for acceptable governance" (Kunnemann, 1995, p. 339; Beetham, 1999, p. 90; Hertel and Minkler, 2007) rather than a general system of ethics, with a view towards achieving their overarching aims of dignity, agency and freedom.
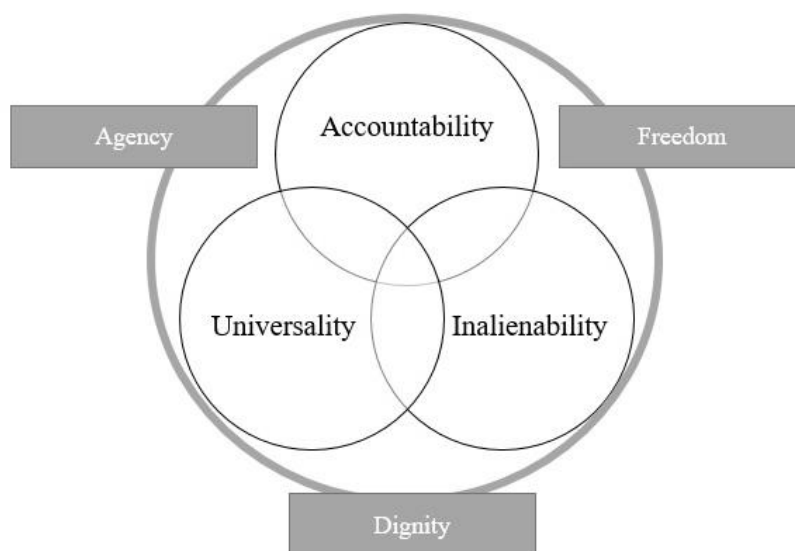
Figure 3-1 *Conceptual representation of the human rights principles underlying all rights*

3.2 Economic and Social Rights

ESR relate particularly to people's socio-economic concerns – their education, health, work, social security, as well as the fundamental entitlements of access to food, water, sanitation and housing. They address individual well-being in a fundamental way, for in order to claim that rights aim to achieve dignity, agency and freedom, individuals must first *be alive* without facing the constant threat of poverty, hunger or ill health (Beetham, 1999, p. 97). As Gewirth (1982) remarks, possibilities to exercise agency and make decisions about one's life, is of little value if one is constantly concerned with merely ensuring survival. But beyond an ability to meet one's subsistence needs, other ESR (such as education, work and health care) further enable individuals to enjoy their *freedom* by leading lives in a *dignified* way, make informed choices and decisions, participate in the community and be active *agents* of their own lives.

This provides a good starting point to illuminate the intrinsic as well as the instrumental value of ESR. On the one hand, ESR are guarantees to the specific entitlements associated with certain human needs and hence have intrinsic value by themselves. Without basic life's necessities, such as shelter, food, water and sanitation, leading a dignified life becomes impossible. In this sense, they directly address people's effective freedoms by improving different aspects of life that promote individual agency. Education is associated with literacy and acquiring knowledge, which is certainly a good in itself. Health care, housing, access to food, water and sanitation ensure good health, allowing people to seek employment, which, in turn, not only ensures income and access to resources, but also enables participation in the

social and economic life of the community. All these aspects expand people's autonomy in a multitude of ways and are worth pursuing as ends in themselves. Because of such spheres of individual freedoms that different ESR enhance, their essence can appropriately be captured through the language of human 'opportunities', 'potentialities' (Kuçuradi, 2013) or 'capabilities' (Sen, 2004b, 2005; Nussbaum, 2011), which have an intrinsic value.[59]

On the other hand, each ESR is also instrumental for enforcing others demonstrating their profound interconnectedness. Attaining an adequate standard of living requires, at a minimum, that certain living conditions be attained to ensure survival, avoid preventable diseases, hunger and poverty. Adequate nutrition is essential for survival and shortcomings, especially at a young age, can create a life-long handicap potentially resulting in health defects, affect one's abilities to attain education and negatively influence one's social and communal interaction (Eide, 2000, p. 159). Housing, access to food and clean water helps to avoid illness and improve individuals' health, which, in turn, contributes not only to ensuring the adequacy of living standards, but also allows one to obtain education, become literate and knowledgeable, and reflect on one's political, cultural or economic membership in the society. Closely related is the role of education in enhancing the quality of life, as it enables individuals to seek employment, obtain a profession, a salary and make informed choices with regard to resource utilisation so as to translate income into improved housing, nourishment and other valuable outcomes. Social provisions and insurance additionally provide protection and security in situations where an individual is unable to provide for oneself or one's family. Shortcomings in either of these interconnected areas can, conversely, negatively influence the possibility of excelling in others – illness affects the prospects of one's education; both of which influence the possibilities of obtaining work and acquiring resources necessary to meet one's socio-economic needs and improve their quality of life.

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[59] Some authors advance the view that because of the foundational disagreements surrounding the notion of human rights, they should instead be formulated as rights to certain capabilities, circumventing much of the foundational problematic (Nussbaum (1997); Brighouse (2004, p. 80)). ESR are especially prone to such an interpretation because they can (compared to CPR) more straightforwardly be associated with the promotion of valuable individual outcomes. This approach is nevertheless problematic, however, because it is impossible to define which exact capabilities each right will enhance – the possibilities are endless and will differ for various individuals, their dispositions and the contexts of their lives. Sen (2004) has touched upon this problematic in remarking that rights also have a constructive value as their provision may enable a wide variety, perhaps even unintended individual freedoms. For instance, one may acquire the capability of being literate through schooling, access to technology or social interaction and it is impossible to predict the exact mechanism responsible for the outcome. Perceiving education as a human right, however, implies its recognition as an entitlement, which can play a role in enabling literacy, but can equally have other effects on improving one's life, such as forming opinions, developing one's personality, interacting with peers or even becoming aware of other rights one possesses underlining the value of the 'rights' concept even in the face of foundational uncertainties.

There are hence two overarching objectives of ESR. At a minimum, they individually as well as collectively strive to ensure that an adequate standard of living is enjoyed by everyone. But more broadly, socio-economic rights enable the expansion of people's freedoms in terms of the potentialities or capabilities they advance, such as the ability to be literate, well nourished, to be healthy, to work, to obtain income and take care of oneself, further contributing to increasing one's living standards in a variety of ways. Although in international human rights documents, an adequate standard of living is articulated as a specific right alongside others, it is better understood as the *overarching* goal that all other ESR aim to fulfil.[60] Regardless of their socio-economic character, as any other human rights they are ethical and moral claims that all people possess by virtue of their humanity, striving to enhance individual freedom, agency and life in dignity. Viewed holistically, ESR are the rights to the means (goods, resources, services or even contexts) for the expansion of capabilities that are conductive to achieving an adequate standard of living and further improving one's well-being (Hertel and Minkler, 2007, p. 2; Eide, 1995, p. 20; Minkler, 2013a; Fukuda-Parr *et al.*, 2015). Together, these rights form an interconnected set of entitlements aimed at enhancing people's abilities to achieve an adequate standard of living.
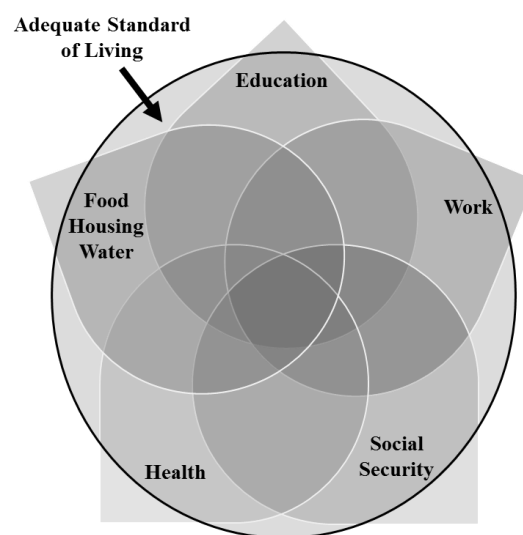
Figure 3-2 *Schematic conceptualisation of Economic and Social Rights indicating adequate standard of living as their overarching goal*

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[60] This is conceptually in line with the understanding of economic rights by Hertel and Minkler (2007, pp. 3–6) and the conceptualisation of ESR by Eide (1995, 2000) and Minkler (2013a), reiterated also by the UN General Assembly (2012). According to this conceptualisation, a *thick* definition of an adequate standard of living is employed, one that deals with a continuous improvement of people's well-being depending on changing circumstances. In contrast, *thin* approaches of the concept relate adequate standards of living with people's basic needs. For the specific articulation of the right to an adequate standard of living, see Article 25 of the United Nations (1948) and Article 11 in the ICESCR (1966).

There are several important misconceptions surrounding the concept of ESR, which have caused significant confusion as to their practical implementation and need to be clarified. The first fallacy concerns their character as *positive* rights that are costly for states to implement – an argument often used to argue against the feasibility of ESR in countries with lower levels of economic development. Because the means to advance people's living standards are formally laid out through social policies in relation to education, health care, housing, work and social security, ESR have been coined "the business of the state" (Baum and Lake, 2003, p. 336) and presented as positive rights that require state action and plenty of financial investments, as opposed to the *negative* CPR, which mostly entail that states refrain from violating them. This view has been somewhat substantiated by international human rights treaties, which place the duty for ESR mainly on the state, but the claim has been widely questioned on the grounds of the false dichotomy it has created.[61] The fallacy concerns the ensuing interpretation that all aspects responsible for well-being are to be provided by the state, which the notion of state responsibility does not necessarily imply. Rather, governments are responsible to manage provision in a way that adequate levels of ESR enjoyment are guaranteed. As specified by the OHCHR:

> "There is a common misconception that economic, social and cultural rights require the Government to provide free health care, water, education, food and other goods and services. States have a responsibility to ensure that facilities, goods and services required for the enjoyment of economic, social and cultural rights are available at affordable prices. This means that the direct and indirect costs of housing, food, water, sanitation, health or education should not prevent a person from accessing these services and should not compromise his or her ability to enjoy other rights." (OHCHR, 2008)

The responsibility of states, therefore, lies in *regulating provision* through public or private entities, laws and policy in a way that ensures adequate access for the population. When existing formal or informal institutions stand in way of rights enjoyment, governments should strive to change these contexts towards circumstances that enable people's access to ESR. State duties thus reach well beyond mere provision and they are specified by international treaties under the framework of the obligations to respect, protect and fulfil – states ought to (1) *respect* ESR in cases where rights are already enjoyed by people; they should (2) *protect* ESR against

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[61] For a more elaborate discussion, see Shue (1980), Donnelly (2003, pp. 30–33) and Landman (2006, pp. 10–13). These authors argue that in practice, all human rights involve (1) a "costly" monetary dimension (for example, investments in the judiciary or the police, in the case of CPR); (2) a policy dimension that relates to specific intentions to improve these rights; and (3) a negative dimension, which requires that states refrain from violating rights (often involving protection against rights violations by corporate actors, in the case of ESR).

interference by third parties, non-State actors or practices that curtail them; and (3) *fulfil* them in situations of inadequate enjoyment. These obligations may involve "positive" action of providing certain rights or regulating other actors that do, but they may also require "negative" action of refraining from violating situations, when individuals already enjoy access to certain rights.

These multiple dimensions of state obligations underline that alongside freedom and dignity, rights also strive to enhance individual agency, and enable people to meet their socio-economic concerns by their own means and efforts (Eide, 1995, p. 29; Beetham, 1999, p. 101). Generally it is this state of affairs that ESR attempt to promote, which starkly contrasts the perception of individuals as passive beneficiaries of state policies. People are expected to improve their individual well-being "whether through access to land for subsistence farming, through a fair price for the goods they produce or through a sufficient wage for the labour they supply" (Beetham, 1999, p. 101). While the state should strive to eliminate obstacles standing the way of such exercise of human agency, direct state provision is mainly necessary when people are unable to provide for themselves.[62] They may need to be ensured access to certain financial or non-financial resources (such as knowledge and health) for the exercise of their agency, but it is misguided to assume that, given the choice, most people would chose to rely on the state for their well-being instead of striving to attain it through their own efforts (Eide, 1995, 2000, p. 127). The broader concept of well-being thus echoes Aristotle's idea of εὐδαιμονία or "human flourishing", with "well-*being*" understood as an active process of an individual exercising one's agency towards "*being* well", in contrast to the more provisionary and paternalistic approaches that relate the term to static outcomes achieved.

The second fallacy surrounds the assertion that it is expensive for governments to meet their obligations towards ESR, calling for poorer states to be precluded from full realisation of these rights due to their practical inability to deliver high standards of living to their populace. Although these rights are formulated with a view towards improved standard of living, it is fallacy that attaining *high* living standards is the only way to realise ESR. It may be desirable that all people across the world enjoy high levels of well-being, but this is not entirely a human rights issue. The dimension of state duty to *fulfil* human rights consists of two elements – a

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[62] The OHCHR note that there are two types of exceptions for this general rule. First, under international law, some "public goods" associated with ESR (such as primary education) are to be provided free of charge, while progressively striving to ensure expanding free provision towards higher levels of education. Second, equal rights may sometimes require subsidising some goods or services either for the general public or certain deprived groups. In cases of grave deprivation, such as natural disasters or public emergencies, states may even be required to provide some basic resources, such as food or water, for free (OHCHR 2008).

minimal and a progressive one.[63] First, ESR are focused on ensuring that people have at least "the resources necessary for a minimally decent life" (Hertel and Minkler, 2007, p. 3; Beetham, 1999; Minkler, 2013a), which is a concern particularly pertinent for states at lower levels of economic development. Scholars have noted that rights can therefore even accommodate considerable inequalities within the population beyond the absolutely necessary requirements for an adequate standard of living (Donnelly, 2003; Minkler, 2013a, p. 5), but as countries become richer, ESR may require them to address such issues, striving to improve the accessibility, availability, affordability and quality of goods and services for their populations. Thus, at the very least, ESR necessitate that no one is left critically deprived with regard to their living standards.

The second dimension of state's obligation to fulfil ESR lays out the requirements beyond the guarantees for a minimally decent life, addressing the issue of well-being and the precarious relationship between ESR and economic development. Clearly, states will differ with regard to their economic capacity to advance people's living standards, which will set limitations on possible policies. Building schools, hospitals, implementing systems of social security or other measures that improve people's socio-economic conditions require financial investment and the practical opportunities for any state to foster an environment conductive to ESR will in part depend on the economic resources available to them. Consequently, poorer states cannot be expected to achieve similar levels of well-being, education and health care outcomes as richer states with an abundance of resources. This assertion is certainly true, and has caused difficulties not only in creating a universal monitoring tool, but also clarifying these rights conceptually. However, the causal link between resources and ESR outcomes is far from unequivocal, and there is an abundance of evidence that economic development will not necessarily result in improved access to ESR. Particular *effort* and intention of addressing ESR concerns lay in the centre of ESR fulfilment (OHCHR, 2008, 2012) allowing significant improvements to be achieved even when financial resources are lacking .

Given these nuances, state obligation under international law has been formulated as that of *progressive implementation* of ESR, using *maximum resources available* to achieve this goal (ICESCR, 1966). Demonstrating effort through progressively improving the ESR situation in the respective countries thus allows states with fewer resources to also meet their rights

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[63] In the case of ESR, OHCHR (2006) notes that the duty to *fulfil* rights can be viewed as a) ensuring the *immediate* minimum level of each right for everyone; and b) taking steps towards the *progressive* expansion of people's enjoyment of ESR.

obligations, without their citizens necessarily enjoying high standards of living. Due to this provision, richer states can likewise be failing to meet their obligations when they do not succeed in mitigating the shortcomings despite having financial capacity to do so. Thus, although ESR are conceptualised towards adequate standards of living, states have the responsibility to progressively increase people's ability to achieve well-*being*, extending beyond providing the immediate minimum.

What action specifically is needed to ensure and progressively improve human well-being, will differ depending on the existing historical, cultural, social and environmental circumstances in any respective country (Kuçuradi, 2013). On the one hand, even the practical aspects involved in securing ESR will be different: while in some states attention to ESR may require investments in infrastructure or human resources, other countries may need to focus on regulating third party actors that violate people's ESR, tackling corruption or improving the rule of law. On the other hand, national interpretations will also be influenced by people's perceptions about what "*being well*" entails. Notably, Amartya Sen (1999) has advanced the argument that the conditions necessary for ensuring a decent life will be socially and culturally relative and societies ought to respect these differences in striving to ensure ESR. Relevant policy should respond to what is seen as acceptable, desirable and necessary in any given society. While some "basic capabilities" may be universal (those, which mainly intersect with well-being outcomes, such as having an education, being well nourished, escaping poverty and enjoying adequate standards of living), the choices about related trade-offs involved in advancing other objectives will depend on the particular economic, social and cultural contexts (Sen, 2004a, 2004b, 2005, p. 159). With a few exceptions, the Covenant of Economic, Social and Cultural Rights does not specifically determine ways in which these rights ought to be improved. There exists no *correct* set of policies that advance ESR and disputes over the trade-offs involved are largely left up to each society to decide (Jenks, 1946, p. 44; de Neufville, 1981). They are thus more arbitrary, dynamic and context-dependent than CPR because they do not rely on exact procedural requirements, but are open to national interpretations about ways in which their objectives should be furthered. As long as these rights are improved progressively, paying attention to the underlying rights principles of rights, varying trade-offs can be seen as acceptable.

Although such a wide conceptualisation of ESR is underspecified, it addresses three crucial aspects that enable cross-country analysis of not just democratic, but also authoritarian states. First, it avoids tautology in measurement, whereby democratic states are provided advantage

due to conceptual interrelatedness of all rights. ESR centred around the right to an adequate standard of living, delivered under the principles of universality, inalienability and accountability (narrowly defined) may advantage, but not necessarily imply the presence of a democratic regime. A wide definition of ESR is compatible with moral pluralism, or "a pluralism of incompatible yet reasonable" religious, moral and ideological doctrines (Rawls, 1971, p. xvi) supporting the view that various moral points of departure may lead to reasonable normative political judgements even when this moral justification is not universally shared (Drydyk, 2011; Ignatieff and Gutmann, 2001). If the goal is to expand people's agency and opportunities to be well, diverse interpretations of the notion ought to be accounted for, and defining ESR through merely procedural requirements is unlikely to garner universal consensus.[64]

Second, a wide conceptualisation allows to examine ESR beyond merely their legal articulation. More often than not, individuals are faced with predicaments when *de facto* rights are granted by constitutions or laws drafted by the government, but are not enjoyed in practice. At the same time, the reverse can also be true – people may enjoy adequate or even high living standards in practice without rights being legally formulated. Non-state actors, such as corporations, NGOs, communities or families, to name a few, can also be involved in the realisation (or impairment) of an individual's well-being – an exclusively legal focus is inadequate in trying to understand their actions and motivations. The conceptualisation employed here reiterates that the value of ESR lies primarily in the freedoms they provide – these individual opportunities are intrinsically connected with their potential to attain well-being and cannot be fully explored when only legal aspects of rights are examined.

Finally, such conceptualisation is open to the idea that a number of policy responses can appropriately address ESR concerns and recognises trade-offs involved in prioritising some of these issues over others. It importantly acknowledges that while the legal articulation of rights may be an important instrument to improve people's living standards, their realisation in practice may be influenced by other – cultural, historical and social – aspects and informal constraints prevalent in a society which are difficult to identify by an understanding of rights within a legal framework.

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[64] Rothstein (2011) follows a similar logic in the search for a universally acceptable definition of the Quality of Government. He criticises specific procedural definitions on the basis of stripping democratic politics of the implied political scrutiny and the accompanying debate, noting that if exact contents of the concept are specified, democratic states would be justified relying merely on the processes associated with input legitimacy, while disregarding the public opinions or views of the international community.

These features are of particular importance when taking the adequate standard of living as a starting point for further reflections on the situation of rights fulfilment in any particular context rather than studying situations of rights violations. Achieved standards of living do not necessarily reflect the extent of socio-economic rights realisation, but they echo the underlying concern of all ESR – "to integrate everyone into a humane society" (Eide, 2000, p. 129). If this is achieved following the principles of universality, inalienability and accountability, living standards can be notable indicators of a positive ESR performance. The project is interested in the exceptions rather than the rule; the oddities rather than the normalities. When examining diverse practices in a variety of political, cultural and social contexts, a conceptualisation of ESR should encompass the possibility for societies to decide upon the necessary trade-offs, without implying a need for specific procedural requirements.

3.3 Political Regimes

The above discussion has specified the concepts of human rights and economic and social rights in particular, highlighting the challenges involved in devising an understanding of these concepts in ways which do not intersect with democratic governance. Yet, different conceptions of democratic regimes likewise pre-suppose varying levels of human rights fulfilment and hence can significantly overlap with human rights (Arat, 1988; Landman, 2009, 2013, pp. 25–42) influencing also the way autocracies are defined. This section analyses the relationship between human rights and political regimes in more detail, in order to conceptually explore the intersections between both notions and develop an understanding that allows for a valid inquiry into ESR in non-democratic regimes.

Political regime is understood as "a set of rules – formal and informal – that identifies the rulers (who decides what) and regulates the access to power (answer to the questions who selects the rulers and who can be selected; questions of inclusiveness and competitiveness) and the limitations to the rule (executive constraints and civil liberties)" (Kailitz, 2010, p. 2). For democracies, governments and legislatures embody such rules – the procedures that bring rulers to power are fairly clearly spelled out and citizens are responsible for following these procedures in selecting "who rules". As the formal rules that define democracies are encompassed by the notion of CPR, human rights are commonly understood as linked to democratic regimes (Fagan; Beetham, 1999; Donnelly, 2003) establishing an intrinsic relationship between both concepts. Other conceptions of democracy establish even more significant overlaps, increasingly subsuming the concept of human rights within that of democracy.

Todd Landman has examined this complexity and usefully proposed that definitions of democratic regimes can generally be grouped into three categories – procedural, liberal or socio-economic (Figure 3-3). All these accounts share the 'core' institutional requirements of contestation and participation, essentially implied by free and fair elections and the upholding of civil and political rights that are involved in *procedural* definitions of democracy (Landman, 2013, pp. 26–31).[65] While a number of scholars have underlined contestation and participation as the essential definitional elements of a democratic regime (Dahl, 1971, p. 84; Lipset, 1959, p. 71; Sartori, 1965, p. 66), among the most commonly accepted minimal definitions is that of Schumpeter, who defined democracy as an "institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote" (Schumpeter, 1952, p. 269).

Other accounts supplement this "core" by adding various 'adjectives' to the definition of democracy. *Liberal democratic* accounts enlarge the procedural dimension by complementing it with certain expectations towards more qualitative rights outcomes, such as minority and property rights; as well as certain aspects of the rule of law (typically including the absence of corruption, respect for individual freedoms, property rights and quality of governance) that include the extent to which civil liberties and political rights are upheld (Diamond, 1999; Boix and Svolik, 2013). They thus recognise that mere procedural requirements may be inadequate to encompass the envisioned *levels* of democracy, and supplement the core institutional criteria with certain outcomes of these procedures that regard what democracies *ought to* be. Finally, *social democratic* accounts extend the definition even further, accompanying the aforementioned aspects with the inclusion of outcome performance in socio-economic and cultural aspects, arriving at a definition that nearly subsumes the concepts of rights and democracy within one another.

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[65] Diamond (1999) and Diamond and Gunther (2001) have similarly distinguished between "thin" and "fat" definitions of democracy with the former encompassing an account of electoral (procedural) democracy and the latter incorporating aspects of extensive provisions of civil pluralism, rule of law or the absence of influence on power from other actors, such as the military.
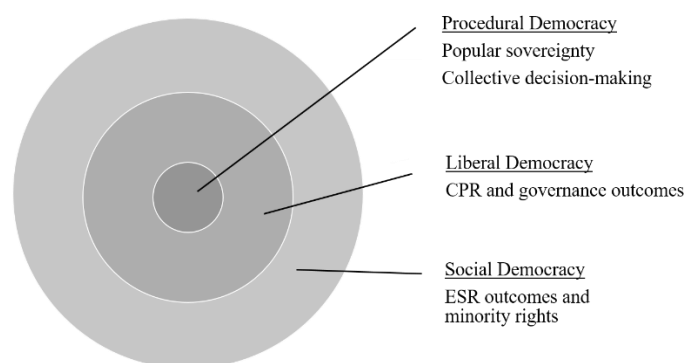
Figure 3-3 *Conceptions of democratic regimes and their overlaps with the concept of human rights.*
Source: Adapted from Landman, 2013

Evidently, the choice of how democratic regimes are defined has far-ranging implications for rights research. While there is an inclination to think that democratic states ought to care for their citizens' well-being, it is not an inherent, but rather a *desirable* feature of democratic rule, unless, of course, defined in an overlapping way.[66] The point is illustrated not only by the number of democracies that are deficient in their commitments towards ESR, but also by numerous non-democracies, which have shown concern for people's socio-economic conditions – including the early pioneers of welfare policy (Schmidt, 2003; Esping-Andersen, 1990; Haggard and Kaufman, 2008; Mares and Carnes, 2009). Griffin (2008, pp. 249–250) likewise points to the possibility, at least theoretically, for a country not to violate rights without being democratic. The choice is between including or excluding certain desirable rights outcomes within the definition of a political regime (regulating the rules for access to power) and democracy or, as conveyed by Beetham (1999) – defining democracy by principle or by its institutional form. While he opts for the former, the approach implies that varying levels of the quality of democracy should be allowed, for hardly any country is then "democratic" in all the ways we desire them to be. Outcome-related aspects are often a matter of degree rather than features that may or may not be directly observed – countries may constitutionally commit to the principles of non-discrimination, but fail to implement in practice through a number of policies or practices. Democracies can also accommodate levels of corruption, shortcomings in the rule of law and other deficiencies standing in way of achieving objectives deemed valuable for democratic governance. These shortcomings ought not to necessarily make all

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[66] In fact, Bueno de Mesquita *et al.* (2005) find that while political participation and accountability in democracies are crucial factors for reducing human rights abuses, integrity rights are only respected in countries characterised as full democracies (measured by the Polity IV scale), and any regime short of a full democracy will fail to adequately address these rights.

deficient countries non-democracies, they may merely reflect their varying levels of quality of democracy, yet matters of degree are difficult to be incorporated within a definitional core. Furthermore, if one is to advance arguments about the positive influence of certain rights realisation on the quality of democracy, this relationship should stand up to empirical investigation[67] rather than be taken at face-value by conceptually binding the aspects.

The latter approach, on the other hand, is in line with embracing a minimal definition of democracy based on procedural elements and the Shumpeterian implications of "merely" the requirements of contestation and participation. As illustrated in Figure 3-3, a procedural approach avoids possible tautologies by having the least overlap with the concept of human rights (Landman, 2013, pp. 25–43), and is therefore most conductive for enabling a valid inquiry into ESR enjoyment in non-democratic settings. If ESR are indeed "susceptible of realisation within the context of a wide variety of economic and political systems" as noted by the UN CESCR (GC No. 3, 1990), they must, at least by definition, be separated from certain political systems. Unlike the former approach, it suggests a dichotomous distinction between countries that are democratic and those that are not, facing a number of shortcomings. For example, Merkel (2010) has observed that it allows to classify fairly repressive regimes, which nevertheless fulfil the requirements of contestation and participation, together with fairly developed democracies, undermining its quality as a research category. While this may be the case, the project is interested in exploring states within the 'non-democratic' category, and is only interested in the definition of democracy insofar as they allow to clarify the authoritarian states. By adopting a view of democracies as regimes in which "those who govern are selected through contested elections" (Przeworski *et al.*, 2000, p. 15), the definition is focused on institutional requirements only, leaving out the value-aspect that these institutions would ideally strive to achieve. In doing so it distinguishes between the rules which determine who has access to power (that pertain to a political regime) from outcome related aspects that determine whether and to what extent people's rights are respected, leaving the latter aspect to empirical investigation.

Authoritarianism, in turn, is typically understood as a residual category to democracy (i.e. non-democracy) because they are regimes which by definition violate political rights and severely restrict civil liberties with the purpose of maintaining power or stability (Brooker, 2013;

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[67] While significant empirical consensus exists with regard to the positive effects of CPR on the quality of democracy, empirical inquiries into the relationship between ESR and democracy have produced inconclusive results, as discussed in Chapter 2.

Geddes *et al.*, 2014; Cheibub *et al.*, 2010; North, 2006; Svolik, 2012; Przeworski *et al.*, 2000, p. 83). In short, they are regimes, which do not meet the requirements for the definition of democracies. If democratic regimes are understood as those in which government offices are filled as a consequence of contested elections, authoritarian states, correspondingly "encompass all forms of regimes in which voters do not choose their leaders through contested elections" (Cheibub *et al.*, 2010, p. 83).

As for the concrete operational criteria required to determine whether contested elections have occurred, Cheibub *et al*. distinguish the following:

> "1. The Chief executive must be chosen by popular elections or by a body that was itself popularly elected; 2. The legislature must be popularly elected; 3. There must be more than one party competing in the elections; An alternation in power under electoral rules identical to the ones that brought the incumbent to office must have taken place." (Cheibub *et al.*, 2010, p. 69)

Accordingly, states, which fail to meet at least one of these requirements are classified as autocracies. Notably, such a definition has several implications for the category on non-democratic states that must be mentioned. As noted before, this stance assumes a strict dichotomy between democratic and non-democratic states, and, by implication, it can encompass an extremely diverse compilation of autocratic politics. Svolik (2012, p. 20) has noted that "each dictatorship may be undemocratic in its own way" and, while a dichotomous approach can tell us *whether* or not states are non-democratic, it falls short of informing us about ways *how* autocratic they are or *how* some autocracies differ from others. Consequently, Merkel's (2010) observation with regard to the democratic category is likewise applicable to the authoritarian one – it will encompass a wide variety of different autocracies, some of them repressive, others more free; some of them more respectful towards democratic institutions, and others that outright reject them. This stance does not provide information about the political institutions that govern the choice of leaders in these states and may include autocracies with a similarly diverse set of "rules of the game" that govern the choice of rulers – they may involve the a single party, the military or even hold relatively free and fair elections (Collier and Adcock, 1999). Yet, they will all be deficient with regard to the operational criteria pertaining to a minimal definition of democracy.

A number of valuable contributions aim to 'unpack' the authoritarian regime type with proposals to further classify non-democratic states with regard to 'who rules' (Geddes *et al.*, 2014; Wahman *et al.*, 2013), how incumbents are removed from office (Cheibub *et al.*, 2010)

or ways in which states seek to legitimise their rule (Kailitz, 2013).[68] These works provide a good starting point for drawing insights about the effects of certain political institutions or legitimation strategies on various outcomes (including human rights) or understanding how they differ in structuring incentives for devoting regime's attention to social policy and people's well-being. Yet, at this stage of the project, such a step is redundant. Following Collier and Adcock (1999), conceptual choices here are guided by the object of research interest, and the empirical puzzle that lies at the core of this project concerns the lack of theoretical explanations for ESR realisation in non-democratic contexts in general. As discussed previously, it is certainly true that formal institutions and various compositions of the 'ruling elites' and the 'selectorate' will have different effects on social policy. Yet, various types of autocracies have been able to demonstrate marked improvements in the socio-economic domain, suggesting that factors other than the formal institutional structure are likewise responsible for this performance. A broad definition of autocracy as 'non-democracy' has the empirical advantage that allows to potentially discover additional, more qualitative indicators that may explain 'good' ESR performance in autocracies (Boix *et al.*, 2013) and a dichotomous regime-distinction is a valuable starting point for such exploratory research.

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[68] For an overview of regime classifications see Roller (2013); Boix *et al.* (2013).

PART II

- Methodological Approach, Measurement & Case Study Selection -

4   The Approach

In the centre of this research is the empirical puzzle of ESR realisation authoritarian states that surpasses the performance of democratic states at similar levels of economic development. With rights often conceptually associated with democratic regimes and with welfare-state studies focused disproportionately on democratic states, the existing theoretical explanations in contemporary research, either from the welfare state or human rights point of view fail to provide adequate explanations for these outcomes. 'Good-performing' autocracies or states, which provide better well-being outcomes than their democratic counterparts facing similar resource constraints, thus comprise outlier cases, which the existing theoretical expectations fail to explain. The project adopts a deviant case-study design in investigating these 'outliers' seeking to enrich the knowledge about possible reasons for this deviation and explore possible factors that may have been neglected by the dominant theoretical paradigm (Bennett, 2004, p. 22). The following sections specify the theoretical and methodological approaches employed.

4.1   Theoretical Approach: Historical Institutionalism

Being interested in an empirical oddity, the project adopts the approach of historical institutionalism for the analysis of case studies. As illustrated in Chapter 2, the approach has been widely employed to study cross-national differences in welfare provision (Thelen and Steinmo, 1992) and, although this analysis has mostly concerned democratic contexts, given the underdeveloped state of art of authoritarian welfare theory as well as ESR provision in autocracies, it can offer valuable tools applicable also for examining social policy outcomes and ESR outside of democratic rule for reasons examined below.

It is necessary to clarify some theoretical assumptions upon which this research rests. Historical institutionalism is concerned mainly with how outcomes are influenced by various regularised practices (or institutions). Yet, when institutions are perceived in broad terms, the approach also leaves space to explore the role of agency, power and ideas within these processes for they will often guide historical paths taken rather than these paths being structurally determined by some particular pre-existing conditions. It sees the link between structure and agency as interactive and influenced by rule-prescribing institutions as well as actors themselves who interpret these rules. Thus, the project views individuals and political players as not merely

seeking to maximise their 'rational' self-interest, but insists that they also as pay attention to rules and value social norms informally embedded in the society, which shape their 'rational' considerations to begin with (Thelen and Steinmo, 1992, p. 8; Hall and Taylor, 1996). This clarification is significant for explaining well-being outcomes because the analytical issue of examining empirical outcomes, consequently, relates to rules shaping not only people's values, aspirations and behaviour, but also expectations on those in positions of authority, therefore structuring policy-making and implementation (Thelen, 1999). They may thus influence outcomes which people choose to pursue (decisions about various dimensions of ESR), and exert pressure on decision-makers to adopt some policies over others. It goes to show that human behaviour (and rationality) is itself socially embedded and cannot be viewed in isolation from the contexts in which it is exercised – an exploration of empirical realities relates greatly to the 'rational' motives of relevant actors, the emergence of institutions and their ability to provide effective outcomes, contributing to their endurance.

Human rights seen as enhancive of individual agency, dignity and freedom have a peculiar relationship to individual choice and, consequently, also 'rationality'. Choice functions as the element converting the range of people's opportunities into outcomes they actually enjoy and that contribute to their well-being. Therefore looking at people's actual abilities may reveal more about the freedoms one enjoys than examining outcomes, which reflect the results of their choices. That freedoms may be a more appropriate focus than the outcomes pursued (or *capabilities* instead of *functonings*) is illustrated by a variety of examples and has indeed served as one of the core arguments advanced by capability theorists and the human development paradigm. For instance, Sen (1999, p. 75) has addressed the possible misinformation of outcome measures by juxtaposing two persons with inadequate nutrition – one who lives in poverty and another who has chosen to fast in the aim of protest. Both individuals may overlap in the sense of attained outcomes, but they differ greatly on the level of freedoms each enjoys. While insufficiencies experienced by the first individual can be caused by environmental, policy or governance issues and prohibit them from attaining a dignified life, the undernourishment of the second individual may actually be an expression of agency, freedom and dignity – aspects that ESR aim to advance – because of the *choice* involved in attaining the outcome. What is important is whether this possibility is at all available or not.[69]

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[69] More recently, the issue of vaccinations has received notable attention with individuals refusing vaccines that are known to treat preventable illnesses and this matter too can capture the shortcomings of outcome measures. Whether people get vaccinated or not is in some states a matter of individual choice. People may choose to bypass vaccinations for reasons of ideology, religion or based on their individual perceptions about trade-offs

Second, and relatedly, contrary to the rational-choice approaches, the preferences of political actors and individuals here are seen as endogenous – interests (and choices) are not defined in a vacuum but within and often as a result of an institutional context (Thelen, 1999; Katzenstein, 1998; March and Olsen, 1984). Once again, broadly understood, these institutional configurations define appropriate behaviour, which likewise influences one's preferences and choices, and these may vary in different settings (March and Olsen, 1984; 1995). As stated by Hall and Taylor (1996, p. 939):

> "institutions provide moral or cognitive templates for interpretation and action. The individual is seen as an entity deeply imbricated in a world of institutions, composed of symbols, scripts and routines, which provide the filters for interpretation, of both the situation and oneself, out of which a course of action is constructed. Not only do institutions provide strategically-useful information, they also affect the very identities, self-images and preferences of the actors."

Institutional settings influence not only individual identities, but also the formation of group interests, as well as the broader political strategies and policies pursued by political actors (Skocpol, 1985) thereby affecting both – bottom-up pressures placed on political authority as well as top-down strategies of political actors on how best to pursue their goals (and what these goals really are). Alongside policy legacies, actor preferences and political institutional settings, these institutional structures also consist of norms and discourses which possess an equally powerful explanatory potential for public policy, individual behaviour and outcomes (Schmidt, 2012). In emphasising the value of norms and the possibility of discourse-based values, the project blurs the methodological lines between historical and sociological institutionalisms and accommodates the mutual interaction between formalised rules and informalised norms, which together are seen to shape outcomes.

Third, institutions do not necessarily remain constant in any particular context. Actors shape, reshape, interpret and change the institutional settings in which they operate (Goodin, 1998). Therefore, rather than directly explaining outcomes themselves, institutions provide the arenas

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involved in pursuing the vaccine. Likewise, for a number of reasons, people may wish to donate their income to charity, engage in work that puts their lives at risk or prefer ways of life which reduce their immediate well-being, because of the value they individually attach to these other, subjective rationales. Consequently, while their socio-economic outcomes decrease, these choices can serve to increase their individual agency and the value of individual action they attach to their lives, furthering their well-*being*. Other examples from public policy concern euthanasia or medically assisted suicides, which can serve to underline the issue that at times, the seeming regress in outcome-related indicators can misidentify the freedoms that people enjoy. While these issues are by no means undisputed and are the basis of heated public debate, it may be argued that just as people have the right to increase their well-being, they should also be allowed to refuse it if they so choose. At the heart of these controversial examples lies the recognition that people may (and do, sometimes) choose to pursue ways of life that do not directly benefit their well-being as measured by outcome indicators.

of conflict for political and individual life (Rothstein *et al.*, 2012; Pepinsky, 2014) and should be perceived in "relational terms" (Thelen, 1999; Steinmo, 2001; Immergut, 1992). Political and individual life, which conditions ESR attainment is not borne out of a specific set of institutions, but rather develops at the intersections of state and society, where actors constantly interpret and alter the perceptions of the common good, desirable action, accepted behaviour and institutions themselves (Skocpol, 1985). As the debate in Part I has shown, these aspects are closely related not only with the prospects of ESR attainment in any particular society, but also the regime's potential for attaining longevity and legitimacy, making the issue particularly prevalent in contexts of non-democratic rule.

Finally, all the points above emphasise the historical institutionalist view of institutions as the products and legacies of historical processes that influence decisions and outcomes (Goodin, 1998). This is because, as Steinmo illustrates, (1) politics are conducted within historical contexts, which influence the decisions taken and shape institutional frameworks; (2) actors participating in political processes inherit social, political, cultural and economic contexts and adapt their strategies and behaviour according to these contexts; and (3) they learn from previous experience (Steinmo, 2008, p. 127). It is when policies and ESR outcomes are analysed in a contextual, historical perspective, observing the context-dependency of political life becomes possible.

There are particular methodological foci historical institutionalists employ to uncover the factors that influence decision-making. First, they recognise that past decisions can set serious limitations on the policy options available to the decision-makers in the present. Scholars note that historical legacies of former political conflicts create lingering "path-dependencies" that can be extremely resistant to change because of their increasing returns and associated transaction costs (Evans *et al.*, 1985; Skocpol, 1979, 1985; Acemoglu and Robinson, 2006; Rothstein *et al.*, 2012; Steinmo, 2001; Steinmo *et al.*, 1992; Hall and Taylor, 1996; Thelen, 1999). One reason for this reluctance towards change concerns a sense of stability they provide to people for forming their expectations and defining socially interpreted 'realities' increasing the power of institutions to persist over time. Weingast eloquently summarises the point of why institutions exist and persevere – he argues that:

> "[individuals] often need institutions to help capture gains from cooperation. In the absence of institutions, individuals often face a social dilemma, that is, a situation where their behaviour makes all worse off. (..) Appropriately configured institutions restructure incentives so that

individuals have an incentive to cooperate (..) The essence of institutions is to enforce mutually beneficial exchange and cooperation." (Weingast, quoted in Moe (2006, p. 37))

Institutional configurations are therefore reinforced by people's acceptance of these "rules of the game", not only because their absence would make people worse-off, but also because they stabilise environments for individual decision-making and social interaction. Another reason rests within the practical realm of policy making itself, namely, past choices structure both power relations as constraints on social policy as well as people's expectations about desired welfare outcomes (Haggard and Kaufman, 2008; Thelen, 2002; Pierson, 2000). For example, Haggard and Kaufman find that: "the wider the coverage and the more effective the services provided, the more difficult it was for liberal reformers to initiate changes in the social-policy status quo" (2008, p.12). Even social spending and patterns of welfare provision themselves are likely to be embedded in different historical circumstances and political power accorded to certain interest groups, enforcing persistence rather than radical change in welfare institutions (Sefton, 2008). Given these insights, institutions rarely change rapidly – change may be initiated by abrupt events, but most often it takes shape as slow and gradual transformation. Welfare institutions responsible also for ESR provision are therefore remarkably resilient and past policies or even former perceptions of the 'common good' can exert a lingering effect on ways in which ESR are institutionalised by setting practical and normative conditions for policy options available to decision-makers at any given moment.

Certain paths can also become progressively available to policy makers over time, for instance by an increased amount of economic resources (which reduces risks associated with transaction costs) or by changing constituencies that allow new groups to organise, articulate their shared interests and pressure political elites for social change (Haggard and Kaufman, 2008; Myles and Quadagno, 2002). Such moments of significant change that can produce new, lasting legacies and enable a move to another 'path' are understood as 'critical junctures' (Collier and Collier, 1991). In autocracies, such junctures may be exemplified by moments of accumulated crises in regime legitimacy, challenging the ability of existing institutional configurations to adequately cope with the given challenges of legitimacy deficit (Beetham, 2013), putting the regime at risk and incentivising change. What this change will be and how it will shape the outcomes is, again, context-dependent – providing varying responses to how actors will define their interests, who will have access to political capital and will be able to enact change. At the same time, in analysing institutional evolution, Thelen (2004, p. 293) remarks that an "ongoing adaptation to changes in the political and economic environment in which [institutions] are

embedded" is key to institutional survival, so while they are unlikely to experience abrupt 'makeovers', flexibility and responsiveness to their environment is key to institutional resilience. Durable institutions transform through an evolution, not a revolution, even in the face of unforeseen challenges.

So historical institutionalism pertains that history is important not in the functionalist sense that prescribes similar outcomes for particular historical developments (such as industrialisation and urbanisation), but rather because "it is not the past per se but the unfolding of processes over time that is theoretically central" (Pierson, 2000, p. 264). Such unfolding temporal developments are of particular relevance when examining ESR also because indicators involved in their assessment take time to progress or regress. Improved results in literacy or infant births, for example, are likely the result from past developments rather than abrupt effects of recent policy or political action. Consequently, institutions are important, because "many of the contemporary implications of these temporal processes are embedded in institutions – whether these be formal rules, policy structures, or norms" (Pierson, 1996, p. 126).

It is a state-centred approach (Pierson, 1991) in the sense that it recognises factors such as industrialisation, demographic changes and urbanisation to all be mediated by contextual formal and informal institutional configurations. While bottom-up pressures in non-democracies may influence policy from below, decision-making is nevertheless likely to be "guided by interests of the existing political order" (Rimlinger, 1971, p. 9) and cannot be studied without regard for incentives that motivate regime behaviour (Pepinsky, 2014). Although institutions are awarded a significant role, the approach also regards individual and collective agency as interactive with the institutional context, creating, interpreting, shaping and re-inventing institutional alignments over time. Holistic approach that considers such multi-faceted aspects can uncover why and how autocracies pursue certain policies and outcomes, how they developed through time and came to comprise the current state of affairs. It offers a valuable alternative to the dominant approaches to ESR research focused predominantly on legal measures through empirically reconstructing the process and rationales for institutionalising ESR and illuminating rules embedded in authoritarian welfare provision.

The following section focuses on outlining the methodological choices upon which this project rests, informed by the research questions and the ensuing ontological underpinnings about ESR.

4.2 Methodological Approach

The project seeks to enhance knowledge about ESR in the context of a largely non-exhaustive theoretical basis in its analysis of ESR outside of democratic regimes. As has been demonstrated in Part I, bridging research on rights and welfare states leaves many gaps to be explored, in particular with regard to authoritarian ESR performance. The leading theoretical lines of reasoning suggest a variety of reasons why democratic states would supersede authoritarian states in the fulfilment of these rights at similar levels of economic development, but fails to explain autocracies may outperform their democratic counterparts by portraying good performance. Methodologically, the dissertation therefore employs a deviant case-study design with the aim of exploring and understanding factors behind the positive ESR developments in autocratic contexts and uses existing quantitative measures as a "diagnostic tool" (Wolf, 2010, p. 151) to identify relevant cases. Within these contexts, the project explores (1) how the 'good' ESR performance has been achieved; (2) what prompted developments towards a favourable ESR performance; and (3) how the ways in which people's access to well-being is institutionalised relates to the overarching principles of human rights.

Several caveats are important to be specified. First, given the reciprocal relationship between the state and society discussed in the previous section, institutions are perceived in relatively broad terms. This means that they are not limited to formal political structures that provide the official "rules of the game" in which actors conduct their interests, but also include "informal procedures, routines, norms and conventions embedded in the organisational structure of the polity or political economy" (Hall and Taylor, 1996, p. 938) that likewise influence individual behaviour, collective interests, political strategies and, consequently, levels of socio-economic well-being enjoyed by the population. To reiterate, they exert influence not only by constraining action, but also by enabling it – institutional contexts provide incentives for the formation of certain groups, certain interests and the promotion of particular outcomes (and not others) thereby increasing the predictability of people's expectations and interaction. Policy development and the institutionalisation of ESR is consequently a result of the intertwining nature of structural forces and agency, state and the individual, as well as the rules and beliefs that together account for "the process by which organisations and procedures acquire value and stability" (Goodin, 1998, p. 22; Skocpol, 1985, p. 21).

This is in contrast with rational-choice research approaches, which aim to uncover the laws that govern political behaviour and individual action (Steinmo, 2001).[70] On the outset, these approaches diverge on their understanding of social science in general – while rational-choice scholars search for generalizable and verifiable hypotheses with applicatory potential in a wide range of contexts, historical institutionalism insists that variables are interactive. Exploring how they interact under their particular circumstances – and why – is believed likely to offer a more elaborate understanding of the subject in question. The development of historical institutionalism was, in fact, a response to the "behavioralist turn in political science" (Goodin, 1998, p. 13) and attempted to develop the discipline towards incorporating aspects of agency within the dominant structure-based explanations. By rejecting the presumption that all government action can be explained by rationally-motivated behaviour (Immergut, 1998), it insisted that rational agents are themselves inescapably intertwined in the institutional setting in which they operate, mutually changing, enforcing or legitimising one another. The point is eloquently summarised by Katzenstein:

> "[An institutionalist perspective] moves the analysis forward from autonomous actors with fixed interests who interact in highly competitive environments. Institutions help us understand the identities and interests that actors hold in the first place. From this perspective actors can change interests independently from the competitive situations in which they act. Institutional rules, for example, can alter collective identities or induce political actors to substitute long-term for short-term interests." (Katzenstein, 1998, pp. 28–29)

Therefore, the project reiterates Steinmo's observation that in order "to understand the actual policy choices made in different countries, we must examine the *interaction* between history, political institutions, public policies and citizens' preferences" (2016, p. 107) all of which are likely to possess explanatory potential for ESR realisation. The ensuing ontological implication of these insights is, of course, the assertion that objectivity itself is prone to subjective interpretation and thus, intrinsically linked.

Case studies and the analysis of deviant cases in particular, have been recognised to be an effective methodological tool in addressing questions that lack theoretic clarity as inductive

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[70] Not only 'behavioralist' approaches (which generally rely on utilitarian rationales), but also some 'institutionalists' perceive individual action as observable and quantifiable, in addition to pertaining that institutions are an important part of the explanation. In political science research three 'institutionalist' perspectives are commonly distinguished among one another, as they rely on various ontological reasonings, namely, rational-choice, historical and sociological institutionalisms. The convergences and divergences between these approaches cannot fully be explored here, but for a more detailed analysis see Immergut (1998); Hall and Taylor (1996); Thelen (1999); Steinmo *et al.* (1992); and Steinmo (2016).

reasoning can uncover new variables present in the complex causal mechanisms of the cases examined (George and Bennett, 2005; Wolf, 2010; Seawright and Gerring, 2008; Bennett, 2004). They are especially appropriate in addressing research question that concern the 'how' and 'why' aspects with a view towards exploring and understanding certain outcomes in their respective real-world contexts (Yin, 2014).

Case study inquiry under the framework of historical institutionalism is thus not exclusively an analysis of independent and dependent variables, but, rather, an exploration of how various variables interact "in a way that reflects the complexity of the real political situations" (Thelen and Steinmo, 1992, p. 13; Steinmo, 2008). It is based on the ontological conviction that, while causal developments are important for an outcome to occur, often these will involve extensive causal processes, which possibly extend into past events and decisions (Hall, 2003, p. 384; Immergut, 1998, p. 19). Because social actors are understood as reflective agents, responsive and adaptive to changing contexts around them as they alter these very same contexts in turn, social science is seen as more time- and history-bound and able to be addressed through middle range theories (George and Bennett, 2005). Such research still aims to understand causal mechanisms, albeit sees them context-dependently, questioning the premise that the same factors may produce identical outcomes in different situations if only because other variables will also play a role in determining or altering the respective results. Accordingly, the social world is not perceived as a pre-determined set of rules and laws that converge into outcomes much like in the natural world, but rather "as a branching tree whose tips represent the outcomes of events that unfold over time" (Hall, 2003, p. 385). Theorising about social science issues can be carried out by addressing long time-spans and without making wide-ranging assumptions about whether the same causalities operate similarly outside the particular contexts under investigation.[71] Thelen eloquently expresses the point that:

> "what you might be able to discover (..) may be a rather small and even trivial part of the story. The search for middle range theory is this driven less by a disdain for theory than the conviction that deeper understanding of causal relationships (..) can often be achieved through a more intense and focused examination of a number of carefully selected cases." (Thelen, 2002, p. 95)

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[71] "Such an understanding is itself rooted in the ontological underpinnings discussed before, which attend critically to the possibility that observed correlation necessarily comprises causality. For more discussion, see George and Bennett (2005, pp. 135–140).

By paying attention to the timing of events and decisions, sequencing their development, it is possible to come to a clearer understanding about the complex intertwining processes involved in producing an observed outcome.

It has been suggested that process-tracing (Adcock and Collier, 2001; Mahoney, 2000; George and Bennett, 2005) or "systematic process analysis" as described by Hall (2003, p. 397-398) can be particularly useful methodologies in situations when a universal explanatory theory is lacking, because it advances a multitude of observations that can contribute to refining existing theories or propose new modes of explanation (Hall and Taylor, 1996; Hall, 2006). Such inquiry involves (1) drawing on theoretical knowledge not only about how certain variables interact to produce an outcome, but also about the motivations and actors' incentives to outline research questions for a structured and focused analytical framework; and (2) identifying the potentially relevant theoretical factors regarding the interaction of variables by observing the interplay and mutual reciprocity between processes, ideas and decisions in the empirical cases under investigation (George and Bennett, 2005; Mahoney, 2000; Collier, 2011). Conducting such systematic examination of empirical evidence further involves (a) adequate amounts of description for purposes of demonstrating the extent and trajectories or causal mechanisms; and (b) sequencing relevant variables involved, whether dependent, independent or intervening ones (Collier, 2011, p. 823; Thelen and Steinmo, 1992). As an analytical tool, process-tracing involves paying close attention to *when* things happen (*time*), *why* they happen (*motivations, path-dependencies*) and *how* potentially causal events are sequenced over time to produce a certain outcome (*interaction*). Running the danger of being descriptive, the approach is based on the conviction that temporal and structural contexts in which events unfold matter for enabling some 'paths', some groups and actors, and some 'logics of appropriateness' (North, 1990) (but not others), which influence political outcomes, and one can demonstrate these effects by attentively depicting the respective processes involved. Inquiring about why some decisions were taken over others; what were the alternatives and why they failed to come about; and how decisions taken affected subsequent policy options available to the governments can help in understanding the policy choices and outcomes in particular states, which essentially lies at the core of this research. Process-tracing is hence a means to explore the "microfoundations behind observed phenomena" attempting to "establish the posited intervening variables and implications" for issues explored (George and Bennett, 2005, p. 147).

The cases examined in this study are 'outliers' deviating from the existing theoretical explanations or heuristic case studies, that offer the potential to identify new variables, causal

mechanisms or inferences to complement existing theories (George and Bennett, 2005) and understand convergences or variations in patterns of provision. Respectively, the research questions address issues related to the ESR outcomes in each of these countries. Within-case research is explored in terms of process-tracing and reconstructing the institutionalisation of ESR in each state, identifying critical junctures and analysing variables relevant to inquiring about the outcome of interest. Given that the states under review are non-democracies, yet seem to prioritise ESR in terms of outcomes pursued, it is likewise rewarding to infer about comparative aspects among these cases. Have similar rationales led to the implementation of their social policies? Is people's well-being advanced following similar institutional tools? What causal mechanisms can be observed in these cases? Does the approach towards ESR converge or diverge in the cases under investigation and is there a uniform motivation for pursuing ESR-related claims? What, if any, role do authoritarian politics and regime interests play in advancing ESR? While this approach offers few possibilities for broad generalisations of its findings, as is usually the case with case-study or small-*n* comparative designs, it may well enrich human rights researchers and the international community with potentially relevant but thus far overlooked factors and contexts conductive to advancing these rights.

The research is explorative, inductive and is aimed at providing a historically informed analysis of the factors at play behind social welfare policies outside of democratic procedural channels. Enhancing the knowledge about ESR fulfilment in non-democratic contexts can also provide empirical foundations for improving our understanding about this group of rights and patterns of provision in situations where CPR are deficient. Given ambiguities surrounding the "black box" of authoritarian welfare state and ESR provision, this research may potentially help refine existing theories which are currently unable to adequately address these theoretical 'oddities' and clarify prevalent conceptual misconceptions about ESR. The project does not provide a comprehensive history of the development of socio-economic policies or outcomes; instead, it traces the critical moments in time (indicating observed changes or continuities) in order to explore how the ongoing creation and recreation of the arrangement and scope of the particular institutions developed and came to shape the existing state of "good" ESR performance. These insights thus aim to uncover new areas for potential research, rather than closing them by providing definitive, universally generalisable findings.

The study employs a variety of empirical material. First, it analyses primary sources that provide the contexts as well as the rationales behind socio-economic developments in individual cases. The relevant constitutions, legislation, policy documents, white papers and

budgetary allocations as well as speeches of government officials and memoirs signify the articulated and perceived intentions behind the advancement of relevant socio-economic objectives and policy priorities attributed to ESR. Second, a number of secondary data sources are used to gain insights in the accumulated hypothesis of previous research with regard to the issues at hand. Books, journal articles, documents and newspapers further inform the project about the existing interpretations and alternate explanations about this group of rights. The reports of various international institutions and local, national and international organisations concerned with human rights or development (human or economic) are also analysed to gain evidence in the macro-contexts of the socio-economic development in the respective countries and broader, regional or global contexts.

Part I of the dissertation has addressed the existing theoretical tenants involved in the human rights and welfare state research, outlining convergences, gaps and the existing theoretical paradigm with regard to ESR implementation in different regimes to outline a structured research framework. Part II analysed the conceptual relation (and the overlaps) between the concepts of human rights, ESR and political regimes to arrive at definitions that provide for a valid scientific inquiry. The remainder of Part II addresses the issue of case selection to make up for a focused research, discussing the existing statistics-based approaches and quantitative tools available for making cross-national global comparisons with regard to ESR. Chapter 5 first outlines and discusses the main tools available for making global cross-country comparisons concerning ESR-related performance as well as the trade-offs and compromises associated with basing the choice of case-studies on each of these aggregated measures. Chapter 6 then proceeds with a detailed discussion of the SERF Index used for selecting the deviant cases, before finally embarking on case selection. Part III proceeds with the analysis of three authoritarian states, which challenge the theoretical paradigm and, although these countries are by no means analogous (either with regard to their institutional settings or levels of well-being enjoyed by the population), together, they possess potential to highlight broader patterns of ESR realisation outside of democratic political contexts, potentially overlooked by contemporary strands of research.

5 Measurement of ESR

Disagreements surrounding this group of rights on an ontological, epistemological and methodological levels of inquiry have unsurprisingly also been mirrored in a lack of quantitative measures that could be used to compare ESR on a global scale. The most prominent obstacle has been posed by the recognition that ESR should be *progressively* realised using *maximum* available resources, without specifying how such maximum be benchmarked or how swiftly (or progressively) ESR must be advanced, making it difficult to assess the adequacy of rights realisation and compare this performance among different national and global contexts.

Any government's obligation towards ESR under international law has been formulated under the respect, protect and fulfil framework, which extends onto the state different kinds of duties in relation to any human right. The duty to respect is seen to be mirrored by structural indicators that assess the levels of domestic and international recognition of human rights deemed important for facilitating their realisation. Obligation to protect is reflected mainly by process indicators that relate to policy instruments and human and financial investments in striving to realise rights. Finally, the duty to fulfil is captured by outcome indicators, which seek to analyse the attainment levels of these rights individually and collectively in any given context. At the same time, the human development literature has stepped away from scrutinising state obligations directly and focused instead on the multifaceted nature of these rights, emphasising the importance of institutional and economic factors that promote or constrain people's freedoms related to ESR (UNDP, 2000). These types of indicators and their potential for making effective inferences about political regimes and ESR globally for comparative purposes are analysed in the following sections.

5.1 Structural Indicators

Socio-economic rights, as other human rights, are typically viewed as legal, desirably also justiciable entitlements of all people, which could be pursued in courts linking their analysis with the domain of law. Scholars have inquired about structural indicators (which mainly concern the legal recognition of human rights nationally and internationally) as indicators of governments' intentions to comply with human rights standards and looked at discrepancies between the *de facto* and *de jure* enjoyment of rights (Risse and Ropp, 1999; Hafner-Burton,

2007, 2003, 2009; Hathaway, 2002; Hathaway, 2007; Hafner-Burton and Tsutsui, 2005; Risse, 1999; Risse-Kappen *et al.*, 1999a, 1999b; Simmons, 2009). These approaches are most commonly found in the human rights literature, focusing on the analysis of state performance in relation to their obligations under international law and agreed-upon human rights standards.

Others have been critical about the ability of constitutions, law and international treaty ratification alone to illustrate ESR attainment. Many countries worldwide protect a variety of people's rights in principle and have articulated then in their constitutions, yet fail to have realised them in practice. It is increasingly recognised that "[t]he need to evaluate state conduct in the context of outcomes (or results) constitutes an important extension in the evidential base for evaluating human rights and makes analytical space for the use of socio-economic indicators, as well as legal and policy measures, as an informational base for examining the compliance of states with their international human rights obligations" (Vizzard *et al.*, 2012, p. 8). Outcome-based measured thus constitute a crucial stage towards fully contextualising even states' legal rights performance. When used in combination with structural indicators, research has demonstrated that, often, treaty recognition does not lead to improvements on the ground (Hathaway, 2002; 2007); nor does it always result in an increased respect for human rights. Neumayer (2005) finds that treaty ratification only rarely poses unconditional effects on rights fulfilment and concludes that in the absence of a democratic government and active participation of civil society, treaty ratification can actually lead to increased human rights violations. Authors have concluded, for example, that the ratification of ICESCR does not necessarily consistently improve health and social outcomes (Palmer *et al.*, 2009) and the analysis of (domestic) constitutional protection of various ESR following the ratification of the Covenant has produced inconclusive results – while some argue that the acceptance of human rights treaties has resulted in establishing constitutional protections for these rights (Heymann *et al.*, 2015), others have contend that such articulation is worded in an aspirational language rather than expressed in a genuinely enforceable manner (Cole and Ramirez, 2013). These findings pose questions about the explanatory force of structural indicators and specify other political and economic variables besides treaty ratification or legal articulation as necessary for assessing the actual attainment of ESR.

The inability of legal variables to explain levels of rights enjoyment has led researchers to inquire about reasons behind why states ratify international treaties. Von Stein has particularly looked at authoritarian states, finding that international treaty ratification is "particularly useful to leaders who need the good press that ratifying a human rights treaty can generate" (von

Stein, 2013, p. 3) emulating the conviction that, while rights may inspire legal recognition and developing legislation (as required under international law), in order for people to enjoy rights in practice, they must likewise be addressed through other means (Sen, 2004b; Okin, 1981).

5.2 Process Indicators

Other scholars have analysed ESR fulfilment by looking at process indicators – the financial and human resource investments in institutional arrangements and policy commitments that are thought to depict the accumulation of states' efforts towards ESR realisation. Such focus is typically found in welfare research and provides valuable insights for ESR assessment. Social spending or budgetary allocations as total or per cent of overall GDP[72] can help assess whether governments are committed to demonstrating improvements not only formally (as portrayed by structural indicators) but also by allocating the required priority to ESR so that improvements can be achieved in practice.[73]

With regard to political regime types, several studies have found that democratic states are generally associated with higher levels of social spending, largely affirming the theoretical expectation that redistributional demands in states with a larger selectorate will prompt leaders to generate the provision of more public goods (Przeworski *et al.*, 2000; Bueno de Mesquita, Bruce *et al.*, 2003; Brown and Hunter, 2004); there is, however, no universal consensus. For example, Lindert (1994) finds that the "average democracy" is similar to the "average autocracy" with regard to spending on pensions, welfare, unemployment and health. Likewise, Robert George Adolf (2011) undertakes a sample of three democratic and three authoritarian states pairing them at similar levels of income and finds little relevance of the regime type when it comes to the patterns of social spending either as per cent of GDP or total government expenditure. Mulligan *et al.* (2004) adopt a different approach, but confirm the insignificant role played by the regime type in determining public spending on social programs – they compare the cases of Greece, Portugal, Chile and Costa Rica – four countries that underwent transitions to democracy and found no differences between government spending on education, pensions or welfare in these countries under non-democratic and democratic rule.

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[72] As already mentioned in Part I, a country's Gross Domestic Product (GDP), Gross National Product (GNP) or Gross National Income (GNI) have historically been employed not only as process indicators analysing state investments in their efforts to realise ESR, but also as proximate outcome measures of the overall ESR enjoyment or indicators for the standard of living in particular.

[73] The earlier accounts of welfare state research tended to equate the extensiveness of the "welfare state" with social spending, assuming that spending, instead of the patterns of redistribution, matters more. An overwhelming reliance on spending alone has become a prevalent source of criticism as it disregards whether or not financial investments have actually contributed to improving ESR.

While information on spending patterns can be helpful in evaluating the "maximum available resource" requirement of rights, other factors, such as corruption, bad governance and shortcomings in the rule of law can cause obstacles for any investments to achieve substantial improvements. Financial investments may be important for increasing people's standards of living, but such studies do not show *how* goods and services are distributed or whether some groups are excluded as recipients of these investments. Robert George Adolf's (2011) study analyses also the effectiveness of spending with regard to the achieved human development outcomes and finds that liberal democracies do not necessarily achieve better ESR outcomes in practice when compared to semi-authoritarian states. In examining the content of some social policies and spending patterns, Mulligan *et al.* (2004) also find little or no difference between democratic and authoritarian states' social policies.[74] Similarly, Ross finds that, although democracies may be associated with higher levels of spending on education and health, the benefits of these investments may disproportionately deliver positive results to upper and middle-income groups, increasing their inequality vis-à-vis the poor and the marginalised (Ross, 2006). Financial investments may be needed, but they may be misguided and inappropriate for improving ESR. Hence, conscious public policy commitments are seen as crucial for transferring resources into developments in people's lives (ul Haq, 2004) and these do not easily conform to global comparisons. As noted earlier, ESR do not require a particular set of policy measures to be adopted, but, rather, that adequate standards of living are ensured for the population, which may largely depend on historic, environmental, social and cultural specifics of any state. What is of interest here concerns how social spending is patterned and how the policies adopted actually translate into people's improved socio-economic conditions. Outcome measures assessing the impact of such investments and policies are paramount in evaluating ESR and providing an analytic context for other indicators (Spalding, 1988).

5.3   Outcome Indicators

The above sections have demonstrated how outcome indicators can enrich the informational space about ESR attainment in different states, even when other types of indicators are also considered. Yet, in the case of ESR outcome indicators have also been widely employed alone to make inferences about these rights on a national, as well as a global level. Three approaches in particular have been used with regard to such measures in analysing ESR. First, several

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[74] Exceptions for this comprise policies that aim to limit political competition, such as torture, death penalties, censorship, military spending and policies regulating religion – policies associated mainly with the domain of CPR.

scholars have looked at outcome indicators thought to measure particular ESR outcomes in isolation; second, it has been argued that ESR are interrelated and should therefore be measured holistically – general indicators such as GDP/GNI or infant mortality rate are thought to provide such an overall picture of people's living standards; and finally, others have similarly agreed with the need for a holistic approach but argued for the use of composite indexes that evaluate the overall socio-economic performance based on a number of ESR indicators, that are weighed to produce an overall index score.

The first approach has been embraced by researchers looking at aspects of individual rights, also drawing conclusions about ESR in different political regimes. State performance in the dimensions of education (Brown and Hunter, 2004; Lake and Baum, 2001; Barro, 1999) and health care (McGuire, 2001; McGuire, 2013; Ross, 2006; Gerring *et al.*, 2012; Navia and Zweifel, 2003) has been analysed to compare democratic and non-democratic regimes globally. Overall, these findings show democracy to be an important determinant for improvements in public health, education and other social indicators (Lake and Baum, 2001; Bueno de Mesquita, Bruce *et al.*, 2003; Navia and Zweifel, 2003), but some have questioned these results either on grounds of missing observations (Ross, 2006) or the persistence of authoritarian outliers in these results (Landman, 2013, 2006). The findings of Ranis and Stewart (2012, p. 175) also challenge the view that political rights are sufficient to achieve human development outcomes, and suggest that, instead of the democracy variable, citizens' active participation and the organisational struggle may better predict improved human development outcomes. Overall, an important concern persists as to whether these studies can claim to reflect overall ESR enjoyment or should instead be seen as merely analysing the provision of particular public goods (Landman and Carvalho, 2010). Critics highlight the necessity of evaluating socio-economic performance holistically if valid generalisations about the overall ESR performance are to be made.

Second, the calls for a more holistic approach are mirrored in research utilising more inclusive indicators for analysis. Infant mortality rate is sometimes viewed as a key measure of overall socio-economic performance, as it depends on a number of other indicators such as nutrition, health, shelter, food and water, directly reflecting individuals' prospects in life as well as state capacity (Navia and Zweifel, 2003; Miller, 2013; Ross, 2006; Gerring *et al.*, 2012). A country's GDP or GNI have likewise been seen as adequate proximate measures for ESR, reflecting the aggregate wealth of a society – also a determinant of a state's ability to enhance living

standards. Income, too, is recognised as substantial for lifting people out of poverty, providing access to essential goods and services, and found to positively influence other social indicators.

The ability to meaningfully assess ESR through such generalised measures is highly contested. While they have particular explanatory power for states where ESR are blatantly violated (Navia and Zweifel, 2003), they fall short of giving insights into *good* ESR performance. They can be useful in identifying situations of poverty and starvation, but as soon as a certain threshold has been reached, a meaningful analysis ought to encompass much more than chances of surviving the first years of life or income one has access to. Even when overall improvements may be evident, it does not necessarily mean development has been received by people on an egalitarian basis (OHCHR, 2008). Infant mortality that addresses basic needs and survival may thus be more appropriate in assessing the particular right to health and income may reflect aspects for the right to work, but neither indicator alone is adequate to address the calls for a holistic ESR analysis, since they do not offer insights in distributional aspects of development (Sen, 1987; ul Haq, 2004). That these indicators have overlaps with other areas of ESR (e.g. various social outcomes) only emphasises the interconnected nature of these rights.[75]

To address the challenges mentioned above, the third perspective in employing outcome indicators suggests that global composite indexes can be constructed and used by, first, evaluating outcomes of particular rights, then weighing or scaling the results to produce an overall index score. Indicators originally employed to measure welfare, human development or socio-economic performance are used in this way to assess ESR because of the considerable areas of overlap between ESR and these distinct but interrelated concepts (Donnelly, 1999a; UNDP, 2004; Human Development Report 2000, 2004). Even if they do not directly reflect

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[75] Aside from the use of socio-economic statistics for outcome indicators, human rights are also assessed through standards-based measures, which, unlike socio-economic statistics, also code *qualitative* information based on expert assessments. Such indexes, however, have been typically focused on CPR and provide only limited information about ESR A notable exception is the Cingranelli and Richards human rights dataset, which also includes some aspects of ESR outcomes alongside those of CPR (Cingranelli *et al.*). It compiles comprehensive national time-series data and measures for 13 human rights across 202 countries from 1981 to 2007. From the 13 rights analysed, part of the dataset includes some economic and social rights, such as workers' rights and economic rights of women. Another variable reflecting women's social rights was initially included in the dataset, but was retired in 2005 and is no longer used (Cingranelli *et al.* 2014). It codes information based on the US Department of State Country Reports on Human Rights Practices and Amnesty International's Annual Report for the area of Physical Integrity Rights, unsurprisingly, mirroring the focus of these institutions particularly on the sphere of CPR. The dataset can be useful either for making direct comparisons or complementing more elaborate qualitative inquiries with particularly aspects of women's rights and the right to work. It is, however, insufficient for capturing the overall performance of states in the field of ESR, as it only includes a very limited set of ESR components.

the rights' conditions, they can point to general trends and prove helpful in supplementing existing theories.[76]

Composite indexes typically consist of various types of indicators, which are themselves problematic for ESR research. For example, social indicators can be accurate in assessing to what extent certain rights are enjoyed in practice, but it is difficult to infer whether they are progressively realised or whether maximum resources are invested to achieve their progress. If progress is taken seriously, so should be the recognition that socio-economic indicators change slowly – school enrolment rates, for example, cannot be rapidly improved from very low levels, because it takes the building of schools, preparing teaching staff and teaching materials. A more rapid change may be possible once relatively adequate levels of enrolment are achieved, because the infrastructure may already be in place and the solution would lie chiefly in re-organising existing resources or tackling social issues that stall developments. These indicators are therefore likely not to reflect the positive or negative effects of recent policies, but should be considered with a time-lag, reasons for which lay in policies further in the past.

Monetary indicators face similar challenges. For example, GDP per capita has often been used as a proximate measure of ESR, yet scholars have noted that the indicator can also be endogenous – it depends largely on the capacity to institute policies as mediated by good governance as well as environmental, historical and societal factors (Fukuda-Parr *et al.*, 2009, p. 217). The indicator can therefore reflect not only state capacity to realise rights, but also an outcome of human capacity and their ability to sustain the economy. Moreover, as mentioned before, recent research on multidimensional poverty has altogether questioned the importance of monetary indicators, illustrating that advances in ESR domain can be made even in the absence of extensive resources and vice versa – states that achieve stark economic growth are often unwilling or incapable of mirroring these advances in improved standards of living (Grusky *et al.*, 2006; Alkire *et al.*, 2013; Human Development Report 2000).

Work on human development, in particular, has attempted to shift attention away from monetary measures. By focusing instead on individuals as the ultimate ends of progress and

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[76]Assessing human rights performance based on these indicators has widely been employed by international organisations, such as various UN agencies, the World Bank, International Monetary Fund and the International Labor Organisation. Jabine and Claude (1992), in fact, justify the focus of their book on CPR by underlining that statistical and measurement efforts have been used to assess socio-economic rights, arguing that little effort has been put to developing the use of such information in the area of CPR. They cite examples of the Physical Quality of Life Index, the efforts of the ILO and the World Health Organisation as illuminating the under-prioritisation of CPR (Jabine, Claude 1992, p. 12). While outcome measures that relate to the use of such tools have indeed been used in the case of ESR, conceptual, methodological and measurement challenges in assessing these rights as a whole, still remain.

the actual things people are able to *do* and *be* (Nussbaum and Sen, 1993; Sen, 1993, 2004b, 2005; Nussbaum, 1997), the human development paradigm has brought measurement efforts towards similar goals to those of human rights. The subsequent data collection efforts of the UNDP has focused on understanding the realities of human lives worldwide by constructing global indexes using increasingly complex outcome-based data to substitute the former cruder measures. While they are still of a quantitative nature, the escalation in the quality and sheer amount of data gathered by various agencies has increased the possibilities of making meaningful inferences towards understanding ESR enjoyment universally.

Global quantitative indexes have been criticised on the grounds of their inability to capture qualitative aspects of rights enjoyment crucial for human rights analysis. The concepts typically measured with such composite indexes are aspects related to rights (such as welfare, human development or separate rights dimensions) but not ESR themselves. This generates apprehensions about whether aggregated information of this kind is adequate as a viable proximate measure for rights, since it fails to provide information on whether the reflected outcomes are enjoyed by the overall population without discriminating certain groups, or whether the principle of accountability is met (Cingranelli, 1988; Cingranelli and Richards, 2007). In order to acquire such information from socio-economic and administrative statistics, one would need to disaggregate data according to gender or different social, ethnic or geographical groups and observe patterns of distribution.

Another important criticism concerns the reliability of official statistics used in the construction of such measurements. This information is typically collected and compiled by governments (Landman and Carvalho, 2010; Fukuda-Parr *et al.*, 2015) raising apprehensions about whether all states can be trusted in carrying out the task of providing reliable information, since they have a vested interest in improving their scores for international comparisons (Jabine and Claude, 1992).[77] The validity, reliability and transparency of data provided by governments, therefore, remains an important concern.

Finally, there are concerns about the exact indicators chosen to reflect the outcomes for different rights dimensions. Construction of a global composite measure requires considerable trade-offs in compiling indicators that are both – globally available and reliable, which can

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[77] This is a particularly sensitive issue for autocracies, which are seen to lack accountability. Some scholars have also insisted that lower quality data can stem from generally low levels of development, constraining the ability of such states to adequately gather good quality data. Harkness *et al.* (2003), however, have pointed out that validity problems can also occur in richer countries, pointing out the challenges associated in gathering results of such indicators worldwide.

noticeably reduce their explanatory power. This sometimes results in crude indicators being employed as proximate measures for comprehensive areas of rights. Judging the impact of a right by an indicator or a limited set of indicators can certainly not fully reflect the entire scope of any right.[78] Moreover, as the fulfilment of ESR is significantly influenced by a number of state and non-state actors (Landman, 2008, 2009; Landman and Carvalho, 2010), a comprehensive analysis of these rights should also be attentive to whether they have a positive or negative influence on the eventual rights situation for the general public.

With these criticisms in mind, it must be recognised that ESR generally lack unambiguous explanatory factors, and under such circumstances, having first-instance models which can be tested and improved, is important for enhancing deficient knowledge regarding ESR implementation. Trade-offs will inevitably be involved in any such analysis, but if the need to enrich our understanding about this group of rights is prioritised, global comparative indexes have the potential to reveal patterns of the effectiveness of social policies. Having an overall picture of ESR enjoyment across a wide variety of rights, even if vague, can be a powerful source for analysing possible regime effects and global, cross-country comparisons can reveal such patterns, enabling further, more in-depth inquiries (Felner, 2008; Landman, 2002, p. 902). In such research, as emphasised by de Neufville (1981, p. 388): "[indicators] would be used, not as mechanical criteria, but as one source of information in a complex decision process – reference points, but not absolute standards. They would have to be approximately right (…). Fortunately, however, they would not have to be perfectly designed or highly precise". Observable implications can then be analysed through a small-n comparative research design or case studies (Landman, 2006), taking into consideration the historical, economic and cultural contexts of the countries under investigation and qualitative information connected with issues of universality, accountability and inalienability.

Nevertheless, the outcome dimension remains an important component of ESR, attaching importance not only to the formal institutionalisation of rights, but also to the societal impacts of state and non-state actors, which likewise influence whether people actually enjoy adequate standards of living. Thus the project pertains that global comparative indexes which use socio-economic and administrative statistics can be used to assess some elements of human rights,

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[78] Most notably, the Human Development Report 2000 argued against the construction of a composite index for rights measurement because of their lack to reflect qualitative information and the inability to compare different rights situations due to the variety of historical, cultural and geographical contexts in which rights are fulfilled. The Report warned that such comparisons could be "politically explosive" and that rights advocates are better off analysing states on a case-to-case basis rather than making wide generalisations.

and although the concepts they analyse are in some ways distinct from that of human rights (UNDP, 2000), they can nevertheless be employed as proximate measures for their assessment because of the considerable overlaps. Any such index will primarily capture the aspect of rights in practice, without revealing whether these rights are distributed equally or what decisions and policies in particular have led to better ESR enjoyment – outcomes revealed may be a result of a wide variety of actors, policies or even functional explanations. Remaining mindful about these issues, this study pertains that global indexes can nevertheless serve as useful tools for identifying deviant countries, which could offer deeper insights into ESR fulfilment upon further investigation.

5.4 Global Indexes for Case Study Selection

This section analyses two indexes traditionally employed for making global comparisons of ESR – the HDI and SERF Index – discussing the methodology, benefits and drawbacks of each, before opting for the latter as a diagnostic tool for case study selection.

5.4.1 Human Development Index

The Human Development Index (HDI) produced by the UNDP has most commonly been employed to assess the extent to which countries are fulfilling ESR on a global scale and making cross-country comparisons.[79] Using indicators in three key dimensions of human development – education, healthcare and standard of living, the HDI aims to emphasise that people and capabilities provided to them should be the primary focus of development. Although human development and human rights are conceptually distinct from each other (UNDP, 2000; Randolph *et al.*, 2010), they have significant areas of overlap, enabling the former to be used as a proximate measure for elements of rights enjoyment.[80] Scholars employing the HDI for rights measurement insist that the index reflects not only the overall human welfare levels enjoyed by the population, but that it also closely relates to the outcomes that ESR strive to achieve. The dimensions analysed in the index can be interpreted as reflecting directly the enjoyment of particularly three socio-economic rights – education, healthcare and the standard of living – dimensions that are often perceived as the foundation of all other

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[79] The HDI assesses countries on a scale from 0-1, with the scores approaching 1 reflecting better human development outcomes.

[80] While both concepts "share a common motivation" to further people's well-being, dignity and freedom (UNDP 2000), unlike human rights, human development does not suppose claims on institutions and the state with regard to the actual achievement of minimum or adequate levels of well-being.

economic and social rights (Landman and Carvalho, 2010).[81] Consequently, the HDI assesses average achievements in people's *capabilities* to live a long and healthy life, being knowledgeable and enjoying a decent standard of living. Because these aspects form the necessary basis for attaining all other capabilities, they can be considered "basic capabilities" which people everywhere have reason to value and that are universally shared regardless of different cultural, social and political contexts.[82] While education and health care reflect directly the capabilities associated with enhancing people's agency, the access to resources is thought to represent the proximate presence of all other capabilities not captured by health and education related indicators (Fukuda-Parr and Kumar 2004).

Although the HDI does not fully reflect the concept of normative human rights, it demonstrates that information related to capability assessment can prove important in drawing inferences in the area of ESR. Focusing on individuals as the agents of human development and the realities of the lives they live (Fukuda-Parr *et al.*, 2004) is similar to the idea of human agency advanced by human rights – instead of viewing individuals as passive recipients of development, rights empower individuals to exercise their agency and take care of their own livelihoods (Eide, 1995). The HDI is open to the idea that agency can be realised in a plurality of ways and that individuals may wish to pursue various goals, make different choices and have diverse values and aspirations, all of which can influence the overall ESR outcomes. The three dimensions analysed by the HDI are intended to address exactly that purpose – it is wide enough to ensure universal applicability while still remaining respectful to the idea of human agency.

The principal criticism levelled against the HDI is that it methodologically attaches too much importance to economic resources. The indicator of per capita GNI used to measure the dimension of living standards composes 1/3 of the final index score. By attributing such considerable value to an indicator focused on resources, the HDI inevitably places poor states in the bottom, leaving a small margin for them to show positive performance. While it does focus only on the 'basic capabilities' people enjoy, it nevertheless does not escape ranking countries according to their overall living standards instead of rights enjoyment. Moreover, its

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[81] The idea of human development aims to capture people's choices and, although choice is seen as an infinite concept open to change, "three essential ones are for people to lead a long and healthy life, to acquire knowledge and to have access to resources needed for a decent standard of living. If these essential choices are not available, many other opportunities remain inaccessible" (UNDP 1990).

[82] Amartya Sen sees basic capabilities as a subset of all capabilities – they refer to freedoms to achieve basic *functionings* (or outcomes) necessary for survival and to escape poverty (Robeyns 2005, p. 100). This view is mirrored by the HDI, although it considerably differs from Martha Nussbaum's view, who distinguished between 'basic', 'internal' and 'combined' capabilities. She perceives basic capabilities is those necessary for developing more advanced capabilities (for a more elaborate discussion, see Nussbaum (2000, pp. 82–85)).

focus on outcomes fails to reflect government *effort* and the criteria of progressive realisation using maximum available resources for the provision of these rights. Holding all states to the same basic standard, the index remains inadequate in reflecting whether the rights obligations of richer states differ from those of the poorer ones and reach beyond only providing the minimum for all.

5.4.2 Economic and Social Rights Fulfilment Index

A more recent tool for making global inferences is the Economic and Social Rights Fulfilment Index (SERF Index) constructed with the aim to overcome the main criticism of using HDI for socio-economic rights measurement – namely, that it places poor states on the bottom, disallowing them to show a good performance. The SERF Index is based on the recognition that ESR fulfilment depends on the actual outcomes people enjoy (and the capabilities attributed to these outcomes) as well as state's capacity for their fulfilment. Its creators see human development indicators valuable as proximate measures for certain areas of ESR attainment and insist that the focus on the individual and capabilities should be maintained, but they aim to methodologically distinguish a measurement of *rights* from one of *outcomes* and do so by creating a more complex methodology, bringing several interesting methodological innovations to the field of comparative human rights in political science.

First, because richer countries should be held to higher standards of ESR-related outcome attainment and not be assessed using indicators focused on poverty, a separate index has been developed for high income OECD countries analysing their performance based on a different metric.[83] Although the SERF Index for OECD countries can be used to inquire about the relationship between ESR in different democratic regime types[84], for the purposes of making inferences about ESR in different political regimes altogether, this project only considers the Core Country SERF Index developed for non-OECD countries.[85]

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[83] For example, the attainment of the right to education in OECD countries is measured by combined school enrolment rate and math and science PISA scores, while the Core Country SERF index uses indicators such as primary school completion rate and combined school enrolment rate. The dimension of housing rights is further left out in assessing OECD countries. Due to data limitations, specifics and comparability problems, the right to social security is not measured by either version of the SERF index (Fukuda-Parr *et al.* 2009, 2011).

[84] For example, an interesting observation from the high-income OECD SERF Index stems from the finding that Luxembourg enjoys one of the lowest levels of ESR in almost all rights dimensions, while being one of the wealthiest countries among the OECD states and worldwide.

[85] The 2010 High-Income OECD SERF Index only includes states, which are both – high-income and OECD members, only compiling results for democratic states and is hence unable to capture the full effects of regime types on ESR fulfilment. Updated versions of the Index has several improvements that were not available at the time of the study: (1) unlike the previous versions of the Index, from 2015 the indicators from both indexes are calculate for countries with available data even if only limited data on indicators is available for some; (2) it

Second, in line with the focus on capabilities, the index reduces the role assigned to resources as a component of ESR outcomes. It views income as an important aspect in enhancing people's living standards, but maintains that it should not be attributed too much weight as an indicator of rights. Therefore, along with the other socio-economic rights to education, health care, food and housing, it uses an income-based indicator to measure the right to work, weighing it equally against the indicators of other rights, producing 1/5 of the final index score.

Third, instead of ranking all countries according to the levels of ESR outcomes (or living standards) enjoyed by the population, the Index insists that ESR performance depends on not only the results achieved, but also "a society's capacity for fulfilment, as determined by the amount of economic resources available overall to the duty-bearing state" (Fukuda-Parr *et al.*, 2011, p. 2). In a novel way, the Index employs monetary measures for the construction of what its creators call an 'achievement possibilities frontier' (Fukuda-Parr *et al.*, 2009) – an outcome performance benchmark according to which results are assessed, analysing what outcomes have historically been attainable at particular levels of economic development (measured by GDP PPP).[86] This makes comparisons between countries with different levels of economic development more objective as the information provided by the Index essentially shows whether a country is performing well or poorly not in relation to other states worldwide, but with regard to the performance historically recorded by other countries at the respective levels of economic development (Fukuda-Parr *et al.*, 2011). Consequently, states are not "punished" for being poor by being placed in the bottom of the list (Elson *et al.*, 2012) and can portray high rankings even at moderate or low levels of economic development or even performance, if outcomes provided are better than what has historically been achieved by other countries at similar levels of GDP.[87] Unlike the HDI, the SERF Index focuses on the *efforts* made by states

distinguishes OECD members and non-OECD member states as well as high-income and non-high-income states even if they do not belong to the OECD. These improvements enable researchers to compare countries with available data on indicators pertaining to either Index, but such opportunities were not available at the time of the study.

[86] The final SERF Index score consists of values ranging from 0-100 with scores approaching 100 reflecting better performance. The final score is an average of states' performance in each of the rights dimensions weighed equally for the production of the final value. Each dimension is, in turn, comprised of countries' scores in one or more indicators chosen to assess the corresponding ESR; in the case of multiple indicators, their scores are weighed equally for the production of an average dimension score. Furthermore, the outcome results are adjusted according to the 'achievement possibilities frontier' (APF), comparing state performance in each indicator with the outcomes of what other states have historically attained at similar levels of resource availability. The APF thus differs for each indicator and is constructed by plotting outcome values against GDP per capita (2005 PPP$) over the period from 1996-2006. The frontier is defined by the outer envelope of the historical achievement scatter (Fukuda-Parr *et al.* 2011).

[87] Instead, it introduces penalising scales to "punish" richer countries for relatively poor performance through adjusting the value of each outcome indicator for countries with sufficient resources to achieve maximum values, but failing to do so. The formula for calculating penalties concerns countries that simultaneously have

to realise ESR instead of the outcomes, and shows whether they have managed to ensure that the attainment of ESR is given the necessary attention (Fukuda-Parr *et al.*, 2009). SERF thus claims to capture the duty-bearer aspect of ESR in a composite index, analysing how states comply with their obligation to invest maximum resources available for ESR realisation (Fukuda-Parr *et al.*, 2009; Fukuda-Parr, 2011). Performance is assessed relative to other states and historical records of what has been achievable, thereby countries on top, whether democratic or authoritarian, are performing well with regard to their resource constraints and countries on the bottom can reasonably be assumed to not be utilising resources to their full potential.

The SERF Index is comprised of indicators that can be interpreted as providing proximate measures for five dimensions associated with ESR, chosen based on the criteria of reliability, methodological objectivity, comparability and public accessibility, consequently comprised by survey-based data gathered by international organisations (Fukuda-Parr *et al.*, 2011). Table 5-1 provides an overview of the indicators employed for the HDI and SERF Core Country Index. The first significant difference is that the SERF covers more rights dimensions, including also indicators for the rights to food and housing. Data on stunted growth employed for the dimension of food is seen to reflect a failure to reach linear growth resulting from inadequate health or nutritional conditions that are associated with poor socio-economic conditions and increase the risk to early exposure to illness reflecting also poor healthcare status of mothers (WHO, 2004). Access to water and sanitation is used to assess the right to housing, although it overlaps greatly with the dimension of health as it is also associated with avoiding preventable disease and ensuring basic hygienic conditions.

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higher per capita GDP but lower indicator value (after rescaling according to the APF) than the first country to achieve maximum indicator value (100 for the rescaled indicator). Only when an indicator reaches 100% of the peak value is the index score not adjusted downward, regardless of how high the GDP. The adjusted index value for these respective countries is comprised of the outcome indicator as percentage of achievement with a penalty score subtracted from it. Different indicators hence have different minimum values. The adjusted scores are calculated based on the following formula: 100 (observed x – min. value x) / (frontier value x – min. value x) (Fukuda-Parr (2011); Fukuda-Parr *et al.* (2011)).

Dimension	ESR from ICESCR	HDI	SERF 1 (Core Countries)
Food	Article 11	n/a	% children (under 5) not stunted
Education	Article 13	Mean years of schooling for adults aged 35 years; Expected years of schooling for children of school entering age	Primary school completion rate; Combined school enrolment rate (gross)
Health	Article 12	Life expectancy at birth	Contraceptive use rate; Children (under 5) survival rate; Age 65 survival rate
Housing	Article 11	n/a	% rural population with access to improved water source; % population with access to improved sanitation
Work Standard of living	Article 6 Article 11	Gross national income per capita	% with income >$2 (2005 PPP$) per day

Table 5-1 *Overview of the indicators of the HDI and the SERF Core Country Index*

While both indexes cover the dimensions of education and health, they differ with regard to the indicators employed to measure aspects of these rights. The HDI assesses education by looking at a) mean years of schooling, employed as a comparable measure of a country's "stock" of human capital, and b) expected years of schooling, intended to be a proximate measure for the knowledge accumulated in schools (UNDP, 2013b). Both indicators are relatively easy to calculate and are widely accessible globally, but they have been criticised on grounds of failing to account for structural improvements in education systems. If a country improves the quality of education and reduces repetition rates, for instance, results portrayed by these indicators may decline despite of the actual improvements of the education system itself. The SERF, in contrast, measures education by looking at a) primary school completion rate and b) combined school enrolment rate. These indicators reflect directly the human right to elementary education and gives a sense of whether education is perceived as a policy priority, but can at the same time mask inequalities, for example between the schooling in rural and urban areas (de Neufville, 1981, p. 398).[88] Although primary education indicators cannot adequately account for the capability to be knowledgeable and meaningfully participate in a society (Fukuda-Parr *et al.*, 2009, p. 202) - this can more appropriately be captured by other

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[88] Combined school enrolment rates have been criticised because the indicator includes pupils outside the relevant age groups as well as those who repeat their education. It is possible that at high performance levels the indicator becomes less precise as it fails to capture detailed specifics of education.

indicators (such as literacy rates)[89] – it is nevertheless a fair proximate measure for determining whether the minimum adequate levels required by rights are enjoyed.

The HDI looks at life expectancy at birth as an assessment of the health dimension as indicative of situations of poverty or people's overall health conditions. SERF index, instead uses three different indicators in examining the same dimension. Children survival rate is equally indicative of aspects of nutrition, sanitation and preventable disease as infants are most exposed to preventable disease. The indicators of survival at age 65 captures more nuanced aspects about preventable disease and the access to and quality of healthcare for the general population, whereas contraceptive use rates is an indicator aimed to reflect the extent of people's capabilities to control fertility and indicates access to health care services, while also having implications for women's participation in the labour force. Their absence relate to high fertility, which is in turn associated with unintended pregnancies maternal deaths (WHO, 1990, 2004). The SERF thus captures a wider variety of more encompassing aspects for the right to health.

Finally, as discussed before, the SERF employs monetary variables in a novel way. Instead of using the GNI as a measurement for the right to work or living standards (as in the HDI), it uses the income indicator as a measurement for these ESR dimensions[90] and engages the GDP to create the performance benchmark (the APF) for determining whether any particular outcome should be seen as good or bad performance in relation to what has historically been attained.

Some of the main criticisms of the SERF Index concern its focus on quantitative data without providing qualitative information about patterns of discrimination or issues concerning accountability, important for evaluating rights performance. This is an issue that both indexes examined face, and it necessitates to interpret their results critically, keeping in mind additional information known about the 'good' performers.[91] Another issue both indexes face is the use

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[89] Adult literacy is also a contentious indicator because there is no universally agreed upon definition that can capture what is required to know a language, and these requirements may differ from one language to another. Therefore the ability to read is typically the outcome indicator considered, and although it may not comprise the quality of literacy, it is seen to assess the stock of a nations' education (Raworth and Stewart 2004, p. 170).

[90] Income too is often recognised to be an unreliable measure because people differ with regard to how they can transfer resources into valuable things - for example, a person with a disability would need more income to achieve the same outcomes (Moon and Dixon 1992). Anand and Sen (2004, p. 138) reiterate the point that "[i]ncome, commodities ("basic" or otherwise) and wealth do of course have instrumental importance but they do not constitute a direct measure of the living standard itself" – while they may be particularly important at lower levels of development, income data by itself does not provide information on whether a person in knowledgeable, healthy, has housing or enjoys an adequate living standard altogether.

[91] For example, South Africa under the apartheid regime may have exhibited 'good' overall scores in both indexes, yet the interpretation of these results would have to be mindful of the widespread human rights violations in the country, with development being disproportionately enjoyed by a limited group of people.

of limited outcome variables employed to capture rights-in-practice. Any separate indicator used in these indexes are clearly non-exhaustive and may be inadequate to assess the full extent to which any particular right is fulfilled. The indexes therefore do not claim that the income or GDP variables, for example, are all that the right to an adequate standard of living entail; they merely use them as proximate indicators for the respective right, chosen based on the criteria or validity, reliability and universal availability to be able to capture the comparisons of more states. As noted by Adcock and Collier (2001, p. 531): "[a] measurement is valid when scores (…) derived from a given indicator (…) can meaningfully be interpreted in terms of the systematicised concept that the indicator seeks to operationalise" and here, as is the case with most quantitative indexes, indicators provide a proximate assessment. ESR should be perceived as the rights to the means that expand capabilities or freedoms towards achieving an adequate standard of living. Although such freedoms enabled by any particular right are potentially endless and may vary among individuals, some of the basic capabilities rights ensure are outlined in Table 5-2. These examples are non-exhaustive and, given the interrelated nature of ESR, also the freedoms they consequently enable may be potentially overlapping. The project is based on the conviction that out of all aspects considered by available statistical tools, indicators employed by the SERF Index can be most appropriately seen as proximate measures to the capabilities associated with ESR, essentially providing insights in the overall situation of ESR outcome enjoyment, mediated by state capacity to achieve progress.

Right	Indicator	Capabilities ensured by respective rights
Education	Primary school completion rate; Combined school enrolment rate (gross)	To achieve basic functional literacy; To be able to read and write; to have (economic and physical) access to education
Health	Contraceptive use rate; Children (under 5) survival rate; Age 65 survival rate	To be free from disease; To have access to healthcare; Not to die from preventable causes; To be well-nourished To obtain education and work;
Housing	% rural population with access to improved water source; % population with access to improved sanitation	To avoid preventable disease; To enjoy basic levels of security and privacy; To assist in attaining other ESR-related capabilities
Work	% with income >$2 (2005 PPP$) per day	To obtain an adequate standard of living; To obtain income; To ensure one's own survival through acquiring nutrition , maintaining health, support shelter, provide health care; To assist in the attainment of other food, housing, health and education-related capabilities for one's family
Food	% children (under 5) not stunted	To lead a life without hunger; To acquire education; To be in good health

Table 5-2 *ESR indicators and corresponding capabilities examined by SERF Index*

Problematic is also SERF's claim to be capturing government *efforts* in fulfilling ESR without methodologically considering structural and process-related aspects, such as the percentage of government budget allocated to each of the rights dimensions or legislation, traditionally assessed to analyse state effort. Keeping in mind these limitations, the SERF Index uses quantifiable data while still incorporating resource constraints into their results, which is a significant methodological advantage in comparison to the HDI. Consequently, while the Index does not lack ambiguities, it can nevertheless illuminate interesting empirical oddities with regard to inquiries into regime effects on the realisation of ESR outlining deviant cases which would further allow to address the wider issues that concern public policy exhibiting significant implications on ESR (Felner, 2008).

6 Selection of Cases

Having reviewed the main quantitative instruments available for analysing cross-country ESR performance, the project opts to employ the SERF Index for its selection of case studies. The choice is mainly based on the aforementioned methodological innovations of the index and its creative use of the GDP variable, which more efficiently reflects state efforts to further ESR and overcomes the major criticism of the HDI – that of being too dependent on monetary measures prohibiting poor states to portray a good performance. The SERF accounts for the reasonable assumption that progress to achieve ESR in less developed countries will look different than in more resourceful ones when judged by outcome indicators, still allowing for states with limited resources to achieve their obligations towards ESR within the results of the Index. While it is not enough to conclude that ESR in these countries are fulfilled, it can be used to identify general patterns of provision worldwide and, importantly for the project, it can help effectively identify authoritarian states which seem to perform better than democratic countries given similar levels of economic development. Note that 'good' performance in the SERF index does not necessarily mean that high living standards are attained, but, rather, that given historical evidence about the respective indicators, these states are performing well for their levels of economic development. SERF index thus allows to select cases that may diverge on the specific outcome indicators reviewed, but converge on evident efforts by their respective governments to attain ESR. This is a significant improvement from the approaches previously employed (which mainly analyse the overall levels of well-being or specific rights outcomes) as it falls in line with the theoretical underpinnings of ESR-related theories. They do not necessitate that high welfare is enjoyed but are instead based on the adequacy of rights enjoyment in relation to the resource availability and the SERF can meaningfully indicate such enjoyment.

6.1 ESR Performance According to Regime Type

Before embarking on specifying concrete cases that deviate from theoretical expectations, it is useful to examine the overall patterns of ESR enjoyment with regard to political regime type revealed by the SERF Index. Table 6-1 illustrates the findings of the Core Country SERF Index for 2010, providing insights into whether the regime variable plays a role in determining state efforts to realise ESR.

>90% (13)	74-89% (40)		50-75% (46)		<50% (5)
Ukraine	Turkey	Paraguay	Congo DR	Lesotho	Congo Rep.
Belarus	Brazil	Syria	Sao Tome	CAR	Nigeria
Uruguay	Thailand	Egypt	Nepal	Ethiopia	Angola
Moldova	Russia	Liberia	Ghana	Guinea-Bissau	Chad
Croatia	Tunisia	Belize	Iraq	Namibia	Eq. Guinea
Bulgaria	Sri Lanka	FYROM	Burundi	Lao PDR	
Kyrgyzstan	Mexico	Venezuela	Bolivia	Mauritania	
Jordan	Kazakhstan	El Salvador	Gambia	Timor-Leste	
Costa Rica	Georgia	Vietnam	Mongolia	India	
Argentina	Jamaica	Honduras	Bhutan	Pakistan	
Chile	Armenia	Tajikistan	Comoros	Djibouti	
Serbia	Guyana	Malawi	Indonesia	Burkina Faso	
Iran	Maldives	Morocco	Guatemala	Cote d'Ivoire	
	Dominican Rep.	Uzbekistan	South Africa	Sudan	
	Albania	Suriname	Uganda	Niger	
	Ecuador	Peru	Senegal	Mali	
	Bosnia	Nicaragua	Cameroon	Madagascar	
	Romania	Azerbaijan	Kenya	Benin	
	Colombia	Togo	Rwanda	Zambia	
		Panama	Cambodia	Tanzania	
		Philippines	Guinea	Yemen	
			Mozambique	Swaziland	
			Bangladesh	Gabon	

Table 6-1 *Percentage of ESR achievement relative to feasible rates given best practice at particular levels of economic development.*
Source: 2010 SERF Core Country Index; n=106 (+52 incomplete data);
Adapted from Randolph and Hertel (2013)

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The 2010 Core Country SERF Index compiles performance of 106 countries with sufficient data to establish the overall score,[92] and although information about separate indicators is also available for another 52 countries, due to missing data, these states are not accorded an overall Index score. On the outset it is evident that, while relatively low levels of ESR fulfilment can be observed mainly in states that are not democratic, most countries with high performance are democracies.[93] Thus, the Index does offer some empirical evidence to support the thesis that levels of democracy, accountability and political freedom will be conductive to ESR (Fukuda-Parr *et al.*, 2015), but these results need to be evaluated cautiously because while the majority of poor-performers are autocracies, good performance can be demonstrated by both, democratic and non-democratic states alike. Instead of approving a 'democratic advantage' hypothesis, the results rather lend support to a thesis of an 'authoritarian disadvantage', making the good-performing autocratic outliers even more appealing for further investigation as deviant case studies, having managed to overcome challenges associated with non-democratic rule.

The results also suggest reasons to be doubtful about the ability of economic resources alone to have sufficient explanatory power for ESR enjoyment by highlighting several countries which enjoy relatively high levels of economic development but are, however, not performing as well as their resource capacity would seem to allow. For example, Russian Federation (with 2010 GDP per capita in 2005 prices at $14159), Turkey ($12564) and Mexico ($12481) provide scores between 86-88 on the overall SERF Index, while being outperformed by Costa Rica ($10453), Bulgaria ($11506), Belarus ($12505), Serbia ($9597), Ukraine ($6029) and Jordan ($5250) at lower levels of resource availability. At the same time, Kazakhstan (at $10916) exhibits a similar performance with Russia, Turkey ($12564) and Mexico ($12481), while

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[92] The overall index only includes states, which have sufficient data for all indicators. The Index was published in 2013, using retrospective data for all outcome indicators from year 2010. Throughout the project, this version of the Index is used, although more recent updates for the SERF include the use of new indicators for the measurement of the particular rights dimensions, as well as an updated GDP variable (from GDP per capita in the respective years in 2005 PPP$ used in this version of the Index to 2011 PPP$ used in the updated ones) which accordingly also influences the 'adjusted' index scores of the countries. The version of the Index employed in this study is available for download under the archived version available in https://serfindex.uconn.edu/2013-international-serf-index-downloads/

[93] The separation between the performance categories is relatively arbitrarily drawn. Table 6-1 distinguishes between states whose average scores exceed 90 as the 'top' performers, although it is possible that scoring only a few index points more separates it from another country that is placed in the category below. Similar logic applies also for the separation between other categories. While this point outlines that one must be careful in making broad generalisations with regard to 'good' and 'bad' performance (and perhaps a wording of 'better' and 'worse' can more accurately be applied to the analysis of a gradual Index score), the results are sufficient to observe general patterns of performance without accounting too much value to the exact lines of separation between the established categories.

enjoying significantly lower levels of economic growth. These examples refer to the top of the performance scale, but other examples exist looking at lower ESR attainment levels as well – richer countries can fall below poorer ones also at lower levels of ESR enjoyment as indicated by the SERF.

Moreover, several countries with relatively high GDP levels also have numerous missing observations that result in a failure to produce an overall index score. Yet, their performance in the indicators available does not, for the most part, generate scores that would land them in the top ten percentile of ESR achievement. This suggests that although resource availability may contribute to the explanation, it fails to fully account for the government's effort to utilise available funds to the 'maximum', as required by the ICESCR. Over- as well as under-performers can be democratic and authoritarian regimes, providing outliers on either side of the regime spectrum. These cases (or sets of cases) reaffirm the importance of refining existing theories employed in the analysis of ESR performance which fail to explain these outliers and emphasise the need to investigate factors other than the regime type or economic performance that may improve or impair the fulfilment of these rights.

At the same time, the creators of SERF Index have pointed to the need to pay attention to the separate dimensions of rights because some aspects correlate better with either GDP or regime type than others (Fukuda-Parr *et al.*, 2015, 2009). Figure 6-1 illustrates the average scores of different regimes in the each of the five rights dimensions examined by the SERF. When separated in particular dimensions, it is evident that democracies considerably outperform non-democratic states in aspects of education, health and housing, but the differences are minor with regard to the rights to food and work. This suggests that the positive influence of civil and political rights differs depending on the particular dimension examined. The number of democratic and authoritarian observations for each indicator, from which these averages are drawn are further illustrated in Figure 6-2.
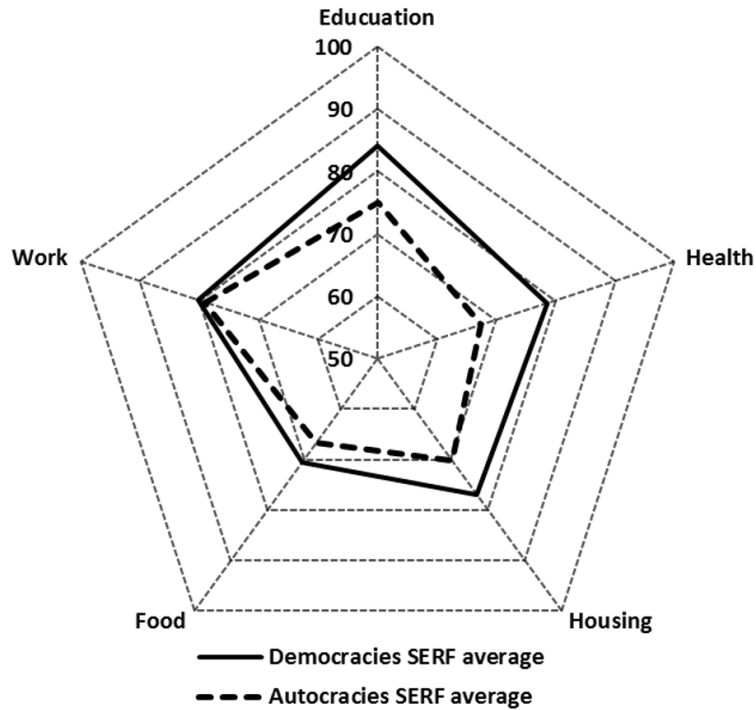
Figure 6-1 *Average SERF Index scores for democratic and autocratic states in each rights dimension*
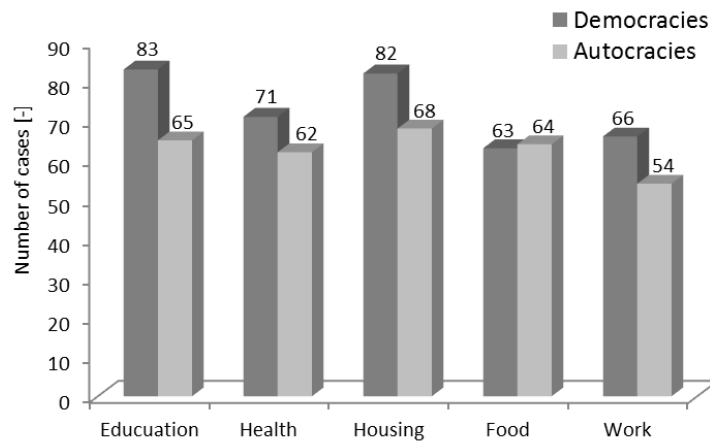
Figure 6-2 *Number of SERF Index observations for each indicator of democratic and autocratic regimes*

As is generally the case with aggregate scores, they face the problem of average numbers being potentially influenced by some states on either end of the performance spectrum, complicating the ability to generalise observed tendencies for theory-building. Figure 6-3 illustrates this point by disaggregating the scores for each dimension according to the regime type, portraying the highest and lowest scores observed. It becomes evident that, while on average, democracies outperform authoritarian states (as illustrated in Figure 6-1), either regime type can achieve maximum scores, with autocracies (or a specific authoritarian state) actually portraying better

results in the dimension of health than the democratic countries examined. On the other hand, while at low levels of performance both types of regimes can be deficient, the absolute lowest scores in all the dimensions analysed by the 2010 SERF Core Index are exhibited by non-democratic regimes. This evidence too seems to corroborate the theoretical expectation that variables related to regime type may exert influence on the attainment of various socio-economic indicators at low performance levels (and possibly, at low levels of economic development), but with increased human and economic development, regime variables alone are unable to fully capture relevant information for significant explanatory power.
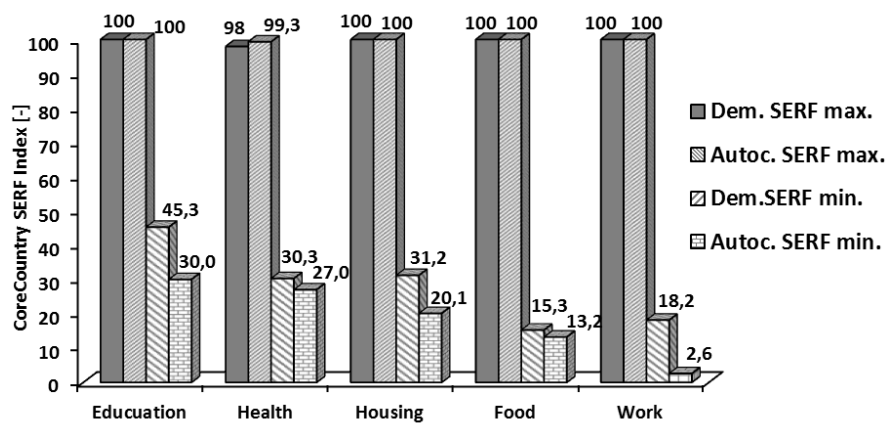
Figure 6-3 *SERF Index maximum and minimum scores for democratic and autocratic states in each rights dimension*

6.2 Authoritarian Outliers: Belarus, Jordan and Singapore

The project is concerned with exploring ESR in authoritarian regimes and is therefore interested in deviant cases – countries, the performance of which cannot be explained by the existing theoretical lines of reasoning. This section examines the results of the SERF Index with the objective of identifying autocratic outliers, which portray a good record in realising ESR for further exploration within case studies. Which countries in particular does the SERF identify as having the potential to provide valuable insights about ESR enjoyment in non-democratic countries?

Due to the methodological approach of the SERF Index, economic resource availability is already accounted for in providing the overall Index score,[94] thereby states that rate highly on the Index can already be seen as performing particularly well for their respective levels of economic resource availability. This does not imply that people enjoy high standards of living, but if the performance of these autocracies also supersedes that of their democratic counterparts at similar levels of economic resource availability, they can be seen as outlier cases, which defy the predictions determined by the existing theoretical paradigm.

Core 2010 SERF Index identifies several autocracies the performance of which can be assessed as 'good' and 'very good',[95] with overall Index scores ranging from 80-100. Among the top authoritarian performers are Belarus, Jordan and Iran with several other non-democracies, such as Russia, Tunisia, Kazakhstan, Guyana, Dominican Republic, Syria, Egypt and Vietnam performing slightly worse, but, nevertheless, showing considerable efforts to fulfil ESR as measured by the SERF.[96] To assess whether the positive trends in the ESR performance of these states have been consistent or have only parenthetically escalated in the years examined by the Core SERF Index in 2010, it is valuable to examine historical performance records.

Unlike the HDI, the SERF Index is relatively recent, making it challenging to examine state records spanning back decades. From the available historical records of the SERF data, it is nevertheless possible to highlight Jordan and Belarus as autocracies consistently portraying results that place them among the top-performers (more than 90% of feasible achievement) of all states analysed in the Index.[97] Table 6-2 summarises the overall SERF Index scores for both countries, dating back to the respective year of sufficient data availability for the establishment of an overall Index score.

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[94] As discussed in previous sections, the overall SERF scores are 'adjusted' according to the feasible achievement rate (as judged by the historical records of other states) at the given levels of economic development.

[95] In line with the rest of the project, democratic states are distinguished from autocracies following the classification of Cheibub *et al.* (2010).

[96] Their scores vary between 80-90 respectively.

[97] SERF Index versions examining older data can be found in http://www.serfindex.org/2013-international-serf-index-downloads/. Although versions of the Index can be accessed from year 2000, more recent ones include more data points for an increasing number of countries.

	SERF 2002	SERF 2003	SERF 2004	SERF 2005	SERF 2006	SERF 2007	SERF 2008	SERF 2009	SERF 2010
Belarus				93.14	92.70	92.18	93.17	94.87	94.93
Jordan	91.33	92.25	92.73	92.63	94.07	93.98	94.25	94.52	92.01

Table 6-2 *Chronological overview of overall SERF Index score for Belarus and Jordan;*
Table indicates years for which sufficient data for Index score generation exists

First, the *Hashemite Kingdom of Jordan* (identified by Cheibub *et al.* (2010) as a monarchy) is one of the top performing countries in 2010 SERF Index. SERF data from previous eight years (for which a composite SERF score is available for Jordan) also reaffirm outcomes achieved in Jordan as consistently good, landing it on the top ten percentile of ESR performance. Importantly, at $5249 GDP per capita 2010 (at 2005PPP) it also considerably surpasses numerous other democratic states at similar and higher levels of economic development, such as El Salvador ($5978), Bhutan ($4973) and Armenia ($4900) as well as other authoritarian states (for example Egypt ($5543), Syria ($4741) and Namibia ($5830)).

Second, *Belarus* also consistently ranks as a one of the top-performing countries in the SERF Index since 2005, the year for which a composite Index score first became calculable. Data from SERF leading up to 2005 includes omissions in the area of right to food, thereby prohibiting calculation of the composite score. However, data is available for the remaining rights dimensions, where Belarus portrays above-average performance ranging from 94 – 99 in the dimensions of education, housing and work, while lagging behind in its efforts to adequately meet its obligations for the health dimension. Cheibub *et al.* (2010) classify Belarus as a civilian dictatorship, and, with a 2010 GDP per capita (2005 PPP$) at $12505, it shows markedly better ESR attainment than democracies with similar resource availability, such as Mexico ($12480), Turkey ($12564) or Panama ($12639).

While Jordan and Belarus clearly stand out as deviant cases that ensure remarkable results in ESR attainment measured by what can feasibly be attained for their respective levels of economic development and outperform several democracies at similar levels of economic development, other authoritarian outliers are harder to identify.[98] This is mostly due to missing observations pertinent to almost all high-income and high-development countries, which

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[98] Although Iran shows impressive achievement, two democratic states with similar values in the GDP variable - Bulgaria and Costa Rica - portray similar or better results than Iran.

renders the calculation of the overall Index score impossible. It can therefore be useful to examine high-income countries separately and analyse their scores in relation to each other. The majority of high–income countries (almost all of which are democracies) are analysed by the SERF Index for OECD countries, which examines a distinct set of indicators because of wider data availability and is, for reasons of consistency, not examined in the project. When looking at high-income non-OECD countries and setting the threshold at $42000 GDP per capita, the Core SERF Index only includes five countries – United Arab Emirates, Brunei, Kuwait, Singapore and Qatar. Since all these states are non-democracies, consistent comparisons between democratic and authoritarian states cannot be effectively made, but the results of these authoritarian states can nevertheless be mutually compared.[99] Table 6-3 summarises the main observations derived from the Core 2010 SERF Index about high-income non-OECD countries, for indicators where observations are available.

COUNTRY	GDP PER CAPITA (2005 PPP$) IN 2010	HOUSING		HEALTH			FOOD
		Percentage of Population with Access to Improved Sanitation (adjusted)	Percentage of Rural Population with Access to Improved Water Source (adjusted)	Percentage Child (under 5) Survival Rate (adjusted)	Percentage Age 65 Survival Rate (adjusted)	Contraceptive Use Rate (Percentage Couples age 15 to 65) (adjusted)	Percentage Children under 5 Not Stunted (adjusted)
Qatar	69798	100	100	94,4	84,0	-	-
Singapore	52170	100	100	100	99,2	-	91,7
Kuwait	45623	100	97,4	92,9	95,2	63,0	93,1
Brunei	45507	-	-	96,0	95,7	-	-
UAE	42353	93,6	100	96,5	95,7	-	-

Table 6-3 *Summary of indicators and respective scores of high-income non-OECD countries with per capita GDP above the annual level of $42000*

It is evident that all countries above the chosen GDP threshold have missing data and that all are lacking observations regarding the dimensions of work and education. This is partly

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[99] The SERF Index should in the future be developed towards recognising the problematic that not all high-income states belong to the OECD group, and states above a certain GDP threshold should be assessed by different indicators than other, significantly less developed countries whether or not they belong to the OECD. Understandably, an important constraint for the inclusion of these states in the High-Income-OECD-SERF Index is based on data limitations as the quantity and quality of data gathered by OECD states is significantly better and the inclusion of states with missing observations would involve trade-offs on the side of the quality of information provided by the Index. A possible solution to the problem could be the establishment of a third, intermediary index, which would measure high-income countries regardless of whether they belong to the OECD group, assessing ESR rights dimensions according to more exquisite indicators than those encompassed by the Core Index, albeit not as detailed as those examined for the OECD countries. Until such information is available, researchers must make due with the information available while being transparent about the trade-offs involved.

because these states are typically compared to high-income OECD countries for analysing their socio-economic development, which, in turn, influences the indicators gathered by administrational institutions for progress assessment. Having said that, out of all the resourceful states analysed by the Core SERF Index, Singapore exhibits the best results in almost every indicator. While a plausible explanation for Singapore's superior performance in comparison with UAE, Brunei and Kuwait potentially lies in the fact that it possesses more economic resources, it outperforms the more resource-abundant Qatar on all indicators where data is available. Table 6-4 illustrates Singapore's SERF Index results from 2004 onwards (ever since data on separate indicators has become available) to assess the consistency of its ESR performance and examine in more detail information on the indicators missing.

Year	GDP per capita (2005 PPP$)	Education	Health	Housing	Food	Work
		Primary school completion rate	Contraceptive use rate	% rural population with access to improved water source	% children (under 5) not stunted	% with income >$2 (2005 PPP$) per day
		Combined school enrolment rate (gross)	Children (under 5) survival rate	% population with access to improved sanitation		
			Age 65 survival rate			
2004	43264.6		90.4421		91.6515	
2005	45374.2		90.6486		91.6515	
2006	47830.3		90.8609		91.6515	
2007	49942.4		91.0877		91.6515	
2008	48159.7		91.0877	100	91.6515	
2009	46.211		91.41	100	91.65	
2010	52170			100	91.6515	

Table 6-4 *Summary of Singapore's performance in the SERF dimensions of health, housing and food 2004-2010, wherever applicable.*
Data for Education and Work not available

First, Table 6-4 shows that on the dimensions examined, Singapore's performance in the dimensions of health, housing and food has consistently placed it on the top ten percentile of feasible performance.[100] Second, it is also informative to assess the exact indicators of the missing dimensions – for which no data is available – to judge what performance could be expected in the particular case of Singapore. For instance, primary school completion rate and combined school enrolment, which are indicators assessing the dimension of education in the

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[100] Note that the Table illustrates adjusted indicator scores, which already reveal performance relative to Singapore's economic development levels.

Core SERF Index, are arguably not applicable in Singapore, as they address issues of basic education, which can be seen as too elementary for the Singaporean context. World Bank data shows that Singaporeans enjoy 100% literacy rate among youths and 96% among the adult population (WB, 2012); hence, it is fair to assume that it ranks similarly high with primary school enrolment and completion rates. The indicators for high-income OECD SERF Index in the dimension of education include average math and science PISA scores, reflecting the need to hold richer states to a higher standard and to assess aspects beyond whether the state is providing the *minimum* for its population. Although Singapore is not examined by the said Index, the OECD has reported that Singapore portrays top performance in PISA 2012 scores, above the OECD average.[101] This can be seen as indicative of providing not only wide coverage but also high quality of education.[102]

Similarly, the SERF indicator for the missing dimension of work consists of per cent of people with income less than $2 a day. Singapore can with relative safety be assumed to be performing well with regard to this indicator – with unemployment at 2.8% of total labour force, Singapore enjoys one of the lowest unemployment levels in the world.[103] For comparison, long term unemployment rates, together with per cent of people with income less than 50% median income comprise the indicators for the SERF OECD Index.

To conclude, it is evident that Singapore's performance surpasses that of other resourceful autocracies. As Singapore is one of the richest countries in the world and not many other states enjoy such abundance of economic resources, the number of states with which its performance could meaningfully be compared with in order to determine with certainty that it outperforms democracies at similar levels of economic development, is limited. Assessed by the World Bank's GDP per capita PPP indicator, Luxemburg seems to be the only contender for a valid comparison, but as its performance is analysed by the SERF index for OECD countries, it is difficult to conduct a meaningful assessment of both states in relation to one another.[104]

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[101] See OECD (2012) "Country Note Singapore" http://www.oecd.org/pisa/keyfindings/PISA-2012-PS-results-eng-SINGAPORE.pdf

[102] OECD reported also that in 2014 Singapore and South Korea outperformed all other states in the OECD's test assessing critical thinking and problem-solving for the respective year. See OECD (2014) "Singapore and Korea top OECD's first PISA problem-solving test" http://www.oecd.org/pisa/singapore-and-korea-top-first-oecd-pisa-problem-solving-test.htm

[103] See World Bank data (2012) http://data.worldbank.org/indicator/SL.UEM.TOTL.ZS/countries

[104] Interestingly, both countries share other common characteristics (with regard to their size and fiscal policy, for example) and future research should explore this comparison which may offer useful insights into the aspects related to the role of regime type in ESR enjoyment. One approach could be comparing indicators in certain areas that cover the ESR dimensions, but because of the methodological approach of the SERF Index which adjusts the scores according to overall performance, simple comparisons of indicators would still fall short of providing a methodologically sound basis for comparison.

Although this limitation persists, it is relatively safe to assume that Singapore can serve as a useful case that can help probe new theoretical explanations, as (1) it is the best performing autocratic state out of all those examined by the SERF Index; (2) its positive ESR record has been consistent throughout the years; (3) being generally widely known for its focus on ESR and providing exceptionally good results in nearly every ESR dimension, the Singaporean example suggests that non-democracies too, can pay attention to furthering ESR. Therefore, exploring the contexts in which such outcomes are met and reasons for their advancement can prove helpful in revealing the factors underlying this provision.

Singapore, Jordan and Belarus are therefore selected for in-depth investigation presented in Part III. As outlier cases, they bear potential for shedding light on ESR provision in non-democratic countries through an exploration of the research questions in the contexts of ESR fulfilment. Importantly, these states are not explicitly known for outright discrimination of certain groups or non-egalitarian policies, suggesting an environment favourable to ESR. All three states are authoritarian countries with relatively stable regimes, but differ considerably with regard to their institutions of governance – Jordan is primarily ruled by the members of the royal family; the president of Belarus is often referred to as the "the last dictator in Europe";[105] and Singapore has been uninterruptedly ruled by the leading People's Action Party ever since its independence.[106] These cases, interestingly, also provide plausible evidence that ESR can be advanced in a variety of autocratic political regime types – a point deserving particular attention for further research. The project proceeds with in-depth analysis examining how and why ESR have been furthered in Singapore, Jordan and Belarus, and to what extent these rights can be seen as institutionalised in line with the overarching principles of human rights.

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[105] This term has also been widely used to describe the governance of Belarus. For more, see Bennett (2011) "The Last Dictatorship in Europe: Belarus under Lukashenko".

[106] While the classification of autocratic regime type for Jordan as a monarchy is uncontested by the existing typologies available (Geddes *et al.* (2014); Cheibub *et al.* (2010); Kailitz (2013) all classify it as a monarchy), the datasets disagree on the exact typology of the other two case-countries. Cheibub *et al.* (2010) classifies Belarus as a 'civilian dictatorship'; Geddes *et al.* (2014) as a 'personal dictatorship' and Kailitz (2013) as an 'electoral autocracy'. Singapore, in turn, is classified by Cheibub *et al.* (2010) as a 'military dictatorship', but because of the dominant rule of its leading political party, the classification as a 'party' (Geddes *et al.* 2014) or 'electoral' autocracy (Kailitz 2013) can more effectively describe its political institutions.

PART III

- Empirical Investigation -

7 Singapore: Communitarianism, Crisis-mentality and the 'Non-welfare' Welfare State

"The danger in trying to do good is that the mind comes to confuse the intent of goodness with the act of doing things well."
Ursula Le Guin "Tales from the Earthsea" (2001)

"It falls to you to subordinate to the beneficent yoke of reason the unknown beings living on other planets, possibly still in the savage state of freedom. If they do not understand that we bring them mathematically infallible happiness, it is our duty to force them to be happy. But before arms, we must try the word."
Yevgeny Zamyatin "We" (1921)

The apparent paradox of Singaporean socio-economic performance has long intrigued researchers. On the one hand over its relatively short years of independence it has achieved stark and rapid economic growth reflected also in people's rising standards of living and levels of well-being. On the other hand, it has provided a strong empirical challenge to modernisation theorists, as increased development has been accompanied by consistent stability of the authoritarian rule and contrary to Inglehart and Welzel's (2005, pp. 160–161) predictions, has not produced a democratic regime.[107] While concern over the lack of democratic governance is indeed prevalent especially among Singaporean youth, the regime nevertheless holds a strong grip on power, which is not accompanied by blatant repression, at least towards the general population. Instead, the regime shows seeming concern for the general well-being of the people in rhetoric and practice while simultaneously emphasising an anti-human rights and anti-welfare stance. Whereas some have evoked Singaporean leadership as an exceptional example of a "benevolent dictatorship",[108] others have emphasised Singapore's lack of legal commitment to rights concluding that the Singaporean approach "has little to do with human rights" (Donnelly, 1999a, p. 75).

Regardless of the anti-rights language frequently evoked by Singaporean leaders, its positive record with regard to improving people's standards of living remains undeniable. As the country remarked its 50 years of independence in 2015, Singapore is praised for its outstanding

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[107] In their analysis of human development trends in Singapore, Inglehart and Welzel (2005, pp. 160–161) predicted Singapore's democratisation by 2015 as they found it to be "producing a social infrastructure that should give rise to growing demands for democracy".

[108] Unsurprisingly, the Singaporean leading elites certainly support the use of this term, but it has also widely been employed by Western media. Upon the passing of the former Prime Minister Lee Kuan Yew in 2015, a variety of articles critically praised his performance as the leader of Singapore, which remained authoritarian, yet was acclaimed by his view of progress as "whether it improves the standard of living for the majority of people" (Graham 2015). See "The Lee Kuan Yew Conundrum" in *The Atlantic* 30 March 2015 http://www.theatlantic.com/international/archive/2015/03/lee-kuan-yew-conundrum-democracy-singapore/388955/ , also http://www.theguardian.com/world/2015/mar/23/lee-kuan-yews-legacy-of-authoritarian-pragmatism-will-serve-singapore-well

achievements in various dimensions of economic and social outcomes. The city-state with a population of more than five million people[109] is known for its universal housing system, high literacy rates, low mortality and near lack of unemployment. Additionally, the World Bank's Governance indicators place Singapore at the very top (scoring 90-100) in areas such as the rule of law and absence of corruption. While the (lack of) fulfilment of CPR in Singapore has received scholarly attention in political science, legal studies and among NGOs (IBAHRI, 2008), its socio-economic rights performance has been scrutinised comparatively little. Instead, Singapore has been perceived as a state that places disproportionate emphasis on ESR while neglecting the realisation of political rights and civil liberties. Rather than dismiss its focus on citizens' well-being as 'empty talk' devoid of rights substance or praise it for its 'benevolence', Singapore remains a useful case-study for examining the potential for ESR attainment in the absence of a democratic regime. How and why has it managed to attain these favourable outcomes and how are ESR institutionalised in the Singaporean context?

7.1   A brief (hi)story of Singapore*

The leading People's Action Party (PAP) in Singapore has held power in the city-state uninterrupted since its independence in 1965. The PAP was first democratically elected in 1959 when Singapore attained self-government and continues to win the majority of the popular vote, yet Singapore is considered an autocratic state because although elections happen on a regular basis, the constituencies of the first-past-the-post electoral system are tied to the public housing system (which itself is indirectly controlled by the state), and the opposition is actively targeted to the extent that no other political party is seen as having a real possibility to come to power.[110] The government of Singapore has been outspoken about adapting a narrow, procedural conception of democracy and certainly considers itself one as elections take place regularly, are free and fair, with high rates of participation,[111] but under the given electoral system very few opposition candidates have managed to win representation in the parliament.

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[109] As of June 2015, see http://www.singstat.gov.sg/

* The bracketed part of the section title refers to the memoirs of Singapore's prime minister Lee (1998) titled "The Singapore Story", where the 'father of the nation' recalls political developments of the country intertwined with his personal experiences, claiming the right to single-handedly write the "story" of the state, inevitably tied with that of himself.

[110] While political institutions in Singapore resemble those in democratic states, they are also built to ensure that the PAP is unlikely to lose power, and although opposition candidates have been receiving around 30% of the popular vote since 1984, they have consistently acquired disproportionately little representation in the parliament (Hwee 2002a, p. 210). IBAHRI (2008, p. 5) note that until 2008 only three opposition parties had been able to secure parliamentary representation since the 1967 Constitution was adopted: The Workers' Party, the Singapore Democratic Party and the Singapore People's Party.

[111] Voting in Singapore is compulsory.

Hence, in scholarship Singapore has most commonly been classified as a hybrid regime attaching adjectives to either democracy or authoritarianism – non-liberal communitarian democracy (Chua, 1995); illiberal democracy (Bell, 1995; Mutalib, 2000), party-dictatorship (Geddes *et al.*, 2014), electoral autocracy (Kailitz, 2013), neo-authoritarian (Tamney, 1996) or dominant-party system (Mauzy and Milne, 2002) are some of the terms used to describe Singapore's political regime. Limitations on Singaporean democratic freedoms are exemplified also by the view of the PAP leaders, who see the party as the "key national institution" essential for ensuring successful governance of the state (Mauzy and Milne, 2002, pp. 49–50) and expressed by Singapore's first prime minister (also known as the "father of the nation") Lee Kuan Yew's bold exclamation that "the PAP is the Government and the Government is the PAP" (quoted in Milne and Mauzy (1990, p. 85)).

Although Singapore has not signed or ratified either the ICCPR or ICESCR and its representatives were some of the main proponents of the 'Asian values' discourse internationally, Singapore engages with the international human rights institutions and vehemently defends their conception of rights. Rather than rejecting the plight to advance human rights, they claim that "Singapore fully subscribes to the principles enshrined in the Universal Declaration of Human Rights. We respect the principle of the universality of human rights and consider human rights to be indivisible, with economic, social and cultural rights as important as civil and political rights. The manner in which all rights are attained and implemented must nevertheless take cognisance of specific national circumstances and aspirations" (UN General Assembly, 2011b).[112] According to the Singaporean government, such "national circumstances" imply that ESR should take precedence over advancing political freedoms and civil liberties (IBAHRI, 2008, p. 16). Thus progress made with respect to ESR has been accompanied by a view that the universality of rights is limited by what the government (and indeed, the PAP) finds as desirable under given circumstances.

Such an emphasis on contexts that may legitimise the government's choices on relevant rights for their population makes a historical exploration of their fulfilment even more quintessential. Yet, this chapter does not attempt to comprehensively examine the history of Singapore leading to its independence in 1965 but rather to underline the principal events that shaped the contexts

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[112] They proceeded to note that "The Singapore Government takes its treaty obligations very seriously and prefers not to sign Conventions until it is sure it can comply fully with all their obligations. Our focus is on the full and effective implementation of treaty commitments. At the same time, we continue to study and actively review our policies to see if we can ratify more international human rights treaties" (UN General Assembly 2011b).

consequently giving rise to the social policy, advancements made in the areas of human well-being and the institutionalisation of ESR in Singapore.

A point of departure for modern-day Singapore can be traced back to 1819 when it was founded by Sir Stamford Raffles of the East India Company. Raffles was not actively involved in the development of Singapore for long, but he did have a role in putting in place policies, which subsequently shaped the conditions for Singapore's future development. Perhaps most significantly, Singapore's geographic position was recognised to be its most valuable asset as it lacked any natural resources and a free port was established meant for entrepot trade (Barr, 2000a, p. 3). In order to attract workforce to the newly established and scarcely populated Singapore, a policy was set in place to welcome anyone seeking employment without restrictions regarding nationality, race or ethnicity. These incentives attracted immigrant workers from China and India (Huff, 1994) and established the basis for a multi-ethnic and multi-religious society in the location. By 1826 Singapore, together with Penang and Malacca, formed the Straits Settlements, which became a British Colony in 1867 subsequently ruled by the colonial government. Decades later, the World Wars did not spare Singapore. Particularly devastating for the island-state was the Japanese occupation during World War Two and although the British rule was resumed in 1945, this experience had significantly influenced Singaporean trust in the ability of the British to successfully govern and protect the state. These considerations, combined with the emerging communist influence in politics of the neighbouring states, formed the basic tenants of the political landscape on the basis of which sovereignty was acquired. Singapore became an independent Crown Colony in 1946, establishing the Legislative council and increasing the number of seats prescribed to elected members from the Singaporean public, who governed together with British nominated officials. It gained internal self-government in 1959 and subsequently, independence in 1965, when the PAP received the majority of votes in the Legislative Assembly, and has been governing Singapore to this day. Over the past 60 years the city-state has been transformed from an underdeveloped, ethnically diverse, unemployment and illness-ridden state with weak economic prospects[113] into one of the most successful economies in the world, where people enjoy high standards of living and is praised for their egalitarian society (Acemoglu and Robinson, 2006).

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[113] According to the Singapore Government statistics, the per capita income on 1950s was S$ 1,306 (US $427) http://www.singstat.gov.sg/stats/

7.1.1 Historically rooted perceptions of political realities

Under this context, four issues were particularly influential for shaping the political vision of the elites which were to assume control of the government. First, was the negative experience connected with a union with Malaya and the neighbouring countries, which facilitated animosity between Singapore and other states in the region. Leaders of the PAP have persistently remarked that on the outset their objective was not to achieve independence. Given its economic backwardness and state of socio-economic underdevelopment[114] combined with a lack of natural resources and absence of production, it was believed that the best prospects for development could be achieved through a political and economic cooperation with Malaya. Enabled by their electoral mandate during self-government, the PAP leaders pursued this strategy, joining the Federation of Malaya in 1963 (Fong, 1980; Lee, 1998; Vasil, 2000). When two years later Singapore was forced out of this union due to political tensions over questions of ethnic representation,[115] Singaporean leaders became convinced that no regional cooperation was possible and development of the island-state is to be pursued without relying on support from its neighbours. Lee Kuan Yew, the first prime minister of Singapore has repeatedly reiterated how "Singapore had independence thrust upon it" (Lee, 1998, p. 22) and was accompanied by strong feelings of hostility towards the nearby states, from which Singapore had previously sought support.

The second aspect that significantly influenced political strategies pursued in Singapore was the eminent communist dominance in the region and within the political arena of Singapore itself. Communists from China and Malaysia as well as the Malayan Communist Party (MCP) in Singapore enjoyed widespread support within the PAP and from the overall population (Tamney, 1996) mainly due to the important role the MCP had played in fighting Japanese occupation in World War Two. With around 70% of the Singaporean population being Chinese, this "threat" was perceived as particularly prominent as it had potential to "expose" the local population to communist ideas. On the other hand, the PAP had itself been established on a social-democratic platform in 1954 so as to attract much needed support from the working class and Chinese population, and the communist ideas resonated among these sections of the society. It was recognised, however, that following a socialist direction upon independence

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[114] See Chua (1995) "Communitarian Ideology and Democracy in Singapore" for a thorough account of the socio-economic conditions in Singapore before its independence.
[115] Most cleavages were caused by the fact that Singaporean representatives were only allowed 15 out of the total of 159 seats in the lower house of the Parliament (called Dewan Raayat), which resulted in increased sentiments that Singapore had lost its sovereignty through the merger with Malaya (Vasil 2000).

could result in Singapore being perceived as "another China" (Chua, 1997, p. 130) or "another Cuba" (Seow, 1998, p. 1) which could pose threats to the future prospects of national development. Due to disagreements over the prospective course of the state, the pro-communist branch of the PAP, together with those discontent with the PAP's autocratic rule split from the party in 1961 establishing the Barisan Sosialis (Socialist Front) party while the English-educated leaders with Lee Kuan Yew in the forefront were left to enjoy uncontested power (Tamney, 1996, p. 5).[116] Furthermore, without facing the need to negotiate their policies with the pro-communist factions of the party (Barr, 2000a; Chua, 1995) the PAP were also enabled to guide the emergence of institutions which limit the power of the opposition, including the former party members – the Barisan Sosialis. Thus the "communist threat" from within the domestic political landscape as well as from the region in general became a formative element for shaping the PAP vision and their proposed social and economic policy.

A third and related factor that influenced the political worldview of the time was the ethnic diversity of the Singaporean population. Initially a remnant of Raffles' decision to attract migrant workers to the free port of Singapore from more than a century ago, by 1947 the Singaporean population consisted of 79% Chinese, 10% Malay and 7% Indian inhabitants (Barr, 2000a, p. 3) making it a majority Chinese state among other countries in the region dominated by Malay populations. This ethnic structure had historically caused a number of problems and challenges in Singapore, including a series of ethnic riots, which left many dead and injured, segregating the community. The legacy of the colonial government which created race as the main mode of group ascription further augmented the system of social stratification (Perry *et al.*, 1997), and was especially evident in the housing policy as different races were concentrated in living quarters titled Little India, China Town and Arab Quarter inevitably also influencing cultural and economic activities of these groups (Barr, 2000a). It was apparent to the PAP that the creation of a unified national identity based on multi-racialism should be a crucial part of the political agenda ensuring that no one is left behind on the basis of his ethnicity, race, language or religion in uniting its essentially immigrant population.

Finally, and perhaps most importantly, the dire state of socio-economic conditions of the general population mainly concerned with meeting their basic needs and the underdeveloped

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[116] According to Vasil (2000) the poor socio-economic conditions in Singapore around the time were seen as unfavourable for establishing a *socialist* society, making a merger with Malaya especially unfavourable to such a cause. This prompted disagreements among PAP members – on the one side was the leftist branch of the PAP who particularly opposed joining the Federation, while on the other side were the PAP members led by Lee Kuan Yew, who supported it. Tamney (1996) notes that following these developments, around 80% of PAP members left the party.

economy, prompted the understanding that no long-term solution is possible without immediate economic development, which, in turn, required improvements in people's living standards. Although given the low levels of overall living standards of the population, the newly elected government had a rare opportunity to institutionalise a system of social protection with relatively little remnants of previous policies, some key features were nevertheless inherited from the colonial rule that came to be adapted or reinterpreted by the government of an independent Singapore and inspired future policy. The colonial administration had pursued fragmented social policies leaving Singapore with a legacy of uneven access to socio-economic goods and services. Upon acquiring independence, most people's main concern was meeting their basic needs, which was often achieved through irregular income from physical labour, the ownership of small shops that ensured basic necessities as well as gambling frequently practiced to supplement their resources (Chua, 1995, 1997). Consequently, the vast underemployment, stemming from lack of education and opportunities, was recognised as the most prominent problem faced by the Singaporean population and an obstacle to potential nation-building efforts.

Education was likewise unevenly distributed at the time of colonial rule and, although the Education Code of 1902 had established some primary schools taught in English (Perry *et al.*, 1997, p. 56) and claimed some responsibility for education in Malay (as the 'native' population of Singapore), the lack of education opportunities in other vernacular languages created a vacuum that was filled by local populations themselves. Community-based organisations and inhabitants established co-educational primary schools in their respective languages, essentially providing access for the majority of local population (Chua, 1995). Throughout 1950s, however, while children mostly attained primary education of six years, most of the population was still illiterate and the existing structures that segregated those educated in English from those acquiring education in their mother-tongues, served to intensify cultural, racial and linguistic differences among the population as well as the divide between the wealthy and the poor (Perry *et al.*, 1997).

Another aspect neglected by the colonial administration was health care, which was closely related to the dire housing conditions of the average Singaporean. The immigrant workers attracted to Singapore since its establishment were gathered around ethnically prescribed living quarters (Barr, 2000a, p. 3) where their housing conditions typically lacked adequate plumbing, water supply or electricity and diseases were widespread due to the poor hygienic conditions (Chua, 1997). While some hospitals for the general population did exist, their establishment

was not centrally regulated and rather came about with the help of philanthropic donations (Perry *et al.*, 1997), resulting in the local communities filling the vacuum created also with regard to health care in providing treatments typically based on traditional medical practices.

Planning to govern in the long-run, the PAP envisioned to gain and retain people's support not by coercive means, but through an emphasis on people's well-being, which was seen as a necessary first step towards achieving any future economic development unlikely to materialise in the pre-independence socio-economic context and the underlying concern of all otherwise ethnically, racially and culturally divided Singaporeans. Given the overall state of the country, a focus on economic growth and well-being was justified, and was indeed widely supported by the general population. In the eyes of Singapore's new leaders, increasing people's well-being would also ensure regime stability and legitimise the government. Already as an opposition candidate in 1959, Lee vocalised his critical approach towards the use of repression to achieving political goals:

> "Repression can only go up to a point. When it becomes too acute, the instruments of repression, namely the army and the police, have been proved time and time again in history to have turned their guns on their masters." (The Straits Times, 1959)

Therefore, instead of resorting to repressive instruments, the PAP undertook a course towards economic development making it a deliberate aim of their governance to achieve legitimacy and improve people's living conditions (Rodan, 1996). Accomplishing this was reasoned to require a politically stable environment with leadership able to successfully carry out the necessary reforms. This, in turn, would serve to legitimise the existing status quo ensuring the continuity of the PAP rule.

These historically rooted considerations played a central role in shaping the PAP's political vision upon acquiring independence, their approach to public policy and desired solutions to eminent problems, which themselves were contextually interpreted. While the practical focus on economic development was justified by concerns of underdevelopment, the poor state of the economy, lack of regional cooperation and the communist threat within and outside of Singapore, the government simultaneously sought to build institutions supportive of "creating" a nation from a diverse population of mostly immigrant background. Achieved economic and social benefits were not limited to the ruling elites, but distributed relatively equally to the general population, so furthering their acclaimed objectives in discourse as well as practice helped attain electoral votes in favour of the PAP (see Table 7-1), enabling the party and its leading executives to retain positions as state officials and providing continuity to the their rule.

Through manoeuvring not just the formal, but also informal institutions in Singapore, the PAP managed to increasingly attach ideational aspects to their rule eventually safeguarding the dominance of their perspectives over possible alternatives (Perry *et al.*, 1997). ESR outcomes were inevitably advanced, albeit at the cost of a strong anti-rights rhetoric which insisted that individual interests must be sacrificed for the sake of communal well-being. Rationalised through a logic of national survival, later transformed into an eminent crisis, the PAP institutionalised a socially intrusive apparatus that proved successful in winning people's electoral and ideological support without the necessity to resort to repressive means for maintaining power in the city-state.

Year	Total seats	PAP seats/Total (%)	% of PAP vote
1963	51	37/51 (72.5)	46.93
1968	58	58/58 (100.0)	86.72
1972	65	65/65 (100.0)	70.43
1976	69	69/69 (100.0)	74.09
1980	75	75/75 (100.0)	77.66
1984	79	77/79 (97.5)	64.83
1988	81	80/81 (98.8)	63.17
1991	81	77/81 (95.1)	60.97
1997	83	81/83 (97.6)	64.98
2001	84	82/84 (97.6)	75.30
2006	84	82/84 (97.6)	66.60
2011	87	81/87 (93.1)	60.14
2015	89	83/89 (93.3)	69.86

Table 7-1 *Percentage and distribution of PAP seats in the Singaporean Parliament 1963-2015. Source: 'Singapore Elections' http://www.singapore-elections.com/ adapted from Hwee (2002b)*

7.2 Economic development as the overarching component of national interest

Singapore's economic landscape upon independence was dire, so economic development was seen as the principal necessity, which would improve people's lives, while at the same time ensuring political stability for the PAP. The city-state's economy had previously depended largely on entrepot trade comprising around 70% of the country's GDP (Dixon, 1991), but it

was unlikely to produce the desired levels of economic growth prompting leaders to seek alternative solutions. Growth had to be achieved without extensively relying on regional support because acquiring independence through breaking ties with the Federation of Malaya meant losing access to a large part of the regional markets and resources (Rodan, 1989). Pursuing development towards a communist path was also not a feasible alternative. Viewing the resource constraints unfavourable for a socialist revolution, the PAP leaders had severed ties with the left-oriented factions of the party in 1961 and had since presented themselves as the party most capable of defeating the *leftists* and the 'opportunism' associated with making wide-raging promises to the population (Tamney, 1996). Such policies would also disproportionately play in the hands of a relatively narrow interest group backed by Chinese business class, who promoted a China-oriented model for economic and social development and would present oppositional capacity for the PAP (Khan, 2001, p. 5). Industrialisation based on import substitution, whereby foreign imports are replaced with domestic production was seen as unpromising due to the absence of a considerable domestic market or technological expertise and the lack of skilled workforce (Lee *et al.*, 2008, p. 2; Dixon, 1991, p. 152).[117] According to Chua, given the constraints posed by Singapore's historical context, their interpretation of existing threats and the political ambitions of the PAP leaders, a capitalist-developmentalist path with an export-oriented industrialisation strategy was the only viable choice (Chua, 1997, p. 130) to reconcile growth objectives with the PAP's ambitions for longevity. Embarking on the path, in turn, called for an industrial revolution and significant investments in human capital that were seen imperative for successfully achieving economic growth. Following these facets as policy priorities would on the one hand provide a skilled workforce for the developing economy while on the other hand allow to achieve marked improvements in people's living standards contributing to a performance-based legitimacy – which on the outset became the cornerstone of the PAP dominated government (Ortmann, 2009, 2010; Chua, 1995, 2007; Preston, 2007; Russell *et al.*, 1992).

This path was, however, not fully consistent with the former PAP's promises made to the population. Upon the party's establishment in 1954, they had pledged among their main objectives to "establish an economic order which would give to all citizens the right to work and the full economic returns for their labour and skill; [and] to ensure a decent living and

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[117]Singapore's economy was based on this strategy for growth between 1961 and 1968 (Khan 2001) but it failed to produce desired results – while the production of consumer goods was ongoing, it never transitioned to capital goods production (Goh and Gopinathan 2008b, p. 13). In 1968 Singapore thus shifted to an export oriented manufacturing strategy.

social security to all those who through sickness, infirmity or old age can no longer work" (Fong, 1980). Retaining their commitment to these aspects of human development meant that the government needed to reconcile their compatibility with the planned rapid development of the economy. The resulting system of governance needed to integrate PAP's former socialist values within the framework of free market ideology, which was an approach that implied a strict management of the state not only in matters of the economy but also people's daily lives through the implementation of policies aimed at encouraging investments in specific market sectors (IBAHRI, 2008). Lee found the middle-way between the PAP's socialist promises and free-market economy by referring to human wants:

> "You're talking about Rwanda or Bangladesh, or Cambodia, or the Philippines. They've got democracy, according to Freedom House. But have you got a civilised life to lead? People want economic development first and foremost. The leaders may talk something else. You take a poll of any people. What is it they want? The right to write an editorial as you like? They want homes, medicine, jobs, schools." (quoted in Han *et al.*, 1998)

According to the PAP leaders, a focus on the socio-economic aspects of development would justify state-sanctioned shortcomings in the area of democratic individual freedoms, as policies pursued were for the sake of Singaporeans themselves. Thus *people* came to be defined as the country's most valuable resource because on the one hand it served to justify PAP's non-liberal rule that was presented as necessary for the critically important need to attain economic development, while on the other hand, in the absence of natural resources, educating and developing the workforce was paramount to achieving economic growth and attracting investment (Josey, 2012). It was argued that rights are context-bound and economic and social aspects of people's lives should first be prioritised over implementing all other rights. Ideologically they claimed this tactic to represent a particular "illiberal democratic" version of governance as a viable alternative for developing economies (Vasil, 2000). Public policies became subject to the overarching aim of economic growth and the government's willingness to regulate the society in desired directions (Tamney, 1996).

Tremewan (1994) notes how achieving people's conformity with the economic direction chosen by the government was further backed up by force and coercion, in line with the view that legal institutions can provide a "'reserve army' of enforced social discipline" (Hall, 1978, p. 202). Part of this 'reserve army' was comprised of a rather intrusive view towards governance, where investments in human development were accompanied by an intricate system of welfare provision that aimed to limit people's choice in how to make use of their

newly acquired socio-economic freedoms. The state became involved in the provision of social welfare goods and services, which it primarily executed through a network of statutory boards - formally not under state control, yet responsible for their actions to the minister (Mauzy and Milne, 2002). The official narrative accompanying these developments contrasted them to a rights-based approach by emphasising the benefits they brought about, namely, job security, fair remuneration and equal opportunities (Chong, 2010, p. 368). In practice, the responsibility for social welfare was governed by a strategy of "tripartism" (UN General Assembly, 2011b) between the government, employers and the employees, while the heads of the organisations representing the workers were themselves politically affiliated to the PAP. At the same time, trade-unions were weakened and opposition silenced in the name of national security, aligning the views of all parties represented in the tripartite system with those of the government. This approach has been paramount in coercing workers to follow state-level objectives even at the expense of their own well-being, as well as overcome numerous economic crisis Singapore faced throughout the years.

The PAP has never shied away from the recognition that the government is omnipresent in not just the public but also the individual matters of people's lives. This approach has instead been defined as 'necessary' with Lee Kuan Yew and other PAP officials reiterating that without state regulation, Singapore would have never achieved its subsequent development. The claim that social control was a crucial component of the government's realisation of the 'national interest' seemed credible given the sharp increases of human development it had achieved, which the PAP took sole credit for.

7.3   Institutionalising ESR through the belief in a recurrent crisis

It is common across the world that governments are officially committed to the fulfilment of ESR through their constitutions or even participation in regional and international legal mechanisms of human rights protection, but fail to realise them in practice. The Singaporean case presents an odd exception – the rhetoric of the government towards especially 'welfare' rights has been remarkably hostile, while in practice people seem to have access to a number of socio-economic freedoms, which other governments have failed to provide. The constitution of Singapore remarkably omits any mention of ESR that can be protected and enforced within its jurisdiction, but Singaporean laws do articulate affordable education, housing and medical care for its citizens thus guaranteeing basic ESR (UN General Assembly, 2011a). What is more, Singapore's High Court has ruled that "rights should be subjugated to executive-determined community interests" (Thio, 2006, p. 162) allowing government officials to largely prescribe

or deny the rights-status of their citizens. Instead of rejecting the idea of rights, the government instead has actively opposed to the view of human rights as understood in the "West". Without blatantly opposing the idea of universality, for example, they have continuously defended the "Asian values" discourse, which sees rights as context-bound and dependent on the overall well-being levels enjoyed by the society (Singapore Government Press Release, 1998). Portraying animosity towards the emerging idea of rights, Singaporean leaders sought alternative ideological tenants with which to justify their approach to governance. Such rationalisation was eventually found in the logic of a recurrent crisis, which provided an 'objective' validation also to ESR related policies that contradicted the notion of individual rights.

7.3.1 Survival-driven social policy 1959-1984

Early investments in human well-being in an independent Singapore were closely tied to the objective of achieving rapid economic growth and it was imperative that the ruling elites gain domestic support for their political strategy especially because of the amount of social control that the approach claimed to necessitate. The PAP sought this support through supplementing the 'objective necessity' for growth with an overarching ideology, which people would accept and support (Mauzy and Milne, 2002, p. 51). This ideology did not represent a coherent philosophical school of thought or doctrine; it was rather a predominant ideological framework that came to serve as the guiding principle justifying public policy together with associated trade-offs. The need for certain policies was consequently defended by the logic of an omnipresent crisis, which implied that in light of the internal and external threats facing Singapore, people ought to sacrifice their individual freedoms and personal interests for the sake of national survival and the common good (Ortmann, 2009, p. 29). This framework would come to serve as the government's main rationale for introducing pro-growth oriented, civil-liberties-curbing but also well-being-enhancing policies. Growth was thus presented as more than simply a policy priority; it became a precondition for survival of the nation, together with the individual freedoms that were denied for its sake.

Institutionally, the Central Provident Fund (CPF) became the main instrument responsible for governing the provision of most welfare services primarily by acting as a mechanism for obliging people to save money for meeting their own socio-economic needs. Initially established by the colonial administration in 1955 as a mandatory pension scheme, the CPF functioned as a compulsory savings plan designating a certain percentage of the employee's

salary for savings, with employers required to contribute an equal amount.[118] On the outset, employees and employers were both required to contribute five per cent of the employee's wage for building the savings, but with time, the amount of contributions significantly rose and fluctuated depending on the government's economic objectives (Tremewan, 1998). It remained the main instrument for securing pensions and providing funds for the government to invest in retirement-related products, but with time evolved into a comprehensive social security umbrella-scheme, governing housing, healthcare, education and insurance-related needs of the population in ways that met the government's overall objectives.

It is compulsory under law for all employers as well as employed citizens and permanent residents of Singapore to participate in the CPF scheme and according to the Department of Statistics of Singapore, the number of members stood at 3.65 million in 2015, equivalent to more than 90% of the overall resident workforce (Singapore Government, 2015). Structurally, the CPF Board is a statutory authority overseen by the Minister for Manpower who is also responsible for appointing the Chairman to the CPF Board (OECD, 2011) illuminating its dependent relationship with the PAP in terms of decision-making. Technically, the Board encompasses also members from trade unions and employer representatives, to theoretically epitomise the interests of all stakeholders, but in practice the 'tripartite' approach significantly ties the 'interests' of the stakeholders involved to those of the government. For instance, Chong (2010) elaborates on the hypocrisy of this approach by underlying that the representation of workers was rather a façade because the secretary general of the National Trade Union Congress (NTUC) – an umbrella organisation representing 400 000 workers – was a minister in the PAP's government, aligning the "interests" advanced by trade unions within the limits of permissibility determined by the ruling elites.

Making use of the CPF in the form of imposing compulsory savings or "withholding wages" (Tremewan, 1998, p. 86) allowed the government to gain access to much needed capital, especially in the early years of independence. These resources were paramount in pursuing the objective of economic development, enabling the government to finance infrastructure, develop services and invest in offshore accounts (Tremewan, 1998). Additionally, the government acquired a say in how and under what conditions these goods and services are provided, essentially serving a threefold objective. First, the lack of education and skills of the general public were seen as having a potentially distorting effect on economic growth. The

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[118] Tremewan (1994, p. 53) remarks that the employer's contribution can best be understood as "a state tax taken from the value generated by workers themselves in production".

chosen path towards economic development required that Singapore offers skilled and affordable workforce to attract foreign business ventures. Lee Kuan Yew recalls strongly in his memoirs how "people, their natural abilities, education and training" were seen as decisive factors for creating wealth and reducing inequalities within the population (Lee, 1998, p. 105). The government believed that Singaporeans lacked a strict work ethic required for the city-state to advance economically (Worthington, 2003). The 'attitude of idleness' (Chua, 1995) was seen primarily caused by the widespread unemployment resulting in an abundance of time for leisure. This posed an obstacle for a nation-wide development and acquiring control over the socio-economic domain allowed not only to provide people access to education and skills, but also to 'discipline' the population so as to transform it into the workforce envisioned as necessary for economic development.

Second, centralising and universalising welfare provision allowed to 'depoliticise' social issues, removing these topics from public debates. In his analysis of the public housing system in Singapore, Chua remarks that extending social housing to the vast majority of the population guarded the government against possible criticisms. In turn, the population was encouraged "to treat such provisions as a purely administrative matter, and to confine their comments and criticisms to improving the bureaucratic effectiveness of the agencies, entrusted with the delivery of goods, rather than making a political issue out of them" (Chua, 1997, pp. 126–127, 1995). Similar effects have also been achieved by providing access to state education. For example, Tremewan (1994, p. 81) remarks how a transition from vernacular to state education in 1960s served to increase people's individual capabilities while also attempting to also decoy the poorer socio-economic classes away from left-wing political powers, particularly the Barisan Sosialis. Thus socio-economic issues were distanced from politics, yet still allowing to build political capital and legitimise the PAP government, who took credit for any success. As long as the government set the target of increasing the general well-being of the population and achieved the goals they had set, their performance with regard to welfare remained not only largely uncontested by political opposition but continuously acquired newfound acceptance from the population. Failures, in contrast, were instead treated as an administrative, not a political issue with blame diverted towards the management of state bureaucracy (Chua, 1997).

Finally, as the state assumed the primary role for people's well-being, either through direct provision or indirect governance of particular dimensions associated with the fulfilment of ESR, it also became possible for the government to exercise significant levels of social control

through the emerging apparatus or welfare provision, while masking it as the 'national interest'. Housing policies that prescribed accommodation based on one's ethnicity were rationalised as a nation-building exercise aiming to avoid ethnic segregation in ghettos, and hence – a component of the collective good. The content of education was likewise tailored to the objectives of acclaimed national survival, either in promoting certain skills, bilingualism, integration or avoiding 'westernisation' viewed as a threat to the development of Singapore, justifying it as a necessity for the survival and prosperity of the country.

Especially during the early decades of Singaporean independence, when ensuring individual productivity was seen as paramount for meeting the objective of economic growth, the rates of contributions people and their employers were required to submit to the CPF sharply rose underlining the apparent paradox in pursuing policies which in practice promoted individual responsibility for one's own socio-economic needs while being justified by the collective discourse of national survival. A way to reconcile this clash of narratives was found in insisting that policies aim to provide people "a stake in the nation" (Lee, 2000, p. 96) – an ownership of the newly developed state for the population of immigrant backgrounds, which rationalised sacrifices of individual rights as carried out in the interests of individuals themselves. People were expected to strive for individual excellence and personally take care for their own well-being instead of placing welfare expectations on the government (Chua, 1995, p. 113), but individualism was encouraged only insofar as it promoted socio-economic self-reliance and relieved the state from related pressures. Singaporean individualism was thus rooted in the idea of individual responsibility for national survival, but did not accommodate the ensuing concept of individual rights, which were delineated by the collective interest of overcoming the looming threats facing the nation. Thus while in practice, a comprehensive system of welfare provision was established under the auspices of the CPF, its approach towards the management of assets and social policy was articulated as consistent with the "national philosophy of an active government support for self-reliance" (Central Provident Fund). Over time, the PAP's approach to social policy has continued to rely on the principle of individual responsibility for one's socio-economic needs and remained deeply embedded in local understandings about individual and state's role in welfare provision delegitimising any pressures placed on the government.

7.3.1.1 *Home ownership as a nation-building exercise*

Certain approaches to the governance of the CPF and its financial resources were crucial for improving the average Singaporeans' socio-economic situation. Among the most prominent

examples directly tackling people's prevalent concern of meeting their basic needs and survival, was the introduction of the Public Housing Scheme in 1968 that allowed members of the CPF to invest their contributions exclusively towards the funding of government-provided flats. Rooted in the belief that home-ownership is critical for changing people's living conditions and the associated negative attitudes towards work, the PAP found it imperative that people are provided permanent housing, expected to have immediate positive effects not only in areas of health and employment, but also allow to address issues related to the widespread "procrastination" of the working-age population (Chua, 1997).

Initial steps towards universal provision of housing had been taken by the colonial administration which had established Singapore Improvement Trust (SIT) – also a statutory board tasked with addressing the increasingly crowded living conditions in the city of rapidly increasing population. In 1960 it was replaced by the Housing Development Board (HDB) and tasked with constructing government housing and distributing the flats to residents.[119] The Land Acquisition Act was issued following independence in 1966 enabling the Ministry of National Development to acquire land for public development under market prices, with a symbolic compensation provided to previous land-owners. Although it was in violation with property rights (Chua, 1997), such a move was seen as necessary by the government of the city-state for the purpose of primarily advancing their housing-related objectives. Until 1985 the government had become the biggest landowner, controlling 76.2% of all land (Singapore Government) and establishing a near-monopoly over housing the Singaporean population.

On the outset the HDB built and provided affordable rental flats mainly for the poor population (Chua, 1997), but its mandate expanded under the Home Ownership Scheme towards distributing tenure of HDB-provided flats. More specifically, the 'ownership' was not of the property itself, but rather of a 99 year long rental lease for government-subsidised flats, allowing people to acquire rental rights for this period without fully acquiring the property.[120] To date, around 90 per cent of Singaporeans are eligible for public housing, and indeed reside in the HDB-provided flats.[121]

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[119] The Housing Development Board is a statutory board established by the Singaporean government in 1960, which still administers the public housing program. As a statutory board, the employees of HDB are not considered civil servants and the government claims it to be an independent institution, regardless of the fact that it was set up to enact a government vision and is responsible to the Minister.
[120] The implications of this policy are, however, not entirely clear, as 99 years have not yet elapsed and the government will in the future need to amend the housing policy to meet individual consumption patterns, socio-economic realities and possibly critical attitudes towards the lack of property rights with regard to housing.
[121] Chua (1997) notes how the housing provision can nevertheless be perceived as universal, because the exception of 10% is comprised by the richest segments of society, who purchase flats of superior quality and are

The effects of the policy were immediate and resulted in a sharp rise in people's living standards directly felt in individual households. While previously, illnesses caused by bad hygienic conditions had been one of people's main concerns, providing adequate shelter consequently also improved their health conditions. Acquiring control over housing also allowed the government to tailor the lifestyles of the population to the needs of the planned industrialisation. Perhaps the most vivid illustration of housing policies serving the objective of economic development was the related socio-economic changes that housing would imply. A permanent rental living space necessitated regular rent-payments, increasing the cost of living for average Singaporeans – these expenses were most likely to be met by seeking employment, often by several members of the family (including women) (Chua, 1997, p. 130). The housing policy thus effectively managed not only to provide a roof over people's heads together with the associated health benefits, but also incentivised people to undertake regular employment.

At the same time, the overwhelming majority of people relied almost exclusively on the government for meeting their housing needs, providing the PAP with a resource to employ for the purposes of legitimising their rule, winning electoral support and exercising social control over the population. Acquiring power in a society that was underdeveloped and consisted mostly of people squatting in the city suburbs, the government had a unique opportunity to build a public housing system without the remnants of previous legacies keeping in mind the long-term political goal of political stability. Consequently, careful planning and meticulous execution fostered the emergence of public housing that was conductive of the first-past-the-post electoral system, keeping in mind that housing estates would also be transformed into constituencies, where the government would, in the future, attempt to run for office. As the PAP still relies largely on elections to justify their rule, this step was an important part of the strategy to consolidate their power. Equally important were the ideological underpinnings of the housing system that claimed to give a population of immigrants "a stake in the country" contributing to the nation-building objective. Lee Kuan Yew has remarked how "this sense of ownership was vital for our new society which had no deep roots in a common historical experience" (Lee 2000, pp. 116-117). This contributed greatly to the legitimacy belief of Singaporeans that the government is ruling in their favour, represents their interests and directly promotes the survival-rationale. The PAP government took credit for the implementation of

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not in need of subsidies. Additionally about 6% of HDB flats are generously subsidised by the government and are accessible to residents with very low income as rental units.

the housing system and advancing Singaporean "survival", yet shielded themselves from any shortcomings that could be translated as a violation of rights.[122] While this approach did provide people increased access to affordable, accessible and available housing opportunities, it was managed not as an issue of rights that could be claimed from the government, but as an administrative property transaction of rental leases under responsibility of the HDB not the state. So the right to housing served directly the PAP's proclaimed legitimacy claims and was delineated by the practical needs of government intervention in order to achieve economic progress.

7.3.1.2 *Teaching to become "good men and useful citizens"*

While housing the population had a firm relation to ensuring people's survival in the socio-economic circumstances under which independence was acquired, the 'survival' motive was likewise eminent as the guiding rationale for other policies less directly related to basic needs. Focusing on education became an important priority for the government already upon acquiring self-government in 1959, but gained particular momentum after independence in 1965.

Aside from the wealthier portion of the society (including political elites), the general education levels were low and illiteracy was widespread. On the one hand, this posed obstacles to economic development as the government needed to provide skilled and educated workforce for the planned industrial revolution and address the prevalent concern of unemployment. The government recognised that to attain their desired economic objectives, they needed to rely heavily on human capital and education was seen as an investment in building this resource. In discourse, the leaders emphasised that 'people' are Singapore's primary resource with potential to achieve growth (Josey, 2012) and it could only serve these ends if relatively high quality of education was attained, instead of just tackling the issue of illiteracy (Ooi, 2010).

On the other hand, the practical rationale for investing in education was accompanied by an ideological one. The colonial administration had created significant inequalities with regard to educational opportunities. The English-stream schools delivered higher quality of education and had better facilities than schools providing education in vernacular languages resulting in the relatively narrow wealthy part of the population receiving better education. These inequalities had been politically exploited by the Malayan Communist Party in Singapore in the 1950s supporting anti-government protests and demonstrations led primarily by Chinese

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[122] Chua (1997, p. 136) analyses the role of public housing as a tool for legitimacy in detail and remarks that although the HDB was under the jurisdiction of the Ministry of National Development, financially and administratively it was considered a separate entity.

middle school students (Goh and Gopinathan, 2008a).[123] As a response to the growing need to educate the population in order to ease the underlying political and ethnic tensions created by these inequalities, the government adopted a "survival-driven education system", which emphasised explicitly the role of education in the survival of the nation through the promotion of nation-building and integration of people with various cultural backgrounds under the umbrella concept of Singaporean citizenship.

This "survival phase" in the education system is characterised by large investments in education as a prerequisite for economic development and the Five-Year Plan (1961-65) preceding the country's independence likewise emphasised the study of mathematics, science and technical subjects in lieu of this objective. A school reform was initiated in 1959 when the Ministry of Education initiated the building of schools not only for English, but also vernacular streams of education, producing textbooks under a standardised framework and recruiting teachers (Lee *et al.*, 2008) with the aim initially to provide all children regardless of their ethnicity, race or wealth at least six years of free primary education (later extended also to secondary-level education). Increasing financial resources directed towards education, as well as improving the accessibility and availability of schooling, achieved significant results in the early decades – it managed to nearly double enrolment rates in primary education institutions in only a decade.[124] Foreseeing the need for employees in technical subjects due industrialisation, a significant section of the education system further offered education in vocational subjects for children who did not successfully enter secondary schools, later even expanding vocational and technical education to meet growing market demands (Goh and Gopinathan, 2008b, p. 19). During the 1960s, the government aimed to attract labour-intensive foreign manufacturers to ensure jobs (OECD, 2010) catering employment opportunities to the status of largely low-skilled population at that time. Meanwhile, the education system was aimed at rapidly expanding access to education, people's knowledge base and eventually also technical skills to be able to transition towards more skill-based and technical fields in the upcoming decades.

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[123] An anti-government riot emerged in 1956, when in an effort to curb the communist influence in Singapore, the chief minister Lim Yew Hock announced the deregistration of the Chinese Middle Schools Student's Union, seen as a "communist front organisation" (The Straits Times 1956). The movement managed to attract thousands of protesters and left 13 people killed.

[124] OECD (2010) has reported that the aim of universal primary education was achieved by 1965 and universal lower-secondary education by the early 1970s.

In addition to large investments in education,[125] the increased coverage of the national education system introduced in the 1960s was designed to create a sense of a close-knit community, aiding the nation-building efforts in line with the survival motif. The ideologising potential of the increasingly expanding education system was widely acknowledged and the aim of education, according to Lee Kuan Yew, was to produce "a good man and a useful citizen" (OECD, 2010), altering people's values and changing attitudes to both, education and work. Bilingualism was an indispensable part of becoming useful citizens for the planned development – it was made compulsory in schools and English became the unifying language of the national education system introduced in the 1960s, requiring pupils of primary schools to learn English in addition to their native tongue. The policy was extended to secondary schools in 1966. Although the government had established Malay as the 'national language' and insisted in their Five Year Plan that all four streams of education: Malay, Chinese, Tamil and English be treated equally, English was chosen as the unifying language as it allowed (a) to attract foreign business for the developing economy (Goh and Gopinathan, 2008b, p. 14) and (b) to establish communication without *a priori* prioritising any of the existing community languages thereby, at least officially, setting all local communities on an equal footing. To eradicate resistance by local populations that saw English as the colonial language, the justification of the policy provided by the government emphasised its role in the survival of the nation with various cultural backgrounds, meanwhile extensively organising campaigns dedicated to the use of each of the 'mother tongues' (Chua, 2005, p. 186). As noted by Goh and Gopinathan (2008a, p. 105): "[t]he use of English as the medium of instruction allow[ed] young Singaporeans to meet the challenges of the global economy, but the mother tongue [was] also important as a cultural ballast and as a way to inculcate Asian values". The Ministry of Education formulated the aim of this approach as providing for "[c]onserved equal opportunity for all citizens", establishing "the means of maintaining unity in diversity" (Singapore Government, 1966). And although in theory all streams of education were treated equally, the government emphasised the role of English in providing future opportunities prompting most parents to enrol their children in English language schools.[126]

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[125] Goh and Gopinathan (2008a) note that the annual expenditure on education rose rapidly – from 60 million SGD in 1959 to 135.05 million in 1967. Nevertheless, this was proportional to the overall growth of the country, reflected that the percentage of overall national expenditure remained slightly over 20 %.

[126] By 1979, 91 per cent of primary school children were enrolled in English stream schools (Goh and Gopinathan 2008b).

The survival-driven system of education of the 1960s and 1970s achieved impressive results. Simply by making education available, the number of children enrolled in primary and secondary education rose rapidly, as did literacy rates, which had increased to 77.6 per cent by 1978 (Singapore Government, 2015). While there were still flaws in the quality of education offered, the improvements in the sphere of education were undeniable and had assisted Singapore in reaching full employment in mid-1970s (Goh and Gopinathan, 2008a, p. 89). At the same time, with school curricula now united under a common framework, this resource provided an opportunity to make use of education as a potential tool for asserting the desired values into the society. The practical value of an educated and "useful citizenry" was continuously emphasised as means to achieve economic growth, but the government did not shy away from recognising its ideologising potential either. Nation-building and creating a socially cohesive society were not by-products of education policy, but rather served as benchmarks against which the success of policies aimed at "creating good men" was assessed.

7.3.1.3 *Rationalising the guiding principles of PAP's governance*

Survival-driven policies advanced through the early decades of PAP's rule did significantly increase people's socio-economic well-being, providing the government with a valuable stock of performance-based legitimacy. People could easily identify with the motif of 'national survival' as their individual memories of poverty, war, occupation and underdevelopment starkly contrasted their lived experience of improvements the PAP had managed to deliver under the survival discourse, legitimising also the idea that it may be necessary to sacrifice some rights in the name of development.

People's access to ESR was likewise improved, but justified by a rhetoric of investing in human capital for the sake of the wider objective of growth. Placing social goods and services associated with ESR under state-responsibility whereby the government could control people's access to these subsistence needs fit comfortably within this rationale. Within the early decades of independence, the young generation was nearly universally enrolled in educational institutions that were under state control; increasing numbers of people resided in flats provided by the government under the Home Ownership Scheme; and full employment guaranteed that the working population regularly provided contributions to the CPF. Through the use of aforementioned instruments, the state assumed power to limit people's alternative means to attain these goods, while employing these services for building people's loyalty to the state and ensure compliance with the existing status quo (Tremewan, 1994). Social policies were administered to ensure a 'reserve army' for enforcing the social discipline (Hall, 1978) with a

view to alter people's life-styles for the creation of a skilled workforce and developing the economy but it necessitated also a justification for the increasingly ideologising elements for the PAP's rule. Such rationalisation was found by claiming that instead of following a certain ideology, the PAP is rather guided by pragmatism, multi-racialism and good governance as the overarching principles underlying Singapore's governance. Eventually, these 'objective' principles that guided PAP's rule would come to be defined as Singaporean national interest itself to strengthen the institutionalisation of the logic of crisis.

Pragmatism

Scholars note that achieved socio-economic improvements also added an element of a *mission* to the ruling elite's own justification of their rule (Mauzy and Milne, 2002; Ortmann, 2009, 2010), who were convinced that under the given circumstances, they are the only ones able to improve people's lives in Singapore. This is reflected in Lee's memoirs in which he vehemently criticises the political agendas of all other opposition actors portraying the conviction that the PAP's vision for Singapore embodied collective national interest while presenting its opponents as hostile to Singaporean development (Lee, 1998).

Claimed collective interests based on practical achievements lent more easily to nation-wide acceptance in a multi-cultural society than ideological principles, so the PAP resisted its rule being defined as in any way rooted in a particular ideology. They built an image of their policies as 'pragmatic' and 'rational', pursuing what is *objectively* best for the population (Mauzy and Milne, 2002; Tan, 2012). Although with time, Singaporean leaders did try to advance various "*–isms*" (such as Confucianism or communitarianism) as the ideological basis for justifying policy, it was pragmat*ism* more than anything else that provided the ideological resources for narrating often contradictory policies in a coherent ideological discourse (Tan, 2012, p. 71). As noted by Chua (1995, p. 37), the pragmatic notion worked in tandem with the survivalist objective – while focusing on survival inculcated in people a sense of threat and uncertainty, it also enabled operationally to do anything necessary to survive, even if it came at the expense of individual freedoms and a democratic deficit. It was therefore claimed not ideological to usurp some individual rights; it was rational and objectively necessary to achieve and continue Singapore's success story. And while socio-economic development was indeed felt by nearly all Singaporean households, the stock of legitimacy provided by Singapore's rising performance justified not only the means to achieve it, but also gave credibility to the narrative based on which it was achieved, namely pragmatism.

Multi-racialism

Pragmatism associated with the survival rationale was complemented by a number of principles that were to further contribute to the attainment of the 'collective interest', aimed at justifying individual policies as well as legitimising PAP's rule. Taking into consideration the ethnic diversity of the Singaporean population and the lack of a coherent national identity, multiculturalism had from the beginning been a founding principle of PAP's policies, promoted in attempts to unify people with various backgrounds (Fong, 1980). The goal was initially formulated with the view towards attracting a broad nation-wide movement to seek independence from the British (Perry *et al.*, 1997, p. 67), but with the colonial threat eliminated, multi-racialism continued to be applied to other perceived threats standing in way of the country's survival. One of such threats, PAP believed, was brought about by internal struggles among the diverse ethnicities within the city-state, which had in the past experienced numerous ethnic tensions, several of which had resulted in fatalities.[127] PAP's embrace of 'multiracialism' delineated questions of ethnicity as potential sources of conflict, making them a matter of governance and a taboo in public debate. At the same time, any activity that could be interpreted as fostering ethnic cleavages was strictly discouraged and could even be punished by law as it contradicted the national objective of building a shared community. Justified by the principle of multiracialism, other limitations extended to the freedom of speech and media. Harbouring national unity required preventing racial riots and ethnic violence, so the government maintained strict control over public gatherings as well as the power to restrict organised meetings if "it considers necessary or expedient in the interest of security, public order or morality" (IBAHRI, 2008, p. 63).

One of the initial steps illustrating PAP's dedication to multiculturalism was the recognition of Mandarin, Tamil, Malay and English as official languages in Singapore. This essentially prevented the Chinese population from enjoying any particular privileges as the dominant ethnicity in Singapore, for nearly 2/3 of the population were of a Chinese background, and attempted to establish the perception of membership in the Singaporean community

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[127] Ethnic riots historically experienced in Singapore had not only divided the nation but also resulted in a large number of injuries and even deaths. After the notorious Maria Hertogh riots of 1950, caused over a custody case of a Dutch girl informally adopted by a Muslim mother, resulted in 18 deaths and 173 injuries, violence caused by the ethnic riots of 1964 further injured around 500 and killed 22 Singaporeans. Triggered by general elections in Malaysia, the ethnic riots of 1969 erupted over the boarder also in Singapore only reinforcing the public discourse in favour of the need to integrate the diverse communities, partly because of Singapore's volatile geopolitical position. Lee Kuan Yew recalls these riots in his memoirs as formative of his political views (Lee 1998) which influenced his perception of the multi-ethnic composition of Singapore as an eminent threat to the political and socio-economic stability of the country.

independent of ethnic background. The notion of patriotism was thus associated with shared citizenship based on the collective objective of survival and a united destiny rather than a common "national" identity, which they did not possess (Mauzy and Milne, 2002, p. 59). Although Malays were recognised as the 'indigenous population' (and Malay - as the 'national language'), English was promoted as the unifying language to circumvent giving privileges to any particular cultural group residing in Singapore.[128] Other policy areas, too, emphasised commitment to equality on the basis of race – all major religious celebrations of Islam, Hinduist, Buddhist, Christian and Indian religions were made public holidays and celebrated nationally.[129] Aside from having the status of official recognition, cultural festivals were publicly funded and were supported by administrative resources (Chua, 2005). The state could thus demonstrate support for various cultural communities, while simultaneously maintaining authority to oversee these festivities and other religious activities, as religion was viewed as potentially harmful to Singapore's stability and cultural cohesion.

The commitment to Singapore as a multi-cultural and inevitably also a multi-religious society was also exhibited in the housing policy that sought to inadvertently govern religious practices of HDB inhabitants, nearly universally residing in government housing and align them with overall state objectives. One attempt to 'modernise' religion was carried out through the way how the construction of HDB flats was not tailored to the needs of particular religious or cultural communities.[130] With no alternative housing opportunities present in the city-state, Chua notes how "religion-determined activities [became] simultaneously space-determined" (Chua, 1997, p. 111) adapting people's lifestyles to the existing circumstances and easing religious and cultural pressures on individuals. Housing arrangements also had unintended

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[128] Aside from language policy, Chua (2005, p. 188) remarks how Malay children in particular received free education while kids from other backgrounds had to pay full tuition fees. Although this policy was relaxed in 1990s requiring the Malay middle class to pay for tertiary education as well, the fees were directed into a Malay community fund, while the government compensated the amount to the universities. According to Lim (2016, p. 86) the source of the frequent prioritisation of the Malay community was also found within the interpretation of possible threats as perceived by the political elites at the time. Namely, the PAP feared that the Malays in Singapore would see themselves as discriminated against in the Chinese-dominated state, prompting them to seek alliances within the neighbouring Malay-dominated states and threatening political stability.

[129] Each year the public holidays and celebrations include two Islamic holidays, two holidays related to Indian-religions, one Buddhist and one Hinduist holiday as well as celebrations of the Christian Christmas and Chinese New Year (Chua 2005, p. 186).

[130] Overall, the certain ignorance towards religious requirements observed in housing construction can be seen as serving the aim of promoting religious harmony and unity. Nevertheless, a somewhat 'privileged' status can be said to be given to Islam, because within each housing estate, a particular place is designated for a mosque and a special government agency is designed to advising the government on Muslim affairs. Islam was by no means the largest religious affiliation (in fact, the Religious Diversity Index by the Pew Research Center (2014) ranked Singapore as the most religiously diverse nation in the world), but this policy served to recognise the special status of the Malay population as the 'native' population and counter their possible claims to religious discrimination, which had caused tensions in the past.

positive consequences particularly on liberalising women's role in the society. The Women's Charter of 1961 had already improved the situation of women's rights with concern to matters of marriage and divorce (Tamney, 1996, p. 5; UN General Assembly, 2011b, para 64) and while previously various cultural practices had often restricted women's opportunities to participate in the social and economic life of the community (Kuah-Pearce, 2009),[131] the relatively small size of the government-provided flats prompted women to "routinely gather at the (…) public void decks with no problems about the consequent public exposure" (Chua, 1997, p. 88).

Instead of fully embracing a multicultural identity, multiracialism allowed the government to emphasise equality in terms of policy-making, while paradoxically also implying a strict governance of ethnic, racial and religious communities, sometimes curbing their rights in the name of societal cohesion. Nation-building was an inseparable aspect of determining the success of Singapore's survival rationalising the omnipresence of multiracialism in the country's governance. These policies have advanced people's well-being in close accordance with the human rights principle of non-discrimination in terms of race or ethnicity, but this universality has mostly been confined to these facets alone. When reporting to the UN with regard to their human rights record under the Universal Periodic Review in 2011, the government representatives argued that their success in managing ethnic, racial and religious harmony stems from "managing, delicately and scrupulously, relations among the different races and religions – and, equally importantly, by never hesitating to take firm action against any group that threatened racial or religious harmony" (UN General Assembly, 2011b).[132] Under the pretext of national unity, 'multi-racialism' served to rationalise government actions that removed sensitive issues from public debate (Chua, 2005), undoubtedly also contributing to the PAP's political stability, as any issue surrounding race or ethnicity could be interpreted as volatile to the national interest, and pre-emptively silenced to avoid public discontent or criticism of PAP's policies.

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[131] Kuah-Pearce (2009, p. 178) analyses how the cultural and religious connotations attached virtue and respect to women that did not "expose themselves" to the public, serving as an impediment of women to participate in social interaction on their own or without the presence of a man. At the same time, Tremewan (1994, p. 124) notes that women were still expected to provide low-wage labour and carry out domestic work for free to lower welfare costs. Moreover, eugenics and family-planning policies following in the later years particularly discriminated against women, treating them as "breeding machines" primarily acknowledged for their contribution to the population-planning objectives of the government Davidson (1999).

[132] Other riots due to race or ethnicity did not occur again in Singapore until 2013.

Good Governance

Another central principle underlying the survival narrative was PAP's focus on good governance as the cornerstone of their rule, including government transparency, accountability and strictly denouncing corruption. On the one hand, this was motivated by the PAP's willingness to bypass government inefficiency, which was claimed an issue often encountered by "young" states, but it would serve aim to reassure people and public officials that the state was being ruled in accordance with the articulated vision and individual actions of certain PAP cadres would not interfere with the set course of economic and human development. According to the PAP, good governance involved policy planning by "a group of men sitting in little rooms, planning, thinking, analysing, watching figures, watching trends" (Barr, 2000a, p. 112). The government committed itself to paying high salaries to state officials so as to attract the most educated individuals and avoid corruption, carrying out several example corruption trials to discourage people from accepting bribes. Lee Kuan Yew justified the wage policy through the commitment to attracting the most able public servants to ensure political stability by reiterating that:

> "Ministers who deal with billions of dollars cannot be paid low salaries without risking a system malfunction. Low salaries will not attract able men who are or can be successful in their profession or business. Low salaries will draw in the hypocrites who sweet talk their way into power in the name of public services, but once in charge will show their true colour and ruin the country." (Lee, 1996)

However, as the party consisted mainly of mainly representatives from the Chinese ethnicity, they needed to ensure that the principle of 'multi-racialism' is also observed within the higher echelons of power. 'Meritocracy' was thus advanced as the guiding principle justifying the composition of the ruling elite and determining candidates for power-positions (Lee, 2000). It was argued that excellence and talent, instead of ethnicity, privilege or wealth determined whether one was apt to acquire positions of authority (Mauzy and Milne, 2002). While apparently benevolent, the meritocratic principle in Singapore was more than simply an appreciation for one's skills and ability. Justification for the vision that some people were born to rule while others – to be ruled, was later sought within Confucian philosophy (Mauzy and Milne, 2002; Chua, 1995, 2005), but it was initially rooted in the belief of the leaders of PAP that people are born with different capabilities that determined also their suitability to positions of authority (Barr, 2000a). The problem with meritocracy, as noted by Tan (2008, pp. 9–12), is that, like other values, it can often be interpreted and defined by those whom it serves and

control over the discourse is closely tied to their prospects of retaining power. Such cherry-picking is likewise observable in Singaporean politics – while the principle of meritocracy was applied to some aspects of political life, it was conveniently narrowly defined. Essentially, abiding to this principle, too, helped to deliver staggering outcomes, also within the regime's ability to set goals and achieve them, publically denouncing those, who transgressed. But a number of scholars have noted how a narrow interpretation of meritocracy can, in practice, translate into an ideology of inequality (Tan, 2008), where people are not accorded rights to opportunities, but some people are granted disproportionately the rights to 'fairly' distributing these opportunities (Tan, 2008; Lim, 2016) implying in essence an anti-egalitarian view of the society. It thus consolidated PAP's power, as the ruling elites were promoted as the intelligentsia, who due to their skill and talent are objectively most capable of making the 'right' decisions in the name of the 'common good'.

An important consequence of the meritocratic principle is also its implied paternalism, being at odds with the human rights principle of participation. People were to cast their votes in elections, but when it came to policy-decisions, it was always the government that "knows best" (Khan, 2001, p. 4). The idea of PAP's pursuit of collective interests was affirmed by a rhetoric that equated the 'nation' with the notion of a family; accordingly, Lee Kuan Yew has become commonly referred to as the 'father of the nation' who is guided by a genuine desire for his family's well-being. The government (which consisted almost exclusively from members of the PAP) were to be seen as appointed parents, whose talent and excellence has given them the right to make paternalistic decisions for the good of the people or even discipline the population when they misbehaved.[133] The Asian-values discourse later sought to justify Singapore's political and societal structure as a hierarchical family by referring to distinct values supposedly shared by communities in Asia, but it is evident how it contributed to consolidating PAP's rule. Likewise, emerging levels of inequality came to be justified as the natural result of meritocracy, because one's success was claimed to emerge from efforts and talent, instead of policy (Chua, 1995, p. 97). Non-discrimination in practice can therefore amount to the opposite of universality of rights, which it is thought to represent. Thus, while claiming the rule as non-ideological, it was the principles or pragmatism, multiracialism and

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[133] This narrative has continuously been advance until today. Although the PAP leadership has undergone change, Singapore's currently serving third prime minister referred to the notion of a "Singaporean Family" in his National Day Rally Speech in 2015 (Lee Hsien Loong 2015).

meritocracy as an essential part of good governance that were inherently ideologising (Tan, 2012) under the guise of simple rationality.

The initial success of the PAP's rule helped to embed these informal aspects in people's perceptions about the contents of a just political rule. The PAP articulated these principles as an intrinsic part of the 'common good'; they claimed to advance them, delivered spectacular results and thereby became the embodiment of the national interest, based on *objective* principles and *rational* considerations consequently provided legitimacy for the PAP. The PAP established and furthered near-universal power to interpret, reinterpret and apply these notions to different spheres of political and public life, relying on them to consolidate their increasingly authoritarian rule and often using them to justify repressive and unpopular policies. In later years, when people voiced resistance towards some policy initiatives advanced by the government, the PAP did at times change these policies, but provided the same justification for doing it – that of being pragmatically flexible (Chua, 1997, p. 131).

7.3.1.4 *Expanding the institutional reach*

Towards the end of the 1970s Singapore had achieved significant developments in a variety of ESR-related domains in comparison with its pre-independence years, simultaneously having advanced its economy. 67,8 per cent of the population resided in HDB flats, with the majority of them being home-owners under the Home Ownership Scheme (Singapore Department of Statistics, 2014). The average life expectancy had risen to 72 years, literacy rates were improving and unemployment was nearly non-existent. The plan of the PAP government to focus on education, work and housing as primary social policy objectives was bearing fruit, justified by the improved living standards, political stability and the acclaimed equality underlying the rationale for policy making.

In practical terms, the Singaporean approach to welfare provision had until the end of the 1970s been focused on ensuring housing, education and retirement-related investments, with the contributions of the CPF directed primarily to financing these areas. Over the years, the government aimed to expand the reach of this institutional tool to serve also other, emerging policy priorities. In 1977 proportions of the contributions were separated into different accounts designated for specific purposes – Ordinary Account (OA) was to continue catering specifically for housing and insurance needs; Special Account (SA) meant for the original purpose of acquiring savings for retirement and old age; and a Medisave Account (MA) was further introduced in 1984 to gather savings for medical insurance and hospitalisation purposes (see Figure 7-1) (Central Provident Fund, 2008).
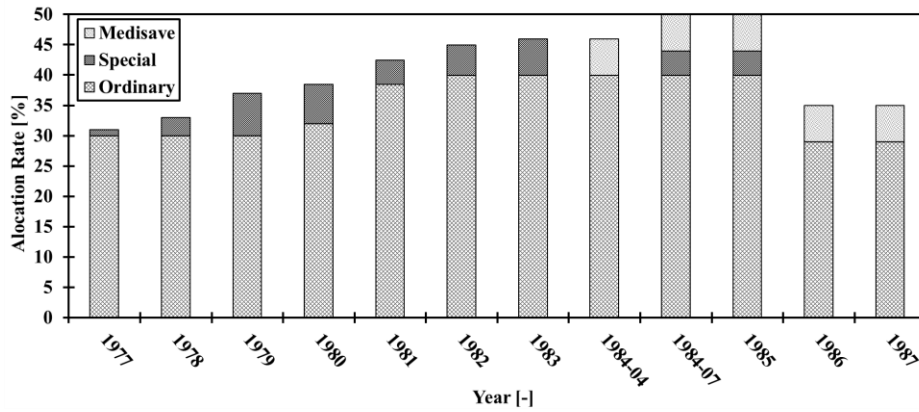
Figure 7-1 *Allocation rates of CPF contributions to the Medisave, the Special and the Ordinary account, 1977-1987. Source: Government of Singapore ("Singapore's Open Data Portal")*
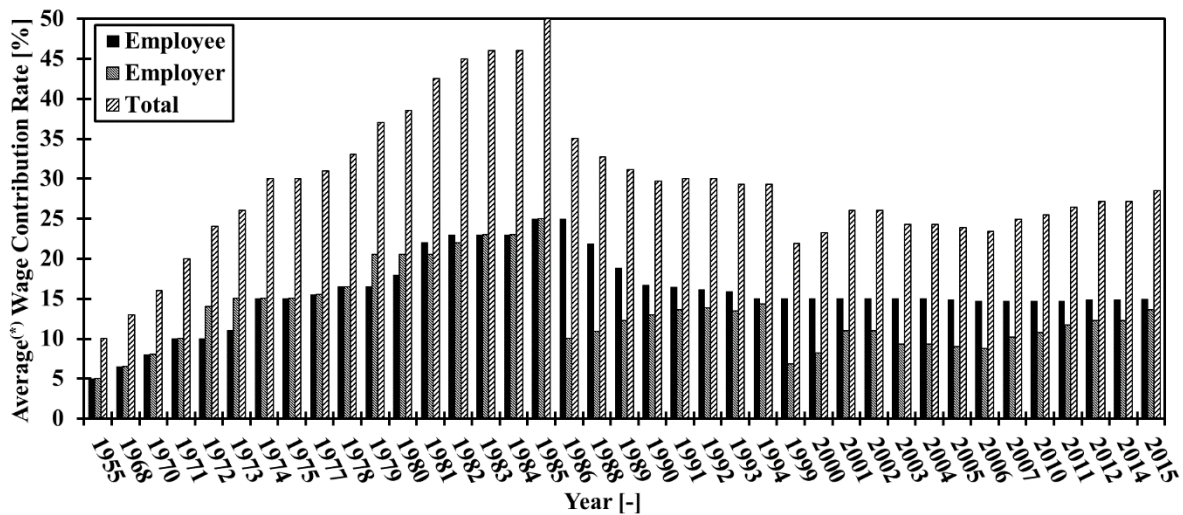
Figure 7-2 *Average CPF wage contribution rate for employers and employees from 1955 until 2015*

Source: Government of Singapore ("Singapore's Open Data Portal")

* Missing years imply rates have remained unchanged since the last occurring value

* In 1988, policy was introduced that made contribution rates age-dependent; arithmetic averaging is applied for this period, in order to provide a single value representative of all age groups

In addition to the former functions, the MA extended the CPF's reach to cover also healthcare-related costs, continuing the emphasis on health as likewise predominantly an individual responsibility (Khan, 2001, p. 11). Over time, both – the contributions from employers and employees, as well as the proportions designated to each of the accounts changed to cater to the economic and social objectives of the government respectively (see Figure 7-2). With the SA designed specifically to meet minimum requirements for pension and old age, savings from this account became only possible to be withdrawn at retirement, while the OA accumulated a bulk of the savings proportion, making it evident that the CPF was not only a retirement

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scheme, as it was initially planned, but, rather, a comprehensive social policy tool offering the government access to investment funds for the citizens' socio-economic well-being, as well as for managing downturns of national economy (Ng, 1999). At times of economic recession, financial contributions from the employers were reduced to decrease labour costs (Tang, 2000, p. 45).[134] When the aim was to reduce the cost for hiring elderly citizens, the contribution rates for older workers were lowered to increase demand (Khan, 2001, p. 15).

On the outset, the government had believed that if people would feel the material improvements due to PAP's policies in individual households, this would not only contribute to performance legitimacy, but would also legitimise the informal aspects of their governance, which people would grow to willingly accept as a 'necessary' cost for the country's success (Chua, 1995, p. 2). The 'survival' rationale pursued in the early years of independence was a rather appropriate characterisation of people's individual struggles and not difficult for the average Singaporean to identify with, especially when the policies it initiated had rapidly improved people's well-being and basic capabilities in a matter of a few decades. Economic development did seem to be benefiting most without discrimination justifying the government's vision and course of action. The claim the government is advancing people's interests was likewise accepted as reflected by the support towards the ruling party exhibited in consecutive elections that brought the PAP back to power. But at the same time, the success of PAP's policy outcomes and the 'survival' motif helped to institutionalise an intrusive system of welfare provision, which, in the words of government representatives, "empowered people to look after themselves" (UN General Assembly, 2011b) instead of placing the responsibility for human well-being in the hands of the government or articulating well-being in terms of human rights. The CPF was the only social policy tool and beyond its comprehensive reach covering issues such as housing, education, health care or even retirement, it was an "embodiment of individual responsibility" (Tang, 2000, p. 44). In narrative it furthered the government's vision of individual self-reliance in relation to socio-economic needs, positioning the government as playing only a supportive and managerial role. In practice, it committed individuals to take care of themselves through a compulsory saving of their resources in anticipation of future challenges, instead of making welfare related rights claims towards the state. Likewise, the expanded institutions of education and public housing enforced social stratification putting people in their "physical and social places" – access to welfare came now to depend on people's labour in transnational companies

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[134] This, as noted by the author and illustrated in Figure 7-2, has happened several times, including the 1985 recession as well as the Asian economic crisis of 1999.

and education was premised on "voluntarily" sacrificing social roots for the sake of nation-building (Tremewan, 1994, p. 230). As the CPF became increasingly accepted by the people because it was an indispensable part of the PAP's successful attempts to improve people's well-being, so too the notion of individual responsibility became embedded in the societal understandings about 'necessary' and even 'just' social policy solutions, furthering the somewhat contradictory notion of Singapore as an anti-welfarist state, which nevertheless ensures welfare for its populace.

7.3.2   From 'survival-logic' to 'crisis-mentality' 1984 – 2000s

As the previous sections show, during the first decades post-independence, developments in social policy were focused on initiating the institutionalisation of a welfare provision conducted under a strict oversight of the government justified by the overarching logic of national survival. As the administrative realm of the CPF expanded and contributions from employees and employers increased, so did PAP's commitment to use these mechanisms to morally educate their citizens in attempts to align informal institutions of the society towards ones predicated by the government's objectives.

In part, because the survival motif was so successfully reciprocated by the population and in part, because the PAP had managed to acquire legitimacy on this platform with implementing capitalist reforms mixed with elements of socialism and conservativism, they were inclined to stick to these notions instead of reforming the system to reflect the changed socio-economic situation of the population. While the qualitative notions of pragmatism, meritocracy and multi-racialism were continuously re-negotiated with the populace to test the limits of people's acceptance as to their intrusiveness, the established formal institutions and most prominently, the CPF, were not changed but re-engineered (Tang, 2000, p. 45) to meet people's altered expectations placed on social policy. When in the 1980s, physical survival was no longer the prominent concern of Singaporean citizenry, and the narrative could justify the government's policies that infringed people's individual freedoms, it was altered to one of a recurrent crisis, nevertheless associated with the same principles, notions and justifications of PAP's rule and social policies that had previously helped the ruling elites to stay in power.

A critical juncture signifying the loss of political legitimacy for the PAP came in 1984, when the party lost considerable amount of votes in the elections. Support for the PAP fell from 77% in 1980 to 65% in 1984 and although it was still enough for them to retain power over the

parliament with a significant margin,[135] this shift in public opinion initiated several important changes in the governance of Singapore. While the PAP did carry out several reforms compromising on the side of political rights and civil liberties, this did not present so much as genuine steps towards democratisation, but rather a way to renegotiate the social contract in Singapore based on the 'feedback' the government has received, as they nevertheless remained dedicated to their 'illiberal' approach to social policy. Rationalised through a pragmatic necessity for the sake of continued development, the PAP retained their control over the social welfare system already in place which would not only be required in the name of economic development, but would also allow them to use social policies as a political tool; a bargaining chip vis-à-vis the society in relation to the political processes. Participation in the welfare institutions set up by the PAP increasingly became people's only option for ensuring their livelihoods, as alternative means to access these opportunities was increasingly denied (Tremewan, 1994, p. 230). Thus, the formal institutions remained relatively intact, with the focus being on the re-rationalisation of their accompanying narratives. Survival motif was hence shifted to one of a recurring crisis, while the principles that accompanied PAP's governance during the survival-phase continued to be institutionalised also under the changed narrative.

7.3.2.1 *Continuing emphasis on self-reliance*

The PAP were of the opinion that the declining electoral support was caused, in part, by the rising standards of living and the mind-sets of the young generation of Singaporeans who had not themselves experienced the hardships of war and the dire pre-independence conditions, making them less prone to accepting the 'survival' rationale as justification for the PAP's intrusive approach to governing. This plunge in PAP's legitimacy coincided with the effects of the Second Industrial Revolution in Singapore, which was meant to diversify the economy mainly by replacing labour-based industries with service and high-technology ones in order to advance Singapore's appeal in the eyes of multi-national corporations (Lee *et al.*, 2008; Chua, 1997, p. 124). Following through with this economic vision would depend largely on the government's ability to supply skilled and knowledgeable workforce while retaining minimal budgetary expenditure explicitly on social policy (Khan, 2001, p. 17), which were objectives previously tackled by the CPF as a regulatory and managerial, but also a disciplinary tool to meet market demands. For economic purposes it was deemed necessary not only to continue

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[135] While the PAP's electoral victories can partly be attributed to voter support (as demonstrated by Table 7-1), the party's ability to hold almost unilateral power over the parliament is also due to the electoral first-past-the-post system, which stalls opposition votes from being translated into effective representation.

social control over workers through making efficient use of the CPF, but to intensify it furthering the PAP's ability to "direct the labour force in ways which [gave] capital in Singapore its competitive edge" (Tremewan, 1994, p. 233), instead of relaxing social policies in response to people's calls for liberalisation. Moreover, seeking to avoid possible conflicts between the objective of economic growth and people's welfare demands (Khan, 2001) it was necessary to exonerate the state from any responsibility over social issues and imperative that the focus of self-reliance to be continued as a social policy prerogative. Reforms would, instead, be aimed at re-educating people about the benefits of the PAP's approach, while adapting the 'survival' rationale that had previously justified it.

Self-reliance continued to be promoted by contrasting it to 'welfarism', which was presented not only as detrimental to development, but also as a negative personal attribute that signified undesirable values. The PAP underlined their conviction with regard to the experiences of other countries that:

> "when governments undertook primary responsibility for the basic duties of the head of a family, the drive in people weakened. Welfare undermined self-reliance. People did not have to work for their families' well-being. The handout became a way of life. The downward spiral was relentless as motivation and productivity went down. People lost the drive to achieve because they paid too much in taxes. They became dependent on the state for their basic needs." (Lee, 2000, p. 104)

On the one hand, this view exemplified the government's narrow definition of welfare, which was inevitably tied to state-provision, submerging both terms within one another. Interpreted in this manner, the PAP was convinced that articulating some ESR as people's entitlements would skyrocket people's expectations placed on the government, much in contrast with their aim of depoliticising social issues[136] and create a free-rider problem discouraging people from taking care of their own needs. Thus, although state-provision is only one of possible ways to structure people's access to welfare, they were perceived synonymous in the Singaporean context and viewed from a negative lens.

On the other hand, welfare was also presented as contradictory to the government's efforts to achieve economic growth. Success of the previous decades was attributed, in part, also to self-reliance and individual responsibility for social issues. Welfarism was thus more than an undesired approach to social policy; it was also presented as an *attitude* that is ultimately non-

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[136] Although the Singaporean housing policy has received most attention as a tool for ensuring PAP's legitimacy by depoliticising the issue, Perry *et al.* (1997) and Tremewan (1994, p. 81) note how universal provision of education likewise served to weaken the possibility for the PAP's main political rivals at the time, Barisan Sosialis to rally support around these issues.

Singaporean, because, according to the government, Singaporean mentality was built on individual drive for excellence. The former senior minister Rajaratnam reiterated the PAP's wish to "teach people that the government is not a rich uncle. You get what you pay for," emphasising that "[e]verybody can be rich if they try hard" (quoted in Vasil, 1984, p. 168). The focus was hence not on rights, but individual obligations, with the government striving to provide conditions for individual excellence.

By continuing to emphasise self-reliance not only as the reason behind Singapore's success and a part of a 'Singaporean mentality', but also as the complete contrast to welfarism, the government managed to successfully avoid taking responsibility for ensuring people's well-being. Although they had, admittedly, significantly improved people's socio-economic conditions, and were advancing policies focused directly of people's needs with regard to numerous ESR related-domains, they claimed the successes to be a result of the PAP's comprehensive rule, including their potential to paternalistically discipline the society. Practically, access to social goods and services was mainly organised around institutional schemes, not governmental ministries directly, allowing to direct people's discontent to the administrative capacities of these programmes instead of the ruling elite in general. Self-reliance thus continued to legitimise and institutionalise the formal bodies designed for social protection, which were based around individual contributions to the CPF as well as the notion of individual responsibility for one's own well-being.

7.3.2.2 *Advancing shared national ideologies of Confucianism and communitarianism*
Characteristically, policies advanced within the social domain were primarily justified by economic perspectives, as growth was initially seen as the main outcome securing the PAP's political tenure and they argued that survival necessitated and justified also the high levels of social control exercised by the government (Tremewan, 1994, p. 109). Yet, the survival-based policies previously pursued had not only given rise to the notion of self-reliance, but also individualism, making it increasingly difficult for the government to continue vindicating various restrictions on individual liberties in the name of national survival. Combined with rising levels of affluence in the society, people increasingly vocalized discontent with policies pursued by the government that intruded on individual freedoms.

In addition to this, it was evident in the 1980s that inequalities had considerably risen and the economic growth had not benefited the population equally. Contrary to the egalitarian rhetoric pursued by the government, the recent economic strategy had exacerbated income and social inequalities between skilled and unskilled workers (Tremewan, 1994). Many people were

struggling to meet their socio-economic needs by individual efforts alone and the Singaporean Malay population was particularly disadvantaged by the economic and social system (Chua, 1995, p. 33) while the Chinese segment enjoyed wider access to numerous socio-economic opportunities. In fact, several observers have noted that the loss of electoral support of 1984 signified discontent not exclusively with the lack of democracy but rather with the rising inequalities and emerging societal problems (Worthington, 2003, p. 3; Hwee, 2002b, p. 224). People grew increasingly discontent with the government's intensified social control policies, which aggravated differences on the grounds of gender, race and class, and were unable to justify this with a mere necessity called for by the objective of economic growth. Around the mid-1980s, increasingly many Singaporean families showed their dissatisfaction by emigrating to Western countries (Tremewan, 1994, pp. 122–123). Alongside its significance for the prospects of PAP's legitimacy, this trend was deeply concerning as it indicated not only a lack of individual dedication to "collective well-being", but also an outflow of human capital in which the PAP had so generously invested, potentially threatening Singapore's prospects to advance the Second Industrial Revolution. The PAP needed to tackle existing social policy contradictions, their justifications and the changed socio-economic environments of individual Singaporeans. This involved, as noted by Chua, devising a new ideological system, even it meant "undoing some of the intrinsic features of pragmatism" (Chua, 1995, p. 77).

The challenge was now to reconcile systemic changes with the attitude of self-reliance that the government wished to retain as the fundamental approach to welfare. A solution to this problem was found in amending the narrative of survival, which had previously served to legitimise the PAP's policies and enabled a paternalistic approach to state-society relations. As it had lost its appeal in the eyes of many people, amendments in the rationale were paramount if the PAP was to continue its patriarchal approach to governance. Instead of claiming that 'survival' itself was at stake, the government introduced a narrative of a recurring crisis (Clammer, 1985; Barr, 2000b), aimed rather to instil doubts about the longevity of the achieved well-being and transfer Lee's own "lifelong sense of insecurity (..) that it could all be taken away with one uncontrollable spasm of social upheaval or regional chaos" (McCarthy, 1999) on to the population. Issues that were argued to threaten the nation were numerous, omnipresent and ever-emerging. Regardless of the achieved improvements in well-being, the prime minister's National Day Rally Speeches continuously emphasised that development should not be taken for granted, either because of troubles in the global economy, increased population size or the changing demographic trends challenging Singapore's ability to meet the labour demand.

Government officials reiterated that it would be "making a fatal mistake if we assume that once we are at the top, we will always stay on top" (Goh Chok Tong, 1992). This thinking expanded the notion of survival from merely a physical necessity to a general guarding against pertinent threats, justifying the idologising work carried out by the government.

Rather than tackle the root cause of rising people's discontent found within their intrusive policies, the government blamed the 'erosion of morality' among Singaporeans. English language was seen as a catalyst for the undesired changes in society, which had prompted people to become more individualist, consumerist and increasingly exposed them to liberal "western ideas" through foreign media outlets (Mauzy and Milne, 2002; Tremewan, 1994), prompting resistance against the PAP's plea to undertake individual sacrifices for the sake of the common good. Political elites were unapologetic that social control was necessary for achieving development. In a National Day Rally speech Lee Kuan Yew stated that:

> "I am often accused of interfering in the private lives of the citizens. Yet, if I did not, had I not done that, we wouldn't be here today (..) we would not have made economic progress, if we had not intervened on very personal matters. (..) We decide what is right. Never mind what the people think. That's another problem." (Lee Kuan Yew 1986, ST, 1987)

Although the rise of individualism were undesired consequences of PAP's own former policies, together with 'Westernisation' they came to be formulated as the new threats to the Singaporean society and the government undertook deliberate steps to shift collective attitudes against them through the use of Confucian and later, communitarian thought.

Some efforts to infuse Confucian values in the Singaporean society were advanced already prior to the monumental elections of 1984, so the electoral result can be likewise viewed as people's discontent with this ideologising work of the government. Michael Barr (2000a, p. 161) notes how it coincided with Lee Kuan Yew's personal affections towards the Chinese culture "as the driving force of [the]economy, the drive and the industry of [Singaporean] workforce", but it usefully summarised the PAP's general approach towards governance, based on the view that "'benevolence' of the sovereign in promoting the general social welfare is exchanged for compliance and obedience of the governed" (Chua, 1995, p. 28).

Attempts by the government to consciously reverse the individualistic attitudes, especially of the younger generation of Singaporeans, were initiated through the education system. Lee has reiterated his belief that "you can influence the basic attitudes [of young people] from the day they are born to about 16 or 17 (…) [as] they are influenced by what they see around them and

by their peers" (Lee, 2013). Education was viewed as an imperative tool to shape these views. With the aim of teaching schoolchildren about their distinctive identities as somewhat alien to the liberal ideas promoted in the Western world, in 1982 a new moral education program was introduced in schools, including religious knowledge in the secondary school curriculum. Initially, in hopes of people learning to appreciate the value of social hierarchies, family and obedience, Confucianism was promoted alongside Christianity, Islam, Hinduism and Buddhism as a way for schoolchildren to rediscover "the traditional values of one's people", the loss of which had supposedly lead to the unwarranted disposure to Western values (Chua, 1995, p. 28). After it became evident that the policy is badly received by the population and a government study revealed in 1989 that this program intensified religious cleavages rather than harboured ethnic unity, it was abandoned from the curriculum (Chua, 1995, p. 30), but the aim to advance supposedly shared values based on Confucian philosophy was nevertheless advanced through other means expected to provide an cohesive line of argumentation combining economic objectives, patriotism and moral guidelines for individual action (Ooi, 2010). After the "failed Confucianisation process" (Chua, 1995, p. 31; Barr, 2000a, p. 160), the government came to employ the term of 'communitarianism' as an umbrella-concept encompassing all their desired attributes of "valuable citizens" to guide people's behaviour. It was argued that Singapore's economic growth would not have been possible without the distinctly 'Asian' attitudes of Singaporeans, which highly regarded hierarchies, community, patriarchal society and authority. Losing these sentiments, according to the PAP, could irreversibly damage the future economic viability of Singapore, inevitably reducing well-being also on the individual household level.

Yet, because the notion of self-reliance that the PAP was committed to pursue was still rooted in peculiar justifications of individual responsibility, the aim was not so much to eliminate 'Western' individualistic thinking but rather to delineate permissible scope of individualism. It was harmful as long as it questioned the individual's freedoms in a communitarian society, but celebrated, when it advanced business and economic activity. So when the Institute of East Asian Philosophy was later established, it was tasked with not only with spreading Confucian ideas, but also with reinterpreting some of the unattractive aspects of Confucianism (such as the low status of women, low regard for entrepreneurship activities and high value attached to traditional lifestyles[137]) (Mauzy and Milne, 2002; Tamney, 1996). It was a significant

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[137] While entrepreneurial activity was seen as a precondition to Singapore's success, justifying also the PAP's governance strategies, Tremewan (1994) notes how socially conditioned gender roles came to be increasingly questioned by both educated and working-class women, who increasingly felt discriminated against by the

reinterpretation of the former 'pragmatic' practices of the government, which had governed culture and religion to the extent of suppressing them in the process of rationalising policies.[138] Now, culture came instead to be celebrated and enforced in efforts to build up a communitarian spirit among the populace and recognised as an intrinsic part of people's identities. And although its enforcement through formal educational institutions had not been successful, the government relentlessly tried promoting these values through other ESR-related domains.

As a consequence of this thinking, the PAP sought to create a more community-based society also with regard to various aspects of individual well-being. Previous requests to sacrifice individual interests for the sake of the common good were justified mainly through the survival rationale. Now, the justification was shifted to concerns over community as an intrinsic good in itself, which became a guiding principle to public policy and individual behaviour. The notion of self-reliance, too, was amended to incorporate the responsibility for one's family and community, with changes incorporated in the CPF scheme.[139] Keeping in line with the conviction that individual well-being does not fall entirely under the obligations of the state, ESR were institutionalised following a vocabulary of social and communal responsibility, resembling rather the notion of 'socially compulsory charity' than intrinsic people's entitlements, even as members of certain communities.

Housing policy was likewise amended to meet the communalist objective. Having established itself as the sole provider of public housing (covering nearly all the population) allowed the state to impose a number of measures, which through incentives and disincentives directed people's behaviour and social attitudes towards the objective of achieving 'national unity'. The multicultural nature of the Singaporean population was formulated as a 'threat' within the housing policy and eligibility conditions for public housing were explicitly organised by the HDB to support certain government objectives allocating flats so as to foster 'national unity', organised around the principle of multi-racialism. In 1989 the Ethnic Integration Policy was enacted, setting racial quotas for flat ownership in the local 'towns' to reflect the ethnic set-up of the overall population. Flats would not be approved for sale for ethnic groups in areas where

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government. Likewise, while traditional values were celebrated as long as they advances social hierarchies, leading "traditional lifestyles" was incompatible with the work ethic deemed necessary for advancing economic growth. For an overview of the inconsistencies between the Confucian philosophy and 'Asian values' advanced by the PAP, see Mauzy and Milne (2002).

[138] Chua (1995) observed that during the survival-phase in education, textbooks for schools made a conscious effort as to omit references to particular cultures in teaching materials.

[139] For example, in raising the educational outcomes of different underperforming groups, community based organisations were established for respective ethnicities, with 'voluntary donations' deducted from the CPF accounts of people belonging to these ethnicities, emphasising the communal responsibility (Chua 1995, p. 34).

the limit of the respective ethnicity had already been exceeded. While the policy was justified through the aim to prevent racial enclaves, promote ethnic integration and avoid racial riots, its political objective was to gather ethnically and economically diverse groups, eliminating possibility of political class enclaves (Chua, 1997, p. 138) that could potentially give rise to bottom-up pressures threatening the PAP's political aspirations.[140]

The official narrative focused on the value of this policy for integrating the community – as the 'towns' were to reflect the ethnic and socio-economic composition of the overall society, they were argued to promote the collaboration of people who might otherwise not interact and contribute to fostering a spirit of the community (Chua, 1997). In particular, this was presented as beneficial to the lower-income groups (which were not coincidentally most unsatisfied with PAP's governance) as they would "profit" from the better educated inhabitants serving as community leaders (ST, 1989). Although in principle this regulation pertained equally to all ethnic groups, the Malays and Indians as least represented ethnic populations were disproportionately affected, as their opportunities to choose desired housing locations fringed on whether or not quotas were fulfilled (Chua, 1997, 2005). With the Chinese now officially required to dominate the 'towns' (which were at the same time electoral constituencies), the PAP's chances of achieving electoral victories were improved, while possibilities for electing minority candidates decreased significantly.

PAP's attempts to reshape the value discourse in the society and institutionalise respect for community as part of Singaporean identity culminated in 1991, when the government accepted the White paper on Shared Values, which came to be known as the "national ideology" (Parliament of Singapore, 1991).[141] The document laid out a Singaporean version of Confucianism and communitarianism, including in their rationale for producing the document also the recognition that "Singapore is wide open to external influences" and "[n]ot all foreign ideas and values are harmful" emphasising the need to "uphold certain common values which capture the essence of being Singaporean". Five values in particular were specified as capturing *Singaporeanness*. Three of these values addressed the anti-individualist direction that people were supposed to abide to. "Nation before community and society above self" emphasised the

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[140] Another political concern this housing policy aimed to address, Tremewan (1994, p. 126) remarks, was fear that the Malay population was having more children, potentially disrupting the PAP's claim of being Chinese-dominated state and providing support for electoral opposition through the first-past-the-post system tied to housing estates.
[141] A government committee had already been established in 1988 to devise a "national ideology" which "Singaporeans of all races and faiths can subscribe to and live by" (Parliament of Singapore 1991). Tamney (1996, p. 19) notes that the committee was headed by the son of Lee Kuan Yew - Lee Hsien Loong, who would in 2004 become Singapore's third prime minister.

need to prioritise collective needs over one's own interests, which was formulated as "a major factor to Singapore's success", claiming that "if Singaporeans had insisted on their individual rights and prerogatives, and refused to compromise these for the greater interests of the nation, they would have restricted the options available for solving these problems". This was, however, not only a retrospection of Singapore's success, but also the government's vision for its future, where the common good would continue to dominate individual interests leading to "greater success for all" in the long term. The second value articulated "family as the basic unit of society", insisting that family too was to be prioritised above the individual. Aside from justifying the pro-family direction of social policies, the reasoning concerned the "trend towards heavier reliance of the state to take care of the aged" and the risen individualist mentality, which was negatively perceived as it "weakened the family unit". Part of the PAP's future vision for providing well-being provision concerned family members, instead of the state, assuming responsibility for their relatives, by organising care-taking as well as sharing resources for health and retirement-related expenses. The third value – "regard and community support for the individual" intended to both, discourage cleavages in the society and articulate a communal responsibility for the "less fortunate" or "the needy", once again emphasising that the duty rests within the community, not the state.

The remaining two values addressed the multi-racial composition of the Singaporean society, claiming that it is *Singaporean* to focus on "consensus instead of contention" and "racial and religious harmony". Articulating these values provided justification to continue the practice of restrictions in the name of "national unity" but it also delineated permissible communitarianism – Singaporean communities were to "sustain and develop their own heritage (..) but cannot afford to put parochial concerns of their own separate communities uppermost". No community therefore was to come before the nation' and only in *harmony* could different racial, religious and ethnic communities form the 'fabric' of society. To reiterate the urgency of the document, it also took a mention of the 'crisis' that would ensue if these values were not followed stating that "once the social fabric [of the society] is torn, it cannot easily be sewed together again" (Parliament of Singapore, 1991). The White paper made a mention of individual rights, but noted that in Singapore seeks to balance rights of the community against those of an individual, instead of "promoting one to the exclusion of the other". Drafters of the document made sure to note how these values were inspired by Confucian thinking, but were distinctly separate as Singaporean, shared by people from all religious denominations and ethnical backgrounds. In fact, they argued that all the stated norms are already a part of *Singaporeanness*, but they must

be "systematically inculcated" through schools, teachers and parental guidance for the sake of future generations.

Although the document did not enjoy the status of law, any public criticism of these 'values' was silenced and the White paper was expected to guide future policy and individual behaviour. Consequently, it was institutionalised through the school curriculum, military service and media expected to produce long-term effects (Mauzy and Milne, 2002, p. 64; Tamney, 1996; Chua, 1995, p. 33). Some authors have seen the introduction of this national ideology as a strategy to counter modernisation (Clammer, 1985) or a "retrospective rationalisation of [the PAP's] 'multiracial' policies instituted at the beginning of nationhood" (Chua, 2005, p. 182), – while the developments over the previous decades had produced an affluent middle class consequently reflected in changing mentalities, the government aimed to reverse these unintended consequences through subsuming such attitudes under controlled channels. Not only did the government claim that there *was* a common identity shared among all Singaporeans of different ethnical and religious backgrounds, but also that a governmental committee had the authority to define it with little participation of the public and that this identity should be enforced, taught and preserved for the sake of Singapore's future success. Yet, the certain institutional channels for these values remained not entirely defined as it was an articulation of the already existing ideological prerogatives advanced by the formal institutions in Singapore rather a significant change in direction. Instead, the White paper was rather directed towards the populace, providing moral guidelines for individual and collective action; aims towards which people were expected to 'voluntarily' direct their collective efforts. Thus instead of being a genuine articulation of shared identities of the Singaporeans, it rather served as guidelines for self-censorship, prescribing commonly accepted limits of permissible exercise of one's choices and agency.

The shared values discourse was extended beyond the bounds of the Singaporean population with Lee Kuan Yew becoming a vocal proponent of 'Asian values' also internationally and insisting that Singapore's economic success would never have been possible without their emblematic attitude that values hierarchies and social order. Rodan (2011, p. 70) remarks how this momentum coincided with the collapse of the authoritarian rule in Taiwan and South Korea, prompting Singaporean leaders to reiterate that advancing capitalism must not necessarily result in political pluralism. Lee defended this conviction by criticising the notion of individual rights and advancing a culturally particularist alternative. He did not denounce the idea of human rights, not their universality, but insisted that rights are historically and

culturally bound. Since people in Singapore valued the well-being of community over that of oneself, the argument went, rights need to be evaluated in within the context overall socio-economic development of the society.[142]

7.3.2.3   *Pro-family social policies*

One way in which Singaporean shared values were different from Confucianism, according to the White paper, concerned Singaporean *respect* for the family, rather than an unquestionable subordination as enshrined by Confucian thinking (Parliament of Singapore, 1991). This respect necessitated also the protection of the family unit, especially in the face of the rising individualism, which threatened to weaken the family institution and could potentially result in the demise of the entire nation. In this sense, individualism had posed a moral crisis calling for immediate action to protect the family, community and the Singaporean nation. In line with this rationalisation, the government advanced a number of measures for enforcing family and community-driven social policy, inevitably transforming people's lives on the individual level.

Family orientation was especially evident in developments of housing and health-care policy, which in tandem worked to promote this 'value'. Aiming to advance the family as the "central unit of society", the conditions upon which individuals would be provided access to housing were tailored to support the objective. Eligibility criteria was changed to prohibit single Singaporeans from applying for HDB flats, as it would encourage early break-up of the families (Chua, 1997) and promote undesired individualism.[143] If extended families applied to live in close proximity with other family members, they were given priority, considerably shortening the waiting period or provided higher cash grants for housing costs than those who chose to live elsewhere (Chua, 2005, p. 191). The expectation was that close living proximity would urge family members to take care of each other, whether it involved care for the elderly family members, assuming child-care duties or carrying out other unpaid social work and discourage people to live on their own, whether from younger or older generations (Phang, 2007). By

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[142] Lee's argument (supported also by a number of other Asian countries) did successfully tap in the overall debate over the universal nature of human rights and whether the internationally enshrined rights documents should be viewed universally as authoritative texts that prescribe the minimum requirements of human rights, or whether (and to what extent) the prescriptions are susceptible for interpretation by societies locally. The 'Asian values' debate questioned the universal premise of rights, for if people in Asia were indeed less receptive to the notion of individual rights and viewed agency or life in dignity as bound within the community, it might be permissible to evaluate success based on achieved outcomes, rule of law and people's overall satisfaction. For a more elaborate debate, see Barr (2000b); Bruun and Jacobsen (2000); Kingsbury and Avonius (2008); Sen (1997); Wai-Teng Leong (2008); Bauer and Bell (1999).

[143] Phang (2007, p. 34) notes that this rule was also applicable to unmarried mothers and remarks that although the policy was changed in 1991 allowing singles above the age of 35 to also purchase flats, individuals belonging to this 'categorisation' were still unable to qualify for HDB subsidised housing.

implication, the government hoped that families would do the bulk of the work in disciplining the young generation and teaching them proper values as, according to Lee Kuan Yew, formal education "can only supplement what the home does" (ST, 1994a). Strengthening the family institution would serve to reverse individualist tendencies among the young and teach the value of the community not only on a governmental but also on a household level.

At the same time, health-care policies reinforced people's subordination to the housing regulations, likewise aiming to reinforce the pro-family policies. Paradoxically, this followed PAP's eugenicist aspirations, demonstrating just how much freedom the government had to interpret the 'values' as they see fit. In attempts to incentivise young Singaporeans to have bigger families, the Third Child Priority Scheme of 1987 ascribed couples with at least three children priority in being allocated larger HDB apartments. From 1988 onwards individual savings from the Medisave Account were allowed to be used for assisted conception procedures to promote forming families and having children (Ng, 1999) keeping in line with the government's commitment to family-support. Soon thereafter, however, another policy was introduced to limit the family size of poorer households to two offsprings (Phang, 2007), who were instead expected to concentrate their resources on the proper *upbringing* of their children.[144] Although the government needed to foster population growth for the economy to avoid the influx of foreign workers, the racial and class undertones were evident, promoting families only under the slogan "have three, or more, if you can afford it" (Davidson, 1999, p. 82). This discriminatory stance was, however, also justified by the same notion of fighting an eminent crisis, only this time, the designated threat was comprised of "the irresponsible, the social delinquents, [who] (..) believe that all they have to do is to produce children and the government then owes them and their children sufficient food, medicine, housing education and jobs" (Lee Kuan Yew quoted in Barr (2000a, p. 121)). The economic prerogatives required Singaporean population growth, but not of those, who would 'produce' bad citizens, as per the government's views. So family and population planning policies were seen to involve the planning of the reproduction of the *right kind of* genes, that would not shrink Singapore's "pool of talent" (Barr, 2000a, p. 122). Consequently, pro-family policies for educated high-earners

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[144] The Small Families Improvement Scheme of 1994 prescribed benefits for complying with these requirements, including housing grants for the family and an education 'stipend' for the children on the condition that applicants sign a legal document agreeing not to have more than two children. This was in line with a government report from 1969, which had reported that poorer people must resort to smaller families as they cannot afford to nurture and educate their kids (Tamney 1996, p. 75).

in Singapore urged them to have bigger families, while the same 'value' applied to low-income households was to be interpreted as limited by their resources.

Promoting pro-family policies was beneficial not only in terms of shifting the lives of individuals towards communitarian principles in line with the Confucian philosophy, but also because they helped reduce welfare-related costs for the state. The rapid ageing of the Singaporean population had become a prominent issue especially because PAP's former family planning policies had attempted to curb population growth. Concerns over whether individual CPF contributions can sufficiently cover retirement costs had become an important concern in light of the increasing lifespan and rising health care costs. Extending the notion of 'self-reliance' to imply individual responsibility for the family allowed to lift the pressure from the government for providing well-being related needs after one had ceased to take part in the CPF, which governed these provisions. An additional scheme was introduced in 1987, allowing members to withdraw money from their accounts at retirement age and extended to allow family members to provide for their parents' retirement as well (Ng, 1999).[145] The elderly therefore were "form[ed into a] part of the voluntary family-based welfare arrangement" (Chua, 1997, pp. 141–142) while the solution increased welfare demands on individual workers instead of the state. Whether it was primarily monetary or ideological concerns that shaped the ascendance of these policies, for Singaporeans they comprised comprehensive rules of the game, which reinforced each other in the name of pursuing Singaporean ideology and national interest. Chua (1997) has noted that under circumstances of limited options, the regime's monopoly over the housing sector can increase the regime's 'ideological surplus' as "any citizens dissatisfied about particular value will be coerced into accepting the conditions imposed upon them" (Chua, 1997, p. 141). This coercion was made 'voluntary' by providing a series of incentives and disincentives, theoretically giving people the choice whether or not to subscribe to these values. But in an environment where alternative opportunities are very limited and resources are inadequate, it is understandable how such incentives in housing, health care or education can prompt people to adopt their behaviour, beliefs or even aspirations to the conditions upon which access to these ESR-related goods and services fringes on, especially for the lower-income stratum of the population.

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[145] The Minimum Savings Scheme enabled people to direct their savings towards a Retirement Account, also a part of the CPF, which would be used to provide pension in case of retirement until the savings, together with the interest on the savings, was exhausted. On the outset the contributions to the scheme were pegged at the subsistence level, but in 1995 the contributions were raised to support a 'modest' living standard during retirement (Ng 1999).

The idea that family was to be valued as the core unit of the society could rather successfully be extended to the whole community, even more so because the government frequently referred to the Singaporean nation using the analogy of a family with most notably Lee Kuan Yew as the 'father of the nation'. Criticising a survey conducted in 1989, which found that people thought it was the government's responsibility to help the 'needy', Singapore's second prime minister Goh Chok Tong stated that "such an attitude is disturbing" emphasising that the state perceives it as the duty of *all* members of society. He reiterated that:

> "[i]f we do not accept this, Singapore will become an affluent society of successful individuals who only strive for their own comforts but are oblivious of the needs of the less successful and the less privileged in their mindset. It will be a "poor" rich society." (Goh Chok Tong, 1989)

More than interpreted as an obstacle to economic development and the standards of living, individualism was presented as a potentially destructive threat to the *moral* well-being of the society. To eliminate the possibility of developing an affluent and selfish society, Singaporeans were encouraged to devote their time and resources for helping those in need. Goh Chok Tong announced a new policy-direction towards a "gracious and compassionate society" much in line with the PAP's vision to divert a section of responsibility for well-being concerns to the society, family, but also community organisations. In a speech in 1989 he outlined the necessity for the change in state direction due to existing "threats" in the society, reaffirming the perception of an eminent crisis:

> "In Singapore, because we do not have natural resources we emphasise self-reliance, competitiveness and economic success. We remind ourselves repeatedly that "nobody owed us a living" and the "there is no free lunch". While this basic philosophy is correct and has brought us success, it has an unfortunate consequence. It tends to make us selfish and to measure success in terms of material wealth. We measure people by the size of their bank balance, when we should be more interested in the kind of person they are and what contribution they make to the society, especially to others who are less fortunate. We envy those who succeed and frown upon those who fail. We admire the strong and shove the weak aside. We spend time on activities which are directly rewarding, and give hardly any to socially worth-wile causes. In the process, many of us ignore, neglect and forget the less fortunate or less successful members of our society. To guard against such tendencies, we must encourage successful Singaporeans to devote a part of their time and resources to help their less successful brethren. We must encourage Singaporeans to build a tradition of helping others." (Goh Chok Tong, 1989)

Calls for sharing the welfare concerns were complemented by a number of measures which reaffirmed the commitment of the government to more actively involve the society in welfare

functions. Upon launching the "Volunteers' Month" in 1991, the president's speech vocalised the role of volunteers in building "a caring society" and "improving the quality of life in Singapore" (Wee, 1991). Additionally, various religious and community institutions were encouraged to carry out welfare functions and rally individual members behind the cause of taking care of those in need. Already in the pre-independence years, religious temples had played a role in providing welfare relief in cases of accidents, and continuing this practice was beneficial to the government's aim of diverting responsibility for such functions away from themselves. This developed into a 'strategic partnership' (Kuah-Pearce, 2008) with mutual benefits for the state and religious organisations. Singapore's government used its administrative capacity to designate areas that needed additional welfare assistance, encouraged community and religious organisations to undertake the welfare services and provided guidelines for the management of these services. Simultaneously, they urged people to volunteer and provided generous financial assistance through grants from government affiliated Ministries and Councils.[146] Thus, although the government outsourced the welfare functions to community organisations, they nevertheless ensured financial support, actively 'recruited' volunteers and provided legal guidelines that these organisations were to follow not unlike if they were to actually fulfil the function themselves.

More than enforcing the self-reliance rationale, this policy also served to, in the words of Kuah-Pearce: "resctructur[e] religion into socially-productive units of the society. In doing so, it force[d] the religious institutions to play a more significant role in society (..) thus redefining the social agenda of the religious change through exercising strong bureaucratic and legal control and the use of legislative power" (Kuah-Pearce, 2009, pp. 4–5). The White paper on Shared Values likewise emphasised the tradition of religious groups in providing social services and reiterated that: "[s]uch community support for individuals will keep Singapore a humane society. At the same time it helps to avoid the dependent mentality and severe social problems of a welfare state as experienced in many developed countries" (Parliament of Singapore, 1991).[147] Thus while the government's role in the provision of welfare actually

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[146] The Charities Act that was passed in 1982 provided monetary advantages to organizations registered as charitable organizations, ensuring government subsidies and tax exemptions. Later, they also urged individual and corporate donations for supporting "charity, philanthropy and volunteerism" (Goh Chok Tong 2001), granting a status of Institution of Public Character to private foundations supporting charitable activities and promising possible tax reductions.

[147] To further cement the government's dedication to promote pro-family policies, a draft document titled Singapore's Family Values was released in 1994 identifying further 'family values' supposedly shared among all Singaporeans, namely love; care and concern; mutual respect; filial piety and commitment and responsibility (Hill and Lian 1995, pp. 154–156).

increased in legislative, monetary and administrative terms, it actively resisted to interpret these actions towards becoming a welfare state and continued the anti-dependency rationale it had previously advanced. And although the promotion of communal responsibility for societal welfare needs would primarily serve to divert this responsibility away from the government and help solve the dire consequences of rising inequality, it was justified by the need to create a "more gracious and compassionate society" – a failure to achieve this would pose a threat to the individual and collective future of Singapore.

7.3.2.4 *Expanding limited accountability and controlled participation*

Reforms in social policy were further accompanied by carefully controlled moves towards opening up the political space, which has, in retrospect, contributed towards pursuing developments more in line with the rights principles of accountability and participation. Chua remarks how the 1984 election result prompted also the newly elected cabinet of ministers to address the issue of forging a new 'social contract' with the electorate, which should include "greater participation in the decision-making processes in the national forum and (..) greater freedom in personal affairs" (Chua, 1995, p. 77). A result of increased prosperity and intrusive policies of the previous decades, Singaporeans sought "their government to be more consultative and tolerant and possess an obvious willingness to listen to people and allow them greater participation" (Vasil, 2000, p. 240). In the years following the elections, numerous reforms were carried out aimed at finding such a governance compromise between the electorate and the ruling elites. When the leadership of the PAP was handed over to Goh Chok Tong in 1990, it was meant to symbolise a change towards a more open and accountable governance and a more flexible PAP, ushering a period in Singaporean politics characterised by some as '*glasnost*' (Vasil, 2000, p. 244).

In a sense, accountability had never been a major concern for the PAP, which praised itself as a just, meritocratic rule, free of corruption. Indeed, good governance has often been named as the cornerstone of Singapore's exceptional success (Khan, 2001), which according to the government was comprised of "the effective implementation of policies and delivery of public services" (UN General Assembly, 2011b, para 17). A major reason why the PAP could praise itself as 'accountable' was that they defined accountability in a centralised, top-down manner (Rodan, 2011), where politics were left to the politicians (Hwee, 2002b; Ooi, 2010), who were, in turn, accountable to the population as prescribed by the meritocratic principle – they embodied wisdom, authority and were expected to rule by example, which also included the

complete refusal to accept corrupt practices.[148] Yet, while the government remained dedicated to taking care of Singapore and Singaporeans, and were transparent with regard to policy and decision-making process,[149] horizontal channels of accountability were deficient as the state in no way saw it their duty to "blindly" follow the wishes of the public. The electorate was to voice their preferences through regular, free and fair elections, while the capable and talented political elites responsibly undertake their duties in the meanwhile. Such an arrangement was particularly troubling for the young generations of Singaporeans, who were sceptical about the willingness of the PAP to listen to the voices of the population and was exhibited in the decline of electoral support. To counteract these claims, the PAP initiated a number of changes in their governance strategy, aiming to address what they called the 'communication gap' (Goh and Gopinathan, 2008a) between the state and society. Not only was this trend a concern for PAP's future legitimacy, but quite pragmatically the lack of communal feedback was also recognised as an obstacle to improving social performance. Channels of public participation were gradually expanded, but contrary to signalling political liberalisation, they were deeply subjected to the demands of good governance, and portrayed as means to improve the effectiveness of policies, which nevertheless retained vertical hierarchies.

The underlying problem rationalised as the lack of 'communication', necessitated the government to better explain their motives and be receptive to criticisms. While there were clearly 'rational' motives that prompted this change, it was presented as guided by the Confucian ideology, which, applied to its leaders, prescribed the government to *win* the people's obedience rather than accept it unquestioningly. Consequently, the PAP claimed it had a "duty to listen to the people and understand their feelings before making decisions that affect [people's] lives and livelihood" (CDIS, 1985, p. 80). Decision-making was hence opened up to public consultation and various mechanisms were introduced aimed to increase the government's accountability towards Singaporean people, but they addressed mechanisms of top-down accountability rather than signalling any intent of political liberalisaton.

Some notable examples include the Feedback Units, which were established under the Ministry of Community Development, which regularly organised discussions with the public on various

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[148] According to the Corruption Perceptions Index devised by Transparency International, Singapore remains among one of the least corrupt countries in the world. Several high-level officials have over the years been sentenced to prison for corruption charges and such practices are severely denounced by the regime, seen as non-virtuous also within the Confucian teachings.

[149] Barr (2000a) even evoked the term 'honest' in characterising the PAP's rule and Lee Kuan Yew in general, for their open rationalisation of their policies, which was always laid out to the public, even if people disagreed with the reasoning itself.

policy matters (Hwee, 2002b). These units were to serve the purpose of seeking public opinions about desired policies, although according to Tamney (1996, p. 71) they rarely resulted in fundamental amendments made in policy proposals. From 1998 electoral campaigns were accompanied by Meet-the-People sessions giving Singaporeans the possibility to discuss pertinent issues with candidates directly as part of their electoral campaigns (Mauzy and Milne, 2002). These sessions were later made weekly and carried out in each constituency, aiming to increase the communication between the leaders and their electorate (Ong Keng Yong, 2010, p. 5). Polls and public consultations were actively carried out to inform people about planned policies and receive input about their reactions to the scheduled reforms. Such opportunities were nevertheless restrained – if people disagreed with policies, they were to "respectfully explain their reasons" (Tamney, 1996, p. 65) through thee formal channels introduced by the government, confining political debates to the existing state-controlled institutions. If individuals wanted to make political change, they were urged to join a political party (ST, 1994b) and compete for power, once again, through the channels designed by the PAP. Thus the increasingly "candid public discussion" (Vasil, 2000, p. 242) on uncomfortable issues, such as ethnicity, was often initiated and facilitated by the government leaders, not the public, who were still expected to contain debates within the permissible limits of discourse surrounding respective issues. Most importantly, these debates and political openness in general were typically limited to local governance, making it clear that the PAP's rule is beyond the tolerated issues of debate.

Other participatory instruments were likewise introduced with the aim of performing various activities to further government objectives, such as promoting good citizenship, neighbourly interaction, improve community relations and encourage a bond among members of the society, while contributing to the state's image of openness to people's participation and public debate. Citizens Consultative Committees[150], Resident's Committees[151] and Neighbourhood Committees[152] were all seen as a tools to enhance the building of a close-knit community and foster national unity (see Wong, 1991). They did, at the same time, also provide a platform in which citizens could express their views about policy questions, but within a very controlled

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[150] The Citizens' Consultative Committees were first established in 1965 following the racial riots of 1964, with the aim of informing citizens about the actions of the government and promote 'good citizenship' among Singaporeans.

[151] Resident's committees were established to 'promote neighbourly interaction', good communal relations and ethnic cohesion by organising informal events for local communities.

[152] Neighbourhood Committees were formed in 1998 with the purpose of 'encouraging active citizenry' and bonding between people from various housing estates.

framework overseen by the PAP. For example, most community events were actually organised by the People's Association – PAP's grassroots movement accountable to the prime minister – who, in turn, would be rewarded for their activism and 'volunteer work' through beneficial treatment by the welfare institutions, advantages in the allocation of public housing, cash grants for social security or priority in school admissions. Formally the aim of such mechanisms for community organisation were not directly related with policy and politics, but their function as communication channels between the government and the society was widely acknowledged by the state. Indirectly, activities of these organisations were to garner public support for planned government policies through information and debate. But they also provided useful feedback mechanisms whereby state-affiliated members of these committees would report back to the government about whether or not policies and reforms are well received by the people; about the prevalent concerns among members of the public and expectations placed on the state officials, allowing the government to pre-emptively target certain interventions.

In hindsight, all these activities contributed to two important objectives. On the one hand, they addressed PAP's legitimacy deficit by creating an image of the government as responsive to people's opinions, which was crucial for containing the rising discontent with the intrusive governance strategies of the PAP (Worthington, 2003). Yet, they did not fully meet people's expectations on the scope of desired political change, instead following what the government coined "evolutionary change" (Vasil, 2000, p. 247) carefully supervised by the government and addressing only vertical channels of accountability. On the other hand, it also informed policy-makers about the actual needs, problems and preferences faced by the society, enabling them to improve policy effectiveness as pre-emptive plans, research and statistical analysis comprised a crucial aspect for effectively translating the PAP's vision into actual outcomes felt by the society (Mauzy and Milne, 2002). While people were provided with a sense that the government does not ignore their opinions, the PAP received valuable information and feedback on whether citizens are on par with their policies and communitarian ideas in general.

Electoral institutions were likewise amended throughout the 1980s and 1990s, aimed to reassure people that they were represented in the parliament regardless of PAP's unilateral hold on power. Non-Constituency Members of Parliament were introduced in 1984 to guarantee a minimum number of opposition parliamentarians and to demonstrate that the PAP is ready to tolerate opposing opinions (Hwee, 2002b, p. 206). This was followed by the adoption of Group Representation Constituency in 1988, aimed at addressing the shortcomings of the first-past-the-post electoral system in constituencies built around housing estates, which structurally

disadvantaged the election of particular minorities in the parliament due to the racial-quota system. Another post coined Nominated Members of Parliament was further introduced in 1991 – these MPs were to be chosen by the president[153] and in 2001 voting was extended to citizens from selected countries overseas, if they fall under certain selected categories (Hwee, 2002b). Notwithstanding the symbolic power these developments signifying the PAP's commitment to compromise, several observers note how these institutional changes promoted cultural, instead of rights-based conceptions of citizenship and actually weakened the power of opposition parties, constraining their activities, like the ones of the public, within the formal channels controlled by the PAP (Tamney, 1996, p. 71; Hwee, 2002b; Rodan, 1996, 2011). Moreover, they were not presented as an achievement of the opposition, but rather as PAP's efforts to ensure political diversity necessitated by the principle of multi-racialism which the government deemed to advance.

Alongside pragmatism, multi-racialism and good governance, throughout the 1980s 'flexibility' was added to the PAP's essential principles of governance. In the words of a Singaporean diplomat, the PAP recognised, that "there must be honesty and readiness to acknowledge changing circumstances and conditions so that national goals and priorities are reviewed and adjusted when necessary" (Ong Keng Yong, 2010). One way in which the increased flexibility exhibited was by reversing a number of policies that did not enjoy public support although they were in line with the government's ideas. The Graduate Mothers Scheme, introduced in 1984, also known as the 'eugenics' policy, was based on the belief of the PAP leadership that non-educated women have 'bad genes' (Chua, 1995, p. 21; Mauzy and Milne, 2002, p. 55; Barr, 2000a), in line with the rhetoric of the value of social hierarchies and elitism. Rationalised based on a census conducted in 1980, which stated that educated women opt to have less children than educated ones (Barr, 2000a, p. 123), the scheme prescribed incentives to educated women for having more children, while providing a cash grant to uneducated ones for undergoing a sterilisation after two new-borns.[154] Although Lee Kuan Yew

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[153] Also a post, which according to the constitutional amendments in 1991 came to be elected by the people and given increased responsibilities. Yet, although the president was to nominate these members, his choice would be based on recommendations from the Special Select Committee, who would seek out people with special expertise in industry, commerce or cultural and social activities, making it possible for the PAP itself to choose their opposition candidates while projecting an image of political liberalisation (Rodan (1996, p. 72); Hwee (2002b)). At the same time, Tremewan (1994, p. 231) remarked how the creation of elected presidency itself can be seen as a way to shift "political accountability away from the PAP".

[154] This policy was supplemented by an array of other incentives for having less children or undergoing sterilisation, instituted through social policy measures that included opening up free family-planning clinics, reducing the length of maternity leave for women with more than two children, giving sterilised parents priority in applying for public housing and providing their children with possibilities to have access to education in desirable schools. Tremewan (1994, p. 122) notes how this deeply alienated women, seeing how it contradicted

reaffirmed his belief in the eugenics rationale alleging that "80% of talent and intelligence was inherited" (ST, 2000), the policy was nevertheless reversed in the face of rising public discontent. Likewise, when the Moral Education Policy was met with criticism about the government's attempts to indoctrinate pupils in 1989, the PAP abolished the policy and turned their efforts towards introducing legislation that would use community organisations to achieve similar ends, reducing the ideological function of formal education (Chua, 1995, pp. 120–121).

In symbolic contrast to the previous decades when the PAP governed exclusively following vertical hierarchies rationalised through the need for survival, people were now progressively incorporated in supposed decision-making processes while their opportunities to meaningfully challenge the regime were kept in check. In 1997 the project "Singapore 21 Committee" was initiated, the findings of which "proposed a new national vision to strengthen the "heartware" of Singapore in the 21st century" and aimed to define a "people's version of the new Singapore" (Singapore 21 Committee, 1999). Findings of the project were claimed to be a result of a consultation process with more than 6000 people, but the Committee itself consisted of 83 members, including ministers, MPs, and PAP-affiliated volunteers from community and welfare organisations, so unsurprisingly the resulting 'people's vision' corresponded largely with that already advanced by the government (Ong Keng Yong, 2010, p. 5). Due to the lack of acceptance enjoyed by this document, another attempt to achieve similar objectives followed by the "Remaking Singapore" project launched in 2002. While it was more inclusive of the public, its findings nevertheless emphasised the important role of housing, community and education, providing an affirmation of the government's present objectives rather than indicating a 'new vision' for desired reforms (Remaking Singapore Committee, 2003).

This period was instrumental for improving participation and accountability, considerably expanding people's opportunities to exercise their political agency, albeit under a controlled framework that strictly delineated permissible 'political' activism and interpreted accountability as part of meritocratic rule rather than an intrinsic good in itself. The PAP emphasised that participatory mechanisms were pragmatically necessary for increasing their legitimacy and address the 'communication gap', but that the introduction of these channels by no means suggests that popular will could trump the underlying principles of governance. Goh Chok Tong made this clear in his National Day Rally speech in 2001:

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the supposed egalitarianism, reducing children's prospects of a life to the circumstances of their parents' former education.

"We have allowed freer expression of divergent political views, so long as this does not compromise law and order, national security and national interests. We have set up a Speakers Corner. Singaporeans have formed discussion groups like The Round Table and Think Centre to discuss political issues. In the spirit of discussion, the Government will from time to time disagree publicly with their views. It surely cannot automatically accept everything that they say, nor should it simply ignore what they say. If the Government thinks that something they said will hurt Singapore, it has to rebut them, if necessary, forcefully." (Goh Chok Tong, 2001)

Such political openings were thus accompanied by a rhetoric of anti-individualism, anti-westernisation and anti-democratisation, and often took place around moments of political or economic turmoil fulfilling an obvious legitimisation function for the ruling party (Tan 2015). The PAP has continued to expand participatory channels also under Singapore's third prime minister Lee Hsien Loong, articulating the need to set clear goals, achieve them and communicate their vision to the citizens as part of the principle of 'good governance'. Yet, the discourse of accountability remains understood narrowly as the need to "actively listen to citizen's feedback and publically show empathy" (Ong Keng Yong, 2010, p. 4), while communitarian ideas and the crisis rhetoric strictly delineate the margins of permissible exercise of political agency, speech and even opinion, preparing Singaporeans for "jungle survival" (Tamney, 1996, p. 9) for justifying the disproportionate balance of power between the benevolent state versus the individual.

7.4 Aspirations-driven policy with a focus on vulnerable groups as strategy for the new millennium

The success of PAP's attempts to instil a shared identity upon the Singaporean population remained questionable as means to regain legitimacy among the public. Following the 1984 elections and the intensification of the government's ideologising efforts, people's support for the party continued to shrink, even with the mitigating effects of initiatives that symbolised a politically more open PAP.[155] The Asian economic crisis of 1997 complicated matters further, enforcing the PAP's conviction that economic distress called for more, not less state

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[155] In 1991, shortly after Goh Chok Tong assumed his role as Singapore's second prime minister, the PAP held a parliamentary election ahead of time, seeking people's mandate and approval for the party's supposed political transformation. The plan was unsuccessful and the party lost considerable amount of electoral votes, prompting them to seek further ways to appease the electorate. Briefly, Goh Chok Tong even resorted to threatening a reversal of the 'liberal' policies, claiming that he would "decide whether and how to continue with [his] open, consultative style of government" (Goh Chok Tong, 1991 quoted in Vasil 2000, p. 246).

intervention in both, the economy and people's private matters.[156] Yet, as socio-economic developments in Singapore by this time had given rise to significant levels of inequality, the PAP found itself in a situation, where a part of its population was still struggling to get by despite the dominant rhetoric of Singapore's success, while another part could no longer be coerced with appeals to basic standards of living and sought more fulfilling lives. People felt increasingly disenfranchised from economic growth due to perceived unfairness in the society (Perry *et al.*, 1997, p. 297) and were concerned with the rising costs of living, housing and health-care, worried whether the CPF mechanism would afford them enough funds at retirement (Tremewan, 1998). Concerns over the *quality* of life therefore entailed both, people's material aspirations as well as the lack of freedoms enjoyed in the city-state. Under these conditions, the government had to re-rationalise their strategy for winning people's votes and obedience, tailored to a non-homogeneous electorate with a variety of diverse concerns. In response, the PAP continued to appeal to people's living standards, national security and the collective interest (Rajah, 2012), but balancing between the interests of the economy and demands of the general population required to construe new threats to "Singapore's crisis", which would be accepted by the public under altered conditions.

Given the proven potential of welfare institutions to incentivise individual behaviour aligned with the government's vision, state control over housing, education and health care was retained. At the same time, the PAP recognised that with rising levels of affluence, people would not be content simply with being ensured basic life's necessities. Particularly young Singaporeans were dissatisfied with the high living costs and lack of freedoms enjoyed in Singapore. Failure to meet their diverse expectations would draw youth away from the country in search for more "vibrant and fulfilling lives" in societies "that defined success beyond academic and material achievements" (ST, 2014). More than perceived as a valuable concern to be addressed in itself, it was articulated as a nation-wide threat to Singapore as it could "hollow out [the] population and workforce, and make it more difficult to generate growth needed for good wage growth and employment, and more difficult to support the good well-being of Singaporeans" (Singapore Government, 2013). The government aimed to address the concerns of this segment of the population by directing policy attention towards the

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[156] PAP's electoral support rose slightly in 1997, but it coincided with the government's announcement that priority for upgrading housing would be given to constituencies, who showed support for the PAP (Hwee 2002b, p. 220). Thus support for the PAP would be directly linked to people's possibilities to increase their quality of life – opposition votes could curb access to these developments.

multidimensional character of people's 'aspirations', recognising that "every child has different talents and these should be realised to the fullest" (UN General Assembly, 2011b).

Potential emigration of Singaporeans was particularly pertinent because an anticipated influx of foreign workers would be required to meet Singapore's economic goals, carrying with it a new set of socio-economic and ideological challenges to PAP's legitimacy. While additional workforce was necessary and inevitable, it would still place significant pressures on the established system of social welfare provision (that was evidently already inadequate to secure people's 'aspirations'), but also challenge the close-knit national identity built on respect for communitarian values the government had attempted to establish. Education was of particular importance as it not only cultivated the workforce, but also directly appealed to the younger generation of Singaporeans, who grew increasingly discontent with the government's policies. A new 'vision' for improving the quality of education in Singapore was created in 1997, titled "Thinking Schools, Learning Nation". Besides 'pragmatic' considerations related to educational outcomes, the 'vision' was presented in the context of pertinent threats to Singapore's most valuable resource – its people. It underlined the necessity to instil a "nationalistic commitment in the young" (Lee *et al.*, 2008) as the success or failure of state's investment in education were measured not only through outcomes achieved, but also their ideologising potential. The moral purpose of the national education system, which now extended to a ten-year high quality education to all pupils (Goh and Gopinathan, 2008a), was to acquaint students with history and protect and defend their core values, which remained relatively unchanged since they were initially drawn up by the PAP leaders of the newly independent Singapore in the previous decades – multi-racialism, social cohesion and communitarianism. Yet, the public discourse somewhat shifted from emphasising ideological elements and the need for disciplining the populace to calling for creativity and risk-taking in business ventures to ensure economic growth (Tamney, 1996, p. 70).

Although affluence had served as the self-proclaimed measure of PAP's success, the PAP viewed it as having produced unintended consequences which now threatened the party's legitimacy. The government continued to invest in material well-being by improving housing estates and renovating HDB apartments, but meanwhile the policy focus shifted to promoting the "non-tangible aspects of life" on a societal level (Goh Chok Tong 1996). The qualitative content of 'aspirations' was thereby narrowly defined, focused on expanding people's appreciation from merely material to non-material issues, such as arts, culture and value of the community. Instead of promoting people's independently developed aspirations concerning the

lives 'they have reason to value' and providing opportunities to pursue them, the 'aspirations'-phase focused on particular developments found desirable by the state. Investing in people's "social, cultural and spiritual development" instead of material well-being was presented as the only way to ensure the social cohesion of Singaporean society. "Poor" values, which placed an emphasis on material improvements, were presented as a threat which could result in an "internal conflict, tension, and very quickly the whole place will fall apart" (Goh Chok Tong 1996, quoted in Perry *et al.*, (1997, p. 299)).

While the aforementioned activities were mainly targeted at the relatively affluent part of the society unsatisfied with the lack of opportunities the city-state had to offer, inequality had by then become an undeniable issue so the government also needed to pursue policy directed towards appeasing the worse-off members of the society, whose discontent was to only increase with the projected influx of foreign workers in Singapore. The PAP pledged that the well-being of Singaporean citizens would have priority over that of the foreign workers and continued to heavily subsidise housing, education and health care, undertaking initiatives to directly redistribute government surplus at times of good economic growth with more attention to the lower income groups (Goh Chok Tong, 2001).[157] These actions were accompanied by a clear message that they should not be thought of as the government assuming responsibility for the vulnerable sections of the society, but, rather, as efforts to step in when the society at large had failed at their responsibility to take care of those in need. Goh Chok Tong justified these redistributive policies by referring to the firm-knit nature of Singaporean society and emphasised not rights of the worse-off, but the *duties* of the better-off members of the society:

> "This policy of giving more to lower-income Singaporeans is right. The higher-income Singaporeans owe their success in part to the others who support our social compact. They must, therefore, be prepared to lend a helping hand to those among us who are not so well off. Only then can we remain a cohesive and stable society. It cannot be every man for himself. For a person to succeed, he needs a launch-pad from society. In turn, lower-income Singaporeans must support the enterprise and efforts of those who have the ability. We must not resent those who create wealth, for themselves and for Singapore. The Government, on its part, will ensure that every Singaporean has equal and maximum opportunity to advance himself, while providing a social safety net to prevent the minority who cannot cope, from falling through. This way, we can have

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[157] In practice, this financial aid was directed through the CPF, limiting the possibilities of how the surplus funds can be spent and allowing the government to retain control over its use.

an enduring social compact where the able can do very well, and we can use some of the wealth generated by them to subsidise and help the less able." (Goh Chok Tong, 2001)

Redistributive policies were thus rationalised in reference to communal obligations seeking to harbour a "gracious and compassionate society" necessary for Singapore's spiritual survival and by no means implied legitimation of a 'dependency mentality' or state responsibility for people's welfare needs. It was the community, not the state, that had a duty towards the "less fortunate" or "needy" members of the society. To underline this rationale, the PAP adopted the so-called "many helping hands" framework, which aimed to support "self-help" activities carried out primarily by the community instead of civil servants (Ong Keng Yong, 2010). People in need would be assisted through various schemes often offered through NGOs or religious or community organisations, without creating dependency on state-level institutions. On its part, the state heavily subsidised the established welfare institutions concerning housing, health and education with a particular focus awarded to the worse-off members of the society, while at the same time providing significant contributions to the non-governmental institutions that carried out welfare functions. Additionally a Community Care Endowment Fund (ComCare) was set up in 2005, providing government assistance to families inadequately served by community networks. The state's efforts to ensure welfare were presented as regulatory to the society's failure to adequately meet its obligation, phrased as efforts to help people "work towards self-reliance", which remained the core premise of the Singaporean system of social security (UN General Assembly, 2011b, para 59).

When Lee Hsien Loong[158] assumed office as Singapore's third Prime Minister in 2004, the requirements for economic development had changed together with the perception of threats to the future of Singapore, but the necessary response to these threats had largely remained unaltered. Whether the society needed to defend from the Asian Financial Crisis, globalisation, terrorism, economic recession or even the outbreak of SARS,[159] the response remained to place the responsibility on the community and the family, while the government defended the national interest through transparent, accountable and meritocratic governance. The new prime minister reaffirmed continuity of the government's anti-welfare stance in a speech in 2006, where he stated that: "Singapore has treated social welfare as a dirty word. The opposition and

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[158] Lee Hsien Loong is the son of Singapore's "father of the nation" and first prime minister Lee Kuan Yew. Active in politics since 1984, when he was first elected into the parliament within the PAP, he was responsible for various Ministries under the government of Goh Chok Tong as well. Although his ascendance to power as the son of Lee Kuan Yew is rather dubious, the PAP consistently argued that his *prime ministership* is a result of their meritocratic policies, and has nothing to do with his family ties.

[159] All these examples have been evoked by the government as justification for advancing social policies.

the Workers' Party have called for a permanent unconditional needs-based welfare system. I think that is an even dirtier five words" (Lee Hsien Loong, 2006). In describing the Singaporean social model, Lee Hsien Loong emphasised three cornerstones upon which social policy rests:

"Firstly, enterprise and drive to create wealth, rather than merely redistributing a smaller pie; secondly, self-reliance rather than welfare; and, thirdly, saving for ourselves and spending within our means rather than taxing for others and borrowing from the future. So in this way, we can get the people to perform to the best of their abilities; we can keep our economy competitive and flexible; and we can attract more investments and more talent, and improve the lives for all Singaporeans." (Lee Hsien Loong 2006)

These same cornerstones, he stated, also served to legitimise the CPF, which remained the central institution for governing socio-economic concerns as well as a tool for infringing on informal institutions in favour of the government's agenda for development.[160] In efforts to address issues of income inequality, the lack of a social safety net and minimum wage or unemployment benefits (UN General Assembly, 2011a, para 47), Lee Hsien Loong initiated the fostering of an "inclusive society" as a policy priority followed by several changes in the CPF (Ong Keng Yong, 2010). First, to assure that individuals have "a stake in the nation" not only when individual sacrifice needs to be undertaken, but, also, at times of economic growth, money was distributed directly to individual savings accounts in times of budget surpluses. This was to reaffirm that individuals too profit from economic growth and motivate them to increase their performance (UN General Assembly, 2011b, para 58). Second, in 2007 the Workfare Scheme was introduced – an income supplement for low-income workers as the "fourth pillar" of Singaporean social policy (Poh, 2007). The scheme in particular was Singapore's response to the lack of a minimum wage or absence of protectionist measures, which could have been instituted in the face of growing inequalities, an increase of foreign labour and pervasive problems of structural poverty. The PAP believed such measures to have potentially growth-curbing effects, which would discourage employment and place an undue burden on the employers (Lee Hsien Loong, 2006) decreasing economic development and Singapore's global competitiveness (Poh, 2007). Instead, the PAP opted to deliver targeted support for the worse-off by providing them beneficial treatment not through taxation, but

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[160] Regardless of its coercive policies, the CPF is seen as well-received by the population, based on a number of surveys and discussion groups, who view it "as an effective vehicle for providing housing and healthcare, and [the respondents] believed it had extremely positive effects on individual life, and on the nation as a whole" See Loke (2009); Sherraden *et al.* (1995); Vasoo and Lee (2001).

through the policy of CPF contributions.[161] In fears that these policies would be interpreted as contradictory with the anti-dependency rhetoric of the government, they were presented as advancing "workfare not welfare" (Lee Hsien Loong, 2005), helping people increase their knowledge, capabilities and job opportunities to achieve self-sufficiency and "tilting the balance in favour of the less fortunate" (Lee Hsien Loong, 2006). Finally, to appease the elderly non-working population which had increased because of the baby-boom around the time of independence, a Life Scheme was introduced through the CPF in 2009, which, as an alternative to state-provided pensions, forwarded a proportion of individual savings towards a retirement account, eventually increasing the amount of money paid to the individual after "drawndown age".[162] This essentially tackled the rising concern of older Singaporeans about their standards of living after one no longer contributed to the existing schemes of the CPF.

Given the economic ambitions of a "knowledge based and technologically intensive economy" (Ong Keng Yong, 2010, p. 2), Singapore was unable to meet the labour force demands on its own and foreign workers were a necessity to advance the objectives. At the same time, the PAP was wary about the changed dynamic of Singaporean population. Due to the influx of foreign workers, the number of "permanent residents" to Singapore had nearly doubled between 2000 and 2010, comprising around a third of all workforce (UN General Assembly, 2011b, para 97). The regime anticipated that increasing the number of naturalised citizens could pose pressures to extend access to welfare services to the new residents of Singapore, potentially straining resources and causing discontent among PAP's electorate, who were themselves inadequately served through the CPF schemes. The PAP therefore saw the need to distinguish between the 'rights' of the Singaporean citizens and those of "permanent residents", who had mostly arrived to the country for work opportunities (Ruhs, 2013, p. 106) in order to reassure the electorate that the influx of foreigners does not pose a threat to their well-being and that citizens would remain the primary focus of the government's policies. Foreign workers were needed to improve the lives of Singaporeans through helping to attain growth-related objectives, so

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[161] The Workfare Income Supplement scheme included cash supplements to low-income workers, a downward adjustment of the contributions required for the employer for these target groups, making them more attractive to be employed and a supplement to the direct CPF contributions of the employees themselves.

[162] As money received after retirement was tied to individual contributions paid to the CPF throughout one's lifetime, rather than a state provision of a pension, the 'drawdown age' was the Singaporean equivalent of the 'pension age', meaning the age at which one may start withdrawing their savings from the CPF's Retirement account. PAP's reluctance to associate the process of retirement with a 'pension' also has a symbolic meaning, signalling their unwillingness to assume responsibility for the elderly. The rhetoric implies that retirement does not necessarily mean entitlement to state benefits but is instead somewhat administratively presented as process of merely "exiting" from the formal system of welfare provision that may necessitate other administrative scheme or response, but not in the form of 'entitlement'.

criteria for acquiring citizenship remained strict.[163] Some non-citizens could still receive health and employment benefits through the CPF, but this 'right' was primarily reserved for the skilled and educated workforce, with strong undertones of discrimination against foreign workers, who were effectively ascribed second-class citizenship (Bell and Piper, 2005). Thus the Singaporean citizens, who also comprised the electorate, were reassured the decades-long promise of having a "stake in the nation".

Increased social, ethnic and cultural diversity brought about by the government's efforts to improve the economy threatened to challenge the narrative advanced by the PAP since independence, which insisted that Singapore is a close-knit family, the members of which were ready to sacrifice their individual interest in the name of the collective good. In his National Day Rally speech in 2007, Lee Hsien Loong reaffirmed the government's perception of communal ties as Singapore's primary asset, stating that:

> "Singapore's strength lies in our own people, dedicated workers and capable leaders; not just individual stars or few top bodies, but a cohesive society and a strong Singapore team. Each person is giving his best for the nation, doing things together that none of us could have achieved on our own. This is our greatest asset and this is the secret of our success". (Lee Hsien Loong, 2007)

The communitarian narrative had for decades been imperative to the PAP's legitimacy so newcomers to Singapore needed to be incorporated within this discourse. While in 2009 a Steering Committee on Foreign Worker Management was tasked with assisting foreign workers with housing, recreation and meeting of their other needs (UN General Assembly, 2011b, para 98), ideological work of integrating the new citizens was trusted to the National Integration Council, which, in cooperation with private and public sectors, worked to "help new citizens understand [Singaporean] way of life" (Singapore Government, 2013).

In the "new millennium" the PAP has been thus concerned with efforts to continue economic growth while mitigating the unintended consequences caused by their own former policies. In practice such efforts on the one hand involved focusing of particularly vulnerable social groups, left inadequately served by the welfare system already in place in Singapore, such as women, children, the elderly or persons with disabilities. Ignoring their needs would, according to international human rights guidelines, constitute a violation of ESR (Thio, 2010) especially

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[163] Even children born to Singaporeans with foreign spouses were not granted citizenship, rapidly increasing the proportion of Singaporeans, who had a status either as 'permanent residents' or a long-term visa, essentially limiting their access to rights as well UN General Assembly (2011a, para 27) .

given Singapore's high financial resource capacity. Although ESR are not protected under the constitution, its laws are recognised to guarantee their enjoyment at least at a basic level (UN General Assembly, 2011a, para 63). These developments, however, were at the same time justified not by human rights, but rather the government's concern for the communal well-being in Singapore and it was the society at large, not the state that bore a duty towards the rest of the society. The work of community and grassroots organisations was enabled by generous funds provided to these institutions for fulfilling a welfare function and the government recognised their role as supplementing the limited national-level social safety efforts also during the global financial crisis of 2008 (Ong Keng Yong, 2010, p. 4). Individuals, in turn, were expected to be grateful for this assistance (Donnelly, 1999a) both, to the state and the close-knit community. Promoting communal initiatives aimed to discourage passive citizenry through promoting volunteering, altruism and involving civil society and NGOs in assisting those in need. The PAP saw if beneficial to "inculcate the value of giving" to "promote inclusiveness and ensure no one is left out" to deal with the effects of inequality (Ong Keng Yong, 2010, p. 6).

On the other hand, the government shifted policy focus from material well-being to 'aspirations' which on the surface suggests an expansion of people's agency and their opportunities in life. In the Singaporean context, however, 'aspirations' were narrowly defined and delineated by the PAP's guiding principles of governance as well as the crisis-narrative – while they promoted cultural and communal activities as well as the arts, the boarders for 'permissible' or 'desirable' aspirations were clearly laid out by the regime, deeming their value for the empowering people as agents of their own lives, relatively marginal. As other social policy initiatives, these reforms too were initiated and mediated by the PAP's efforts to regain legitimacy within a changing socio-economic context and involved a meticulous appeal to state-defined "fabric" of Singaporean society, employing informal institutions as justifications for the national interest and the collective good.

7.5 Conclusion: ESR in Singapore

The Singaporean case challenges an unequivocal assessment of ESR implementation because the ruling party had since its inception proclaimed advancing people's well-being among one of their founding objectives and has indeed, substantiated this assertion with practical steps to do so while deeply opposing the notion of "welfare rights". As international interpretations of rights have highlighted the standing of specifically minority groups most commonly expressed in terms of ethnicity (Davidson, 1999, p. 74), Singapore's extensive emphasis on multi-

racialism seems a prominent reason for appreciation. Yet, a closer look at the historical developments of institutionalising ESR in Singapore reveal just how much socio-economic well-being is tied with not only the PAP's governance strategies and their legitimacy, but also their potential as tools for social control, which has through numerous measures of incentives and disincentives been used to align people's beliefs, values and even aspirations to those desired by the ruling elites. It is therefore in the 'footnotes' of the principles that guide the PAP's rule, where the importance for assessing ESR eventually rests.

The Singaporean regime and its polity was consumed under what the PAP deemed to be 'volatile' circumstances, initiating the thematic of "survival driven" direction that came to guide the emergence of social policies. The lack of economic resources, ethnic conflicts, underdevelopment and the communist political momentum in the neighbouring states prompted Singapore to prioritise economic development and political stability in the early years of its independence, viewing investments in ESR related domains as a necessary condition for achieving these goals. Along with these objectives, the PAP claimed their rule to be based on the principles of pragmatism, multi-racialism and good governance (resting predominantly on meritocracy), which became the main tenants justifying the development of public policy. The idea that people should not be discriminated was guided by the view towards promoting social cohesion for an essentially immigrant population in efforts to build a common national identity for the inhabitants of the newly independent city-state, the lack of which was one of the PAP's leading concerns. Equality and non-discrimination on the basis of race, ethnicity or language was thus on the outset enshrined in the Singaporean constitution (Singapore Government, 1965). As the government needed active participation of all members of the society, including women, in order to achieve economic growth, women's rights were likewise protected under law (UN General Assembly, 2011b) and access to social welfare was not explicitly gender-defined.[164]

It came, however, to be defined by participation in the CPF, which was the principal institution for distributing economic growth, welfare and opportunities for the Singaporean population. As a compulsory savings scheme, the CPF fringed primarily on employment, but education likewise increasingly defined people's opportunities within the confinement of the scheme.

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[164] One of the reasons behind the equal treatment of women can be traced back to historically rooted concerns expressed also in Lee's memoirs. Lee (1998, p. 325) described his conviction of pre-independence years that: "one reason for the backwardness of China and the rest of Asia, except Japan, was that women had not been emancipated. They had to be put on a par with the men, given the same education and enabled to make their full contribution to society."

While it was paramount as a governmental tool to advance social policy and commit people to following their vision, it also institutionalised the notion of "self-reliance" whereby people were expected to rely on their own efforts for meeting their socio-economic needs. Simultaneously, it significantly reduced government's welfare expenditure, as it rested and still rests on the shoulders of employees and employers themselves. Violations of individual rights and infringing in people's private matters, which was often carried out through mechanisms attached to the CPF were likewise subsumed under the logic of survival. It promoted the idea that Singapore was facing unenviable circumstances and the survival of the whole nation depended on individuals undertaking sacrifices for its sake, institutionalising this notion through people's participation in the CPF.

Increasingly, the PAP's meritocratic principle justified the view that their leaders are most capable of advancing this common good and they assumed near monopoly over defining the contents of the collective interests that were to guide survival. Rights, opportunities and the principles of governance were all interpreted in relation to this "common good". Even the principle of equality was subject to the framework of national survival and the collective interest, and used to paradoxically legitimise various restrictions on people's rights. While discrimination on the basis of race, religion or ethnicity was perceived as a threat to the nation, discrimination based on other criteria was often acceptable under the pretext of 'national interest', as exhibited by the pro-family housing or health care policies, which prescribed ethnic quotas or aimed to limit family size, especially for the poorer segments of the society.

In time, with respect to their commitments to human well-being, the PAP had managed to achieve near universal housing, significantly extend people's access to education and subsume the working-age population under the framework of CPF, allowing them to use these ESR-related domains for 'disciplining' the population and exerting significant levels of social control. The trade-off for non-compliance with the PAP's notions of collective interest was often losing their access to socio-economic benefits, thereby institutionalising ESR in a way that their enjoyment fringed on acquiescence of the views of the ruling elites. The PAP defined what norms fall under the 'national interest' and those who did not subscribe to the same vision would legitimately fall out of the scope of their policies. Such institutionalised discrimination was deemed acceptable as it was supposedly guided by the PAP's objective to promote well-being and equality on the basis of race and ethnicity, laying at the core of collective interest.

Through their focus on housing, education and work, until the 1980s the PAP had managed to transform everyday life in Singapore "from one that was constituted by struggles for necessities

to one constituted by the presence of choices and the ability to exercise them" (Chua, 1995, p. 95). By significantly improving people's socio-economic well-being the PAP government had also ensured performance-based legitimacy, which helped return them to power through elections. Increased affluence, however, also came with increasing unwillingness of people to accept sacrificing their individual rights for the benefits of the collective and their discontent was exemplified by the 1984 elections, where the PAP lost significant amount of people's support. Instead of using this critical juncture to reform their repressive policies, the government increased their ideologising efforts. Focus on people's self-reliance was maintained and the institutionalised mechanisms for disciplining the public substantiated by the ideological tenants borrowed from Confucianism and communitarianism. A supposedly shared Singaporean identity infused with communal values was articulated as a White paper on Shared Values and although it did not amount to formal law, values enshrined within the 'national ideology' document were expected to guide policy and society. Socio-economic institutions in education, health and housing, served as mechanisms for instilling these desired values in the society, and people's lack of alternative means to access these goods and services proved effective in ensuring compliance. The coercive face of social policy became unquestionably evident when the PAP directly threatened to stall housing developments for HDB estates that did not show support for their candidates in the 1997 election (Rodan, 2011; Chua, 1997, 1995). The argument followed the logic that national interest was at stake; the PAP ruled in the name of the national interest and communities that voted for opposition candidates are therefore themselves threats to the national interest and do not deserve to enjoy the benefits from PAP's policies, making it evident that the access to ESR can be invalidated without legal consequences for the government (Wong, 1991).

The survival rationale guiding public policy had proven extremely successful to ensure the PAP's legitimacy in the years following independence, so reasons for its transformation to the crisis-rhetoric were not coincidental. PAP's legitimacy was in the early decades largely based on performance as the ruling party rapidly improved people's standards of living through the expanding on housing, work and education opportunities for nearly all Singaporeans. Uncontested power and people's widespread uncertainty about the future, which was widely shared among people at the time, allowed the PAP to institutionalise their apparatus of social welfare provision (exemplified by the CPF). As alternatives to accessing social welfare were hollowed out, not only the institution itself, but also the principles that accompanied it gradually became an inevitable part of people's lives and daily interactions. In the words of

Adler, the PAP had managed to "create the underlying rules of the game, to define what constitutes acceptable play, and to get other players to commit themselves to those rules, because the rules are now part of the self-understanding of these players" (Adler, 1997, p. 261). Socio-economic spheres of people's lives have been a recurrent tool to alter their realities, and the PAP has never shied away from their intensions to "change mindsets and attitudes and, therefore, encourage people to gradually change behaviour" (Lee Hsien Loong 2015). Using legal measures to incentivise or discourage certain behaviours, the government systematically adapted people's views, values and expectations through structural channels essentially as a tool for legitimising their power. Analysing this approach to social policy can be useful in understanding why even in the presence of some political opposition and increasingly tolerated criticism of the PAP's policies, their rule is generally seen as accepted by the society.

At the same time, advancing the logic of a recurrent crisis was a rather organic transition from the survival rationale of the earlier decades in the perceptions of many. Regardless of how much people's well-being had improved, the ruling elite continuously emphasised the threats of a changing society, either articulated as "individualism" (Lee, 2000), a "crutch mentality" (Goh Chok Tong, 2001) or "welfarism" (Lee Hsien Loong, 2005), with an underlying aim to advance self-reliance with regard to socio-economic wellbeing – a mentality that justified the institutions responsible for ESR provision. Other than its value as a mentality, it provided advantages for the regime in pursuing their economic objectives – it significantly decreased welfare expenditure for the government, while conveniently removing the obligation for fulfilling ESR from the state, placing it instead on the individual. When in the 1980s it became clear that many find it increasingly difficult to cope with this responsibility on their own, the duty was transferred to the community through emphasising family values and communitarianism as an essential part of the "Singaporean identity". The transferral of welfare obligations towards the community is present even today – although the state has acquired a larger role in providing social security for the marginalised groups, these policies are interpreted as the last resort, reserved only for situations where the community has failed to ensure the well-being of its members, and aimed towards gradually helping people to "achieve self-reliance". When later, the PAP faced the need to gain people's acceptance of their new, emerging policies, instead of treating them as a change in direction, they were instead added to the already existing narrative, which served to reinforce and stabilise their power, unsurprisingly – in the name of the common good. This way, the PAP's authoritarian governance strategies were not rationalised as the root of the problem, but rather the

continuously emerging and omnipresent 'threats' to the well-being of the Singaporean society, the response to which was persistently presented as the need to reinforce what the PAP always claimed to be right – multi-culturalism, self-reliance and strengthening the ties among the community. The narrative or a continuous crisis thus allowed to combine seemingly contradictory policies and ideas while presenting them within a continuous narrative.

Rather than legitimising each ideological principle that was said to guide policies, people were instead persuaded that crisis looms behind every corner, entrusting the PAP to appease the threats. Perceived fragility of all development and an 'ideology of survivalism' (Ortmann, 2009) thus gave way for the PAP to institutionalise their paternalistic vision of ESR while resisting the rights' rhetoric; emphasise self-reliance while stressing community ties; focus on the duties of the community while denouncing those of the government and by doing this, maintaining strict oversight over the socio-economic developments in ways which allowed to shape them so as to advance the PAP's objectives. While the success of PAP's ideologising work is unequivocal, especially among the younger generations of Singaporeans, Barr's analysis of Lee Kuan Yew's policies and personal convictions remark that the "government has ensured that communal identification, differences and mistrust have remained central to Singaporean's identity" (Barr, 2000a, p. 233). Perpetuating survival, threats and fears among the society may thus comprise an equally significant part of explaining PAP's legitimacy as the achieved improvements in various ESR-related performance dimensions.

The very same notions of recurring crises and pervasive threats have also helped the government to delineate the seemingly rights-enhancing principles that guide their policies along the borders perceived permissible by the ruling elites. While political participation has been gradually expanded and Singaporeans allowed more freedom of expression since the 1980s, participation was only confined to the limits of permissibility as guided by the 'national interest'. Upon assuming his responsibilities, Singapore's current prime minister Lee Hsien Loong warned that freedoms are limited to causing "dissent on issues such as race, religion and national security" (quoted in AFP (2004)). What exactly these broad categories entailed was not entirely clear and with the government having nearly unilateral access to defining these concepts, it has frequently served as a excuse to imprison political opposition and critics of the government.[165] Political accountability was, in turn, premised on the principle of good

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[165] Until today these principles are believed to be accepted by the society that the government uses this rationale as justification for political oppression. For example, in 2015 a Singaporean teenager published a *youtube* video criticizing Lee Kuan Yew on the internet and was imprisoned for 53 days, not because of attacking Singapore's lack of civil liberties, but for spreading religious division among the society (FP, 7 Aug 2015).

government with Lee Kuan Yew claiming that human rights are made abundant if the PAP delivers "clean, corruption-free, capable, effective, meritocratic, fair government" (Lee, 2000, p. 542). The government thereby insists that they "go for the substance of the human rights rather than the form" (Lee Hsien Loong 2009 quoted in Rodan, 2011, p. 75), under the assumption that ensuring people access to education, housing and health is what enables people to lead fulfilling lives. Yet in their efforts to achieve national development, some 'pragmatically' chosen groups often remained outside the scope of the PAP's proclaimed equality, continuously showing that they retain the right to interpret the scope of equality. Women's rights situation in Singapore exemplified this point – while they did undergo a "cultural transformation" (Chua, 1995, p. 94) and their legal possibilities for marital affairs were expanded, in policy they were often reduced to tools for population planning (Davidson, 1999, p. 82) making their freedoms and agency dependant on whether or not it coincided with the desired state-level policies.[166]

And while the laws governing Singapore admittedly ensure people the basic minimum requirements of ESR even without an explicit mention in the constitution (UN General Assembly, 2011a, para 63), the notions of self-reliance and communal responsibility has left increasingly many people without adequate access to ESR. This is mainly because access to well-being in Singapore is outsourced to the national machinery (Thio, 2010) and community organisations, while 'welfare' is presented as individual and communal responsibility, not entitlements that can be claimed from the state. Domestically, this approach has allowed the rights discourse to be "contained within a well-developed language of social responsibility" (Chua, 1995, p. 98). So, although the government has been omnipresent in the delivery of social services from planning and financing to governing and observing their consecutive effects and it is hard to find another example of where the state has equally involved itself in the management of the social sector, they have vehemently resisted being labelled a 'welfare state'. State involvement is practically limited to certain programmes with 'catchy' titles, in principle promoting the same notions of self-, family- and community-reliance. Resisting both, the notion of rights and welfare, the PAP has engendered the view that, while successful delivery of human well-being is their achievement, any failures are due to administrative functions and should be taken up with the respective organisations.

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[166] Although Davidson (1999) also notes that sometimes income, rather than gender was the basis for discrimination, as proven by the eugenics policies, which incentivised educating women to have more children, while providing poorer ones incentives to undergo sterilisation.

Not only social, but also legal institutions in Singapore are built on the idea that "domestic statute prevails over customary norm" (Thio, 2010) and human rights are inescapably intertwined within the contexts in which they take place – "history and culture is of paramount importance" (Singapore Government Press Release, 1998). The crisis rhetoric has provided Singaporean leaders a comprehensive argument for justifying their human rights situation also the international arena. Since ESR rights do not prescribe the implementation of certain policies, the government has focused on the notion that rights "provisions are not couched in absolute terms. They may be restricted by law in the interest of security or public order" (UN General Assembly, 2011b, para 22). Since the beginning of their rule, Singaporean leaders worked to promote the persistence of such threats, arguing that they undermine Singapore's survival. According to the PAP,

> "Singapore's diverse society poses a challenge in balancing social harmony with the preservation of individual rights. As recognised in the Universal Declaration of Human Rights, individual rights must be subject to legal limits in order to protect the rights of others, as well as to maintain public order and general welfare." (UN General Assembly, 2011b, para 110)

They went on to emphasise that "[p]reserving racial and religious harmony will remain the absolute priority" (Ibid., para 155) and this necessitated sticking to the core principles of meritocracy, secular government and multiracialism. Admittedly, under current circumstances in Singapore, not only riots surrounding ethnicity, but also their violent outcomes seem unlikely. With the country and its nationals having enjoyed over 60 years of experience as a nation-state, it can fairly be presumed that a certain Singaporean identity has been "imagined", if only because of the pervasive efforts of the government to do so. One can assume that the overarching purpose of such proclamations lies with the authority these principles afford for the government to pursue desired state direction while maintaining the possibility to interpret any protest calling for rights of minority groups as potentially disruptive of the state's social cohesion. An inevitable part of the Singaporean argument has been the view that promoting socio-economic wellbeing is predicated on the sacrifice of certain individual rights, yet the historical reconstruction of the ESR institutionalisation process shows how certain rights have been demanded by population and intentionally denied by those in power.

ESR in Singapore have been institutionalised as investments in human capital which aim to essentially promote economic development. Part of this investment was the role of housing, education, work and health care institutions as vessels to ascribe values onto the population, providing mechanisms for social discipline. At the same time, people's alternative means for

enjoying access to these dimensions of ESR became increasingly limited, so it is not inconceivable how people could eventually alter their behaviour to improve their access to these rights, even to the extent of "changed worldviews". Tremewan (1994, p. 109) remarks that people's perceptions about the state/society relations was transformed through education practices, altering also people's aspirations. Chua (1997) asserts that housing transformed cultural practices as the absence of unemployment benefits prompter people prompted to seek employment and 'voluntarily' participate in the CPF, subsequently reinforcing the notion of self-reliance enshrined in the scheme. Socio-economic developments in Singapore thereby were inextricably linked to the regime's governance strategies, working both, to promote performance-based as well as ideological legitimacy. So instead of *repressing* people into unquestionably accepting the PAP's version of 'the national interest', the government's efforts went into making people 'voluntarily' partake in the state-sanctioned formal and informal institutions. Even when welfare responsibilities came to be placed on the shoulders of the community, these categories were rigidly defined, non-arbitrary and under strict oversight of the state, subject to the rationale of a recurrent crisis. And while the perception of threats to the society varied with changing socio-economic circumstances, the answer to these threats has largely remained largely unchanged – it called for protecting Singapore's multiracial society, trust in meritocracy to deal with the threats and value the interests of the community above one's own. Upon celebrating Singapore's 60 years of independence in 2015, the prime minister yet again referred to the very same tenants as cornerstones of Singaporean society (Lee Hsien Loong, 2015).

With this in mind, it is rather evident that rights in Singapore are not inalienable, but instead fringe upon the acceptance of both, formal and informal "rules of the game", illustrating the interconnected nature of these institutions. The PAP has demonstrated on numerous occasions that non-compliance may result in the regime denying people's access to not only goods and services associated with ESR, but also their freedom, agency and dignity as they retain the right to arbitrarily interpret the principles accompanying their rule as narrowly as they please. Individual attempts to resist or alter the rules may come at a cost of losing their access to ESR. Without existing alternatives for meeting one's socio-economic needs with regard to housing, education, health care or pension, it is understandable how the rule of the game can prompt people to accept them as an unavoidable aspect of life.

8 The Hashemite Kingdom of Jordan: Well-being, Tribalism and the Modern State

"She obeys me, but only because she wants to."
"It's the only justification for obedience," Ged observed.
Ursula Le Guin "The Disposessed" (1974)

"A yielding, an obedience, a willingness to accept these notes as the right notes, this pattern as the true pattern, is the essential gesture of performance, translation, and understanding. The gesture need not be permanent, a lasting posture of the mind or heart, yet it is not false. It is more than the suspension of disbelief needed to watch a play, yet less than the conversion"
Ursula Le Guin "The Telling" (2000)

The Hashemite Kingdom of Jordan has frequently been regarded as an exemplary country in the Middle East, a Western ally led by a liberal monarchy supportive of the human rights regime, which had established and maintained political stability in a turbulent region while actively engaging with international organisations. In addition to the significant UN presence in the country, Jordan is generally considered respectful towards the rule of law, providing high levels of education and health care. Yet, more elaborate analysis of ESR in Jordan is scarce in academic literature – the primary focus of most research has surrounded foreign policy, economic issues or its recent liberalisation efforts. It is not unexpected as until relatively recently, ESR assessment has been focused primarily on the overall levels of well-being enjoyed by the people. In this sense, Jordan has been an unlikely candidate for studies of 'top performers', as its HDI of 0.748 in 2016 ranks Jordan's overall human development only 80th best in the world. Especially because of a recurrent problem of poverty over the past decades it certainly cannot be praised for high living standards altogether. When accounting for levels of economic development, however, Jordan is among the top performers as revealed by the SERF Index, demonstrating its efforts of improving people's well-being and opportunities in the Kingdom, while other states at similar levels of resource availability have chosen to direct funds and effort elsewhere. With particularly high performance in the dimensions of education, health, food, work and housing, Jordan significantly outperforms a number of other autocratic and democratic states with comparable resource levels, making it a representative case study for the purpose of this project.

Political institutions in the Hashemite Kingdom of Jordan are those of a constitutional monarchy in which the legislative and executive authority is concentrated in the hands of the king. Although parliamentary elections do take place and are generally considered free and fair (U.S. Department of State, 2006), the king retains the authority to select members of the parliament (additionally to those elected by the people), to appoint and dismiss the prime

minister, members of the cabinet and non-elected members of the parliament, as well as introduce public policy. The law does not provide citizens the right to change either the monarch or the government, so their contribution to the political system is largely confined to electing representatives to the chamber of deputies (U.S. Department of State, 2010) with a number of additional restrictions on various CPR in place despite their legal guarantees in the constitution. Such developments in Jordan have in part been conditioned by its geopolitical situation and the resulting security concerns, which have continuously been used to justify the regime, public policy as well as a multitude of limitations placed on human rights, so a brief look into historical events that shaped the Jordanian regime's outlook on policy can likewise serve to better comprehend its ESR performance.

8.1 A brief history of Jordan

Reflected in the country's official name as well as other state symbols is Jordan's explicit link with the ruling Hashemite family, which has governed in the state since even prior to its independence. So although Jordan acquired sovereignty in 1946, in order to fully understand the factors that influence the country's social policy and resulting levels of well-being enjoyed by its citizens, its formative historical events must be traced back to much earlier decades leading up to the country's independence, when the relations between the state, society and the Hashemite monarchy were defined in a way that continues to cast a legacy in the Kingdom today.

Until it came under the mandate of the United Kingdom following the end of World War One and the Hashemites rose to power, the territory of Jordan had been a rather neglected part of the Ottoman empire (Piro, 1998; Terrill and Cordesman, 2010), which was also notoriously resource-poor so its main advantage was of a strategic kind as it connected desert areas with the other British mandate established in the territory of Iraq (Rustow, 1971; Daradkeh, 2013; Méouchy *et al.*, 2013). Origins of the Hashemite rule date back to the post-war context of 1920, when Bedouin fighters led by Abdullah advanced a military operation towards the neighbouring Syria, at the time under French control. Abdullah, who would eventually become the king of Jordan, was the son of a prominent figure – Hussein Bin Ali – a member of the Hashemite family, who had acquired significant influence among the Bedouin Arabs of the Hijaz area (in the contemporary territory of Saudi Arabia). In recognition of Hussein's authority, the Ottomans had appointed him the emir of Mecca awarding him responsibility to rule the Hijaz on behalf of the sultan. However, as the Ottoman policies in the area became increasingly repressive, in 1916 he had allied Arabs loyal to him with British forces (including

his two sons Abdullah and Faisal) to free the territories from Ottoman rule (See Royal Hashemite Court), acquiring reputation as the King of the Arabs and a close ally to the British. Both, Hussein's rule and his son Abdullah's military efforts were tacitly supported by the British, so when in 1921 the establishment of the Emirate of Transjordan was negotiated, Abdullah was designated as the emir in hopes to continue this alliance.[167]

Abdullah's loyal tribal fighters were central for his cooperation with the Brits, who provided financial support in exchange for representing their interests and subjecting these forces to British supervision (Terrill and Cordesman, 2010). Due to prominent security concerns in the region, this implicit agreement whereby the British exchanged funds for the Hashemite loyalty and their repressive capacity exhibited by a loyal army established a long-lasting collaboration between both powers imperative to understanding the economic, social and political situation in Jordan today. Abdullah's son Talal who briefly succeeded the throne, followed by his grandson Hussein, who became known as the "father of modern Jordan", as well as his great-grandson Abdullah II who currently reigns in Jordan, have all in varying degrees continued the favourable course towards the West and portrayed support to the international human rights regime. One cannot explicitly speak of welfare developments and improvements made in people's living standards at the time, but the formative period of Hashemite legitimacy-, state- and nation-building in the 1920s institutionalised important concerns prior to its independence that have remained crucial for rationalising politics, policies and the society at large in the Hashemite Kingdom.

Three issues of an internal and external character were particularly foundational for cementing certain concerns upon which Jordan's territorial sovereignty and political stability was thought to depend on. First, resource scarcity was among the Hashemites' primary concerns as the physical conditions present in the territory at the time were extremely unfavourable to the existence of a sovereign state, ensuring security, sustainable economic development or even individual survival. Contrary to several other states that emerged in the region, the boarders encircling Transjordan not only omitted potentially valuable oil reserves, but were even absent of fertile arable land or water resources that could durably provide for people's basic necessities. Its infrastructure was likewise inadequate – the only viable structure of importance was a railroad line built by the Ottomans in order to relieve the pilgrims' travel to Medina (Daradkeh, 2013). Other than that, there were barely any roads, cities or amenities that could

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[167] For a thorough historical account of the emergence of Jordan, see Harris (1958, pp. 11–18) and Wilson (1987).

be used to centralise the ruler's authority and establish state autonomy. Given this dire lack of resources, there remained few alternatives to relying heavily on imports from neighbouring states and financial support from the West. A mere physical need therefore itself necessitated good relations with countries neighbouring Transjordanian territories as well as maintaining administrative and financial cooperation with the United Kingdom, which was willing to cover their annual deficits for strategic purposes (Rustow, 1971, p. 54). Jordanian economy continued to rely on this cooperation even after the Emirate was released from the mandate status in 1946 and acquired independence as the Hashemite Kingdom of Jordan.

Aside from the lack of financial and physical resources, Jordan also lacked a united population seeking to become an autonomously governed nation-state. Following World War One, the boarders in the Middle East region were rather arbitrarily drawn and often reflected the interests of imperial powers rather than aspirations of the local populations (Terrill and Cordesman, 2010; Ryan, 2002; Wilson, 1987; Harris, 1958). The emerging Emirate of Transjordan was comprised of an estimated population of around 230 000 (Wilson, 1987, p. 56) relatively self-sufficient nomadic and semi-nomadic Bedouin tribes as well as settled populations concentrated around the more resource-rich areas, who relied on farming or trading goods to ensure their livelihood (Piro, 1998; Wilson, 1987; Harris, 1958).[168] In his examination of the Jordanian society in 1958, George Harris concluded that the fundamental context in which Jordanians viewed themselves revolved around local kinship affiliations, religion, wealth and occupation, while individual loyalty was rooted in the family, which took precedence over any other identifications, trumping also the authority of the state (Harris, 1958, p. 121). Generally Transjordan's inhabitants did not share an explicit 'national' identity nor even fully recognised the newly designated boarders of the Emirate. In other words, according to Wilson (1987, p. 3), Jordan "had no reason to be a state on its own rather than a part of Syria, or of Palestine, or of Saudi Arabia, or of Iraq". Jordanian statehood thus preceded its nationhood and Abdullah, who was chosen by the Brits to govern the territory (Ryan, 2002) was neither a Jordanian 'native' nor himself a Bedouin. Under such conditions, establishing Hashemite legitimacy in the emerging polity proved challenging as Abdullah sought to rationalise his power in a way that would be accepted by people.

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[168] Wilson (1987, pp. 55–56) emphasises, that this division was not absolute, as peasants were also engaged with pastoralism and nomads - with agricultural activities. Aside from these differences in the mode of life and economic activity, however, the population of Transjordan at the time was relatively homogenous in ethnic and religious terms. A small Christian community existed, but most of the inhabitants belonged to Sunni Islam.

Finally, Jordan's geographical location positioned it in the midst of a military turbulent area consistently placing it in the crossfire of regional conflicts, weighing heavily also on its demographic, territorial, political and economic stability. Omnipresent security concerns in the neighbouring countries continuously provided exogenous shocks to which the rulers would need to respond in order to maintain the very existence of state sovereignty. The regime's ability to cope with these challenges has throughout Jordanian history altered the rulers' survival and governance strategies, institutional developments, as well as the "rules of the game" upon which people's access to ESR rested.

8.1.1 Shaping early paths to policy-making

Under these unlikely circumstances for the emergence of an independent state, Terrill and Cordesman (2010, p. 3) note how "[t]he chief task that faced this government was to build a functioning state where none had previously existed. Ideally, this would involve the creation of a government with a supporting bureaucracy, the establishment of a police and military force to keep order, and securing at least some minimal level of loyalty to the government by the local population". Abdullah, backed by the British, managed to establish his rule over the Transjordanian territory by focusing simultaneously on ensuring legitimacy through Islamic authority, co-opting key members of the society and building a strong military to provide for a centralised repressive capacity of the newly developed nation.

As for the latter, maintaining political stability in the face of mounting regional tensions was the primary concern for (then emir) Abdullah as well as the British. With financial and administrative assistance from the United Kingdom, the essentially tribal forces loyal to the regime were gradually modernised (Terrill and Cordesman, 2010) and the transformed Arab Legion would come to not only defend British interests in the region,[169] but also served Abdullah's rule by providing internal and external security from those threatening the newly established boarders. This early development as a security state for defending British imperial aspirations and its preoccupation with safety due to repeated Arab and Israeli regional conflicts, as noted by Brand (1995a-, p. 152), instrumentally structured the relationship between the state and society in a way that predominance was given to the former. In the years to come, this disposition would prove important for delineating the bounds within which the state could

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[169] Particularly Harris (1958, p. 16) remarks that the Arab Legion was placed at the disposal of Britain during World War Two against the pro-Axis officers, who seized power in Iraq in 1941. At the same time, military support provided to the Allied interests would later serve as a bargaining chip for Abdullah to achieve independence from Britain, without sacrificing additional funds for development.

determine legitimate claims for supressing people's freedoms and individuals and collectives could advance their ESR.

While Jordan's ties with Western allies were safeguarded by their overlapping interests in the region, Abdullah's domestic claim to legitimacy was harder to establish as he became the head of the newly formed state that did not perceive itself as such and a ruler of a 'nation' without a sense of homogeneous nationality. In contrast to some other monarchies in the Middle East, Abdullah's rule was itself a direct policy instituted by imperial powers with the objective of establishing connections with the key "traditional" social forces in the region deemed profitable for defending their interests (Ryan, 2002). Without being either a Bedouin or born in Transjordan, the only facet individually linking Abdullah to the inhabitants of the territory was his kin relation to the Hashemite family and a shared ancestry with Prophet Muhammad[170] so Abdullah would choose to promote his legitimacy among the Bedouin Arabs primarily as an Islamic authority emphasising his Hashemite descent. Thus religion came to be the key source for justifying his rule and the central aspect uniting himself and the Transjordanian people. Eventually, according to Wilson (1987, p. 2), in the eyes of the foreign powers, "it was Abdullah's ties to Britain, his position as the keystone in the arch between British mandate authority and local society, that lifted and maintained him above the indigenous leadership of the territory". Domestically, the locals and Bedouins accepted Abdullah's right to the rule "not so much in [his] modern role as a chief of state, but in his traditional role of paramount tribal sheikh" (Harris, 1958, p. 7; Terrill and Cordesman, 2010) also setting the preconditions for establishing a patrimonial rule stemming from the Hashemite ancestry on which his successors would continue to rely on in the future (Piro, 1998). His descent and a shared religion hence provided the rationalisation for establishing and maintaining domestic legitimacy useful not only for equipping the rule with an overarching narrative but also to later be employed for formulating a 'national identity' among the local tribal populations (Harmsen, 2008, p. 82).

In hindsight, what set Abdullah's rule apart from that of other Hashemites who ruled the territories, was his view of the Transjordanian state as a transitional state of affairs towards a wider prerogative to eventually establish a greater Syrian state ruled by the Hashemite family. It was this objective that informed Abdullah's relations with Israel, Palestine and other Arab states in the region, his claims for domestic legitimacy, as well as his decision to later grant

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[170] The Hashemites claim direct genealogical lineage to Hashem – the great-grandfather of Prophet Muhammad, in which capacity they had also held guardianship of Mecca until it was acquired by the Saud dynasty in 1925.

citizenship to the "Arabs of Palestine" following the establishment of Israel in 1948.[171] It also implied, however, that human development was not among the leading concerns of the Transjordanian ruling elite and legitimacy was primarily secured through co-optation and reliance on traditional authority rather than improving the socio-economic standing of the local populations in lieu of his expansionary aspirations.

In fact, Allinson (2016) documents how throughout the 1920s and 1930s, the Transjordanian nomadic and semi-nomadic tribes struggled to ensure their livelihoods. For one, traditional means to meeting subsistence needs and mechanisms of Bedouin cultivation were challenged by poor grazing environment in the adverse desert conditions and changing market conditions for selling or acquiring livestock. A further consequence of state-building efforts implied a prohibition of raiding practices, on which a significant number of Jordanians had previously relied to secure their livelihoods (Allinson, 2016; Harris, 1958). As Transjordanian post-World War One boarders deprived many locals from even access to water or the more fertile territories now demarcated as part of the neighbouring states, people's incomes as well as the number of livestock were consequently reduced causing also conflicts among tribes unaccustomed to their habitual grazing routes being prohibited due to 'national' boundaries (Méouchy *et al.*, 2013). People's abilities to meet subsistence needs by their own efforts were impaired without the recently established state providing adequate mechanisms for coping with these hardships (Allinson, 2016).[172]

Although throughout the 1920s there were some efforts by the government to expand mainly primary and secondary school education (Economic and Social Council, 1990), the quality of schooling offered was rudimentary[173] and focused mainly around the cities, alienating rural populations (Neveu, 2013). These early educational policies did result in a small fraction of politically aware students (who tended to oppose Abdullah's rule as symbolic of the prevalent status-quo with regard to the British/Jordanian relations (Wilson, 1987)), but they did not amount to producing an educated Jordanian middle-class. Notably, these developments were limited to the male population – according to cultural practices and custom, girls were barred them from appearing in public, so they were traditionally home-schooled (Wilson, 1987). In

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[171] The Passport Act of 1949 stated that "every Palestinian Aram with Palestinian nationality must obtain a passport" and the Nationality Act of 1954 recognised them as Jordanian nationals (quoted in Al Husseini, 2013).
[172] Based on estimations provided by the British mandate medical officers, Allinson (2016) remarks that in certain areas, around 84% of locals suffered from undernourishment.
[173] Already in the first year after the establishment of the Emirate of Transjordan (in 1921), the number of education facilities rose from 10 to 44 (Economic and Social Council 1990) and this expansion was accompanied by various steps to standardise school syllabuses. The Educational Council was opened in 1923, the Ministry of Education established in 1940 gradually improving people's access to education.

fact, some authors argue that even the scarce attempts to improve people's well-being and expand ESR observed during this period, were largely due to efforts by British representatives in the Transjordan administration, who served as advisers to Abdullah providing checks for his approach to governance, instead of the emir himself. Although locals often disagreed with Jordan's status as a British client state and frowned upon the influence of the 'British residents',[174] it is likely that without their presence, Abdullah would have diverted significantly more funds for co-opting tribal families to build their loyalty rather than investing in improving people's well-being (Wilson, 1987).

8.2 Institutionalising kin and tribal networks as a by-product of co-optation

The most defining feature of the initial steps of state-building in Jordan, however, regarded the regime's strategies of co-optation, which were crucial not only to ensure cooperation with the foreign powers but also to establish loyalty for the rule among the Transjordanian population. Principally focused on the local tribes, Abdullah's co-optational efforts institutionalised a durable relationship between the state and society, creating resilient legacies for the country's social and political life for decades to come.

On the one hand, the monarchy's external legitimacy depended on close support from external powers, particularly in the West, who provided rents to be distributed for acquiring domestic support. Upon the donors' request, a large portion of available funds was directed towards the maintenance of the military sector rather than investing in the establishment of state-level welfare institutions, but Abdullah also devoted particular attention to directly transferring financial resources to local tribal leaders loyal to the new regime, typically in the form of tax reductions, land and cash or guaranteeing them transport, water and electricity (Wilson, 1987, p. 72; Méouchy *et al.*, 2013). Such incentives aided his ability to carry out negotiations with the Bedouin tribes and build domestic support-base while also increasing his standing in the eyes of the British interested in securing their position in the region.

On the other hand, apart from 'buying off' people's loyalty, Abdullah widely practiced the use of *wasta* to show preferential treatment to local tribes supportive of the regime, preserving predominant customs and traditions prevalent among the society during the state-building

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[174] Formerly known as Chief British Representatives, "British resident" was a title awarded to British administration positions responsible for overseeing Transjordanian policies and reporting their assessments to the UK.

period (Al-Ramahi, 2008, p. 40). Al-Ramahi (2008, p. 38) explains that "*[w]asta* literally means *the middle* and is associated with the verb *yatawassat*, to steer parties toward a middle point or compromise." In other writings *wasta* is referred to as 'having connections', 'favouritism' (Harmsen, 2008), 'mediation' (Cunningham *et al.*, 1994; Lust-Okar, 2009), and receiving or providing beneficial treatment on the basis of pre-existing social capital (El-Said and Harrigan, 2009). As the authors explain, *wasta* not only served as an informal way to organise immediate exchange of benefits, but had a far-sighted element based on the expectation of mutual reciprocity in time of future need. An important reason explaining the longevity of *wasta* in Jordanian life was Abdullah's approach to extending the significance of 'having connections' to state administration through co-opting key tribal representatives within the emerging state structures as the middle-men between the state and the society. Individuals were given access to positions in state bureaucracy, awarded seats in the parliament, jobs in the civil service or the army based on their tribal affiliations and in exchange for their support, without specific regard for their qualifications (El-Said and Harrigan, 2009).[175] Not only did this arrangement transfer the practice of *wasta* to emerging formal institutions but it also helped foster a peculiar state-centred but tribally-defined approach to socio-political life, whereby the regime "distributed" access to positions of authority and state itself to loyal tribesmen, who, in turn, provided the overall population the possibility to gain access to these resources. Abdullah's efforts to co-opt tribes in the state apparatus thus resulted in tribal social elites acquiring primary responsibility for the well-being of the wider society through further "channelling and allocating resources and services originating from the central government" (Alon, 2006, p. 79) towards their families, tribes, kin and constituencies.[176] Institutionalising such a relationship between the state and members of the society, understandably, also strengthened "the roles of social elites who [could] provide points of access" (Lust-Okar, 2009, p. 8) for people to increase their well-being meanwhile securing individual authority of key tribal representatives among the population, who gained opportunities to further accumulate much valued social and economic capital.

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[175] Alongside tribal members, Arab nationalists were likewise provided positions in the administrative apparatus in efforts to co-opt potential opposition and a similar strategy was later extended to Palestinian nationalists, who were ensured positions in the various state Ministries on the condition that they did not oppose the regime.

[176] State-level distribution of benefits and *wasta* was at times also cause for dissatisfaction among some local tribes concerned with being granted unequal access to state resources and power. Other members of state administration were meanwhile 'outsourced' from the UK or Palestinian territories, believed to possess a more nuanced understanding and former experience of running a centralised state. For a more elaborate discussion of these issues, see Wilson (1987).

Notwithstanding some government effort to secure basic socio-economic services, in the absence of an established welfare system, having individual connections to persons with social capital (and authority acquired through *wasta*) thus came to play a predominant role in enabling individuals to improve their well-being within numerous domains associated with ESR. On the societal level, such opportunities were predominantly tribally-prescribed as it was primarily the families, tribes, communities and kin-networks that in practice fulfilled the role as a social safety net mediating one's access to resources (Cunningham and Sarayrah, 1993). By formally outlining tribal representatives as the middle-men between the state and the society for welfare provision, traditional values were institutionalised enhancing also the role of religion and pre-existing social hierarchies. According to El-Said and Harrigan (2009, p. 1238):

> "[t]ribal values of family and social solidarity were reinforced by Islam's strong emphasis on the significance of family, social solidarity (*takaful al Ijtima'i*), and mutual assistance. (..) Social solidarity is strengthened by Islam's strong emphasis on social cohesion, charity, social justice, collective responsibility for the welfare of the society, the legitimate claims of the weak upon community, and the duty to help the poor and strangers at all times and regardless of economic and social circumstances."

Especially in the less self-sufficient rural regions, communal ties were reinforced as a mechanism to provide people much needed goods and services necessitated by the hardships of desert life. At the same time, such sharing of welfare responsibilities relieved pressures from the state of fulfilling a direct welfare function, reduced associated funds spent for this purpose, and according to Al-Ramahi (2008, p. 41), individually advantaged also the emerging elites, who "learned to take advantage of the tribal system to facilitate their efficient economical control over the country" elevating their own positions vis-à-vis the society. Eventually, El-Said and Harrigan (2009, p. 1239) remark that compared to other countries in the region, Transjordan nevertheless enjoyed relatively high levels of economic prosperity, so this approach can be seen as having contributed to the expansion of people's well-being regardless of the absence of a centralised welfare system.

Abdullah's focus on co-optation thus reinforced *wasta* as a legitimate practice not only among individual members of the society, but also institutionalised it as an accepted form of interaction between the state and the tribes, which were now in competition to negotiate their own access to patronage and resources with the emerging state structures for further distribution (Wilson, 1987; Lust-Okar, 2006, 2009). Given this nuance, the advent of elections provided a formal arena for tribal competition over state resources and positions of power,

while the parliament became a means for the monarchy to award patronage to tribes, expected to ensure compliance also from their respective family, tribal and kin networks (Lust-Okar, 2006). Lust-Okar (2009, p. 10) explains that after being elected, members of the parliament possessed otherwise limited political powers – they did not advance legislation, but provided formal approval for decisions made by the government, which was in turn appointed by the king. State bureaucracy under Abdullah's rule therefore had a negligent say in policy-making as its main purpose was confined to executing the political, economic and military objectives of the king (George, 2005). As a result, it was mainly within the elevated social and economic status provided by these positions where the benefits of this strategy rested for the tribes, while their political authority within the state was very limited.

An aspect often overlooked, however, is that Bedouin tribes were not the only inhabitants of Transjordan at the time – they were the minority. In fact, Méouchy *et al.* (2013) remark that people with sedentary lifestyles have always outnumbered the Bedouins in the region, so providing tribes in particular with access to state resources should be viewed itself as a policy choice to "culturally tribalise" the population (Massad, 2001). For the monarchy, this decision was mainly informed by legitimacy and security concerns. On the one hand, Bedouin tribes were crucial for the Hashemite rule to assert their ideological hegemony in the region as their legitimacy was rooted in religion and their noble ancestry, claims which found support among the devout Bedouin population. On the other hand, these tribes also played a role in establishing Transjordan's military dominance through participation in the Arab Legion, which was perhaps of even more importance for preserving British imperial interests as well as the perseverance of the regime. So given the elevated role of tribes in the monarchy's own strategies of maintaining their rule, state-structures continued to respect and promote various aspects of tribal life, reinforcing the institutionalisation of family and tribal patterns within the state's administrative system (Harris, 1958; Alon, 2006). Gradually, informal tribal customs came to be embedded in Jordan's formal institutions and the process of institutionalising both, the Bedouins as the regime 'favourites' (Méouchy *et al.*, 2013), as well as the role of kin in attaining one's interests, would play a role in how individual and collective problems were rationalised and what channels for solving these problems were available in the Kingdom.

The 'authoritarian bargain' at the time thus involved a 'social contract' between the monarchy and the tribes, upon which the Hashemite ideological legitimacy rested. In exchange for obedience, tribes were offered a stake in the emerging formal structures of the centralised governance involving them directly in state-building efforts. Such an equilibrium ensured that

tribal representatives would attain an individual interest in maintaining the status quo, while contributing valuable information about people's actual needs and their general qualifications for the administrative bureaucracy. In examining the relationship between the state and society in Jordan, scholars note how involving tribal representatives within the state apparatus has allowed the monarchy to establish a direct link with its citizens as symbolic of their primary allegiance to the Transjordanian tribes rather than interests of Western powers:

> "the state has preferred to deal directly with society, connect with it through different segments of society, listen to their concerns and problems, and to try to deal with them. The state had this prerogative as it was established before civil society had developed, and therefore had the decisive hand when it came to setting the policy of interaction, while society was unable to impose its own method of action or mechanisms in this regard. Meanwhile, society itself preferred dealing directly with the state to tackle its issues and problems." (Al-Attiyat *et al.*, 2005, p. 92)

As 'the state' was comprised primarily of tribal members, citizens felt no animosity towards formal institutions. Aided by the absence of other social structures to present feasible alternatives to the tribal system, 'the state' through tribal representatives was able to address directly the individual concerns of members of the society, reducing possible opposition against the regime.

High on the agenda, responsibility for tribal affairs was placed under the management of Abdullah himself or the Department of Tribal Administration led by the king's cousin, rather than that of the government or British officials still present in Jordan (Alon, 2006; Al-Ramahi, 2008). Building the relationship between the monarchy and the tribes somewhat separately from other state affairs, served to usefully disassociate the legitimacy of the royal family from that of the state (Al-Attiyat *et al.*, 2005). What emphasised this separation even more was that unlike many other monarchies in the Middle East, the Hashemites did not typically appoint their family members in government positions as prime ministers, ministers or members of the parliament (Ryan, 2002, pp. 88–89). Eventually, royal family representatives would come to participate in the military or key institutions of civil society (posts that enabled them to exercise social control or provide information about prevalent public opinions), but the general approach strengthened Hashemite domestic and foreign approval by allowing them to disavow bad policy decisions, the responsibility for which at least formally rested on the emerging political elite rather than members of the palace (Wilson, 1987). As argued by Gause (2013, p. 14), Jordan has thus been able to deal with public grievances by firing key political actors in the

face of discontent without damaging the monarchy's legitimacy – such tools have been unavailable for other countries in the region, where these posts would often be occupied by members of the royal family, whose reputation is inseparable from that of the general rule.

Additionally, the king also held state institutions back from directly interfering with tribal affairs by allowing tribes to continue solving many of their disputes according to pre-existing tribal traditions (El-Said and Harrigan, 2009; Méouchy *et al.*, 2013).[177] Resulting verdicts were carried out by the Arab Legion, not the families themselves, but this approach symbolically exhibited an acknowledgment of tribal values as a central part of prevailing customary law (Al-Ramahi, 2008, p. 41), allowing it to coexist with the emerging formal institutions in managing people's affairs. As it was supported and enforced by the monarchy, the regime's leniency to informal rules ensured that several aspects of tribal life were not changed by the advent of a 'national state'.

The survival of the Hashemite monarchy and, indeed, the Jordanian state, consequently came to depend on a combination of factors, including external revenue and Western support determined by Jordan's geo-strategic location. But Abdullah's co-optational strategies were closely tied to the Hashemite family's strive for legitimacy and had durable consequences to subsequent political developments in Jordan. By outlining Bedouin tribes rather than urban tradesmen or settled populations as the bedrock of regime stability, the monarchy fostered what turned out to be a "long-standing and carefully cultivated relationship" (Brand, 1995a-, p. 154) reinforcing tribal values and incorporating tribe-related informal institutions (such as *wasta*) into formal state structures (Ryan, 2002; Piro, 1998). Subsequent Hashemite decisions to continue relying on tribal populations would come to be justified not by their ties to Islam, but their long standing loyalty to the state and the monarchy, singling tribesmen out as the initial defenders and supporters of the state (Shryock, 2000, p. 63). Eventually tribes would become a reference point to the monarchical, and later also Jordanian identity, politically and symbolically absorbing them into the emerging Jordanian institutions. And although its exact role has transformed over time, *wasta* too has managed to survive through politically, economically and socially turbulent periods of Jordanian history as a crucial aspect informally mediating political and socio-economic life in the Kingdom, providing individuals access to

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[177] El-Said and Harrigan (2009) note that employing *wasta* for solving tribal disputes over physical resources was especially prevalent in rural areas, where collective ownership of land (*Mushi*) was still widespread, increasing the benefits for maintaining close-knit family ties, cooperation and mutual aid in order to ensure security and survival.

improved opportunities, capabilities and well-being alongside formal mechanisms of welfare provision (Hani Hazaimeh, 2009; Goussous, 2014).

8.3 Determining selective access to ESR 1948 - 1967

Over the first decades of the Emirate's existence, the British had retained a degree of control over the governance of these territories, including its armed forces, finances and foreign affairs, while Abdullah as the Emir had attained the responsibility for administrative, regulatory and military matters. The British mandate was ended in 1946, when the territory gained independence, negotiating to reduce British influence while retaining their financial subsidies and support for the Arab Legion in exchange for Transjordan's continued supply of military facilities within its borders. The country's name was changed to that of the Hashemite Kingdom of Jordan[178] and Abdullah assumed the title of a king. Yet it was not so much its independence as the Arab-Israeli conflict of 1948 that presented significant political, economic, social and demographic challenges in Jordan, influencing their approach to policy.

The establishment of the state of Israel in 1948 and the subsequent political turmoil in the region, caused thousands of Palestinians to flee Israeli occupied territories. Of these, around 70 000 refugees fled to Jordan and around 280 000 people escaped to the Palestinian territory that came to be known as West Bank.[179] Table 8.1 provides a reliable estimation of the eventual population size in Jordan and the West Bank in 1949-1950. Even though assessments about the exact numbers of inhabitants and refugees from this period vary, it is clear that these events, together with Jordan's formal annexation of West Bank and East Jerusalem in 1950, provided a critical juncture that permanently altered political, social and economic developments in the Hashemite Kingdom.

Permanent residents in Jordan	Refugees to Jordan	Permanent residents in West Bank	Refugees to West Bank
~400 000	~70 000	~460 000	~280 000
Total Population in Jordan 1949: ~470 000		Total Population in West Bank 1949: 740 000	
Total population in Jordan 1950:~1,2 million			

Table 8-1 *Estimated population distribution of permanent residents and refugees between Jordan and the West Bank 1949. Source: Al Husseini (2013)*

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[178] The name "Jordan" came to replace the former "Transjordan", which Massad (2001, p. 12) notes had been an artificial creation of the British authorities following World War One and perceived by the public as as a symbol of imperialism reflected in the country's name.

[179] For a detailed overview of the demographic developments in the West Bank as reported by various sources see UNCTAD (1994).

While the subsequent years in Jordanian history have mostly been examined for the ensuing political turbulence in the region and its influence of Jordanian foreign policy, equally important but unexplored are the ways in which these events changed the economy and people's socio-economic life in the country. In a matter of a few years, Jordanian population had increased threefold, as did its number of citizens; and it had gained considerable amounts of territory, which included fertile land as well as several larger cities with existing welfare facilities and public sector employees. Consequent demographic changes in what was now Jordanian territory, however, also increased pressures on land, administrative and economic resources for satisfying the needs of the population (UNRWA, 1951). Jordan's citizenship policy in light of the Arab-Israeli conflict and its effects on Jordanian identity and nation-building, had a significant influence on shaping people's access to welfare and ESR. Especially due to martial law introduced in Jordan following a coup attempt in 1957, the emergence of welfare institutions took place in an environment of political vacuum and was hence hierarchically executed, allowing the state to dictate their subsequent socio-economic outcomes and empower actors who through the provision on disproportionate access to the benefits of the emerging welfare state.

8.3.1 Citizenship policy and access to rights

Analysing Abdullah's rule and aspirations, Wilson (1987) emphasises that merely retaining the territory designated by the British was never his intention. The establishment of Transjordan with the resulting resource constraints had been a concession on Abdullah's part and he retained his expansionary vision for the future towards more resourceful territories that would unite territories in Syria, Iraq and Palestine creating an Arab state "under the Hashemite banner" (The Hashemite Kingdom of Jordan; Harris, 1958, p. 15; George, 2005; Méouchy *et al.*, 2013). The establishment of the state of Israel and the subsequent withdrawal of British forces in Palestine provided potential for such an opportunity and Jordan signed an armistice treaty with Israel in 1949 designating the territories of the West Bank of the River Jordan as well as the eastern part of Jerusalem under Jordanian control. Largely influenced by Abdullah's pan-Arab sentiments, in contrast to other states in the region, the Jordanian government decided to grant citizenship to the Palestinians living in the annexed territories, both the permanent residents as well as the refugees.

This, however, meant that the population of around 400 000 Jordanians living in the former Transjordanian territory was augmented not only by the 70 000 refugees that fled to the state,

but also the 460 000 residents and Palestinian refugees of the West Bank. Although the early years of relative prosperity in Transjordan had attracted a number of immigrants from neighbouring countries, mainly to cities (El-Said and Harrigan, 2009; Wilson, 1987),[180] Abdullah's royal decree granting Jordanian citizenship to the "Arabs of Palestine" (Ramachandran, 2004; Al Husseini, 2013) permanently altered the composition of the population, facilitating political, economic, social and cultural change. The rapid expansion of the territory and an increase in the number of citizens made the 'indigenous' Transjordanians a minority in the country, who now comprised only around 1/3 of the total population. These developments facilitated the need to consolidate the state's power over the newly acquired territory and recently enfranchised citizens while also retaining legitimacy among the local population, formerly the sole focus of the regime's co-optational efforts. Easing possible tensions among the diversified Jordanian citizenry which now extended beyond mainly tribal populations thus attained primacy on the government's agenda.

Decades following these events were generally characterised by relative political liberalisation in Jordan. In addition to the wide naturalisation process of Palestinians, the political response of the Jordanian government saw the creation of a new parliament, which designated an equal amount of members from the East and West Banks of the Jordan River, ensuring a balanced representation in the cabinet. Additionally, places in the parliament were allocated to representatives from each Jordanian district as well as Christian and Circassian minorities (El-Said and Harrigan, 2009).[181] After Abdullah's death in 1951, his son Talal adopted changes in the constitution, making the government as well as individual ministers accountable before the parliament (Wilson, 1987; Al Husseini, 2013) and, although his rule only lasted for a brief period, these constitutional amendments were symbolic of an expansion of political rights and civil liberties characteristic to Jordan at the time. It was under such conditions that king Hussein succeeded the throne in 1953 and throughout his 46 year reign played a principal role in creating the bulk of existing institutions in Jordan. Hussein was dedicated to underlining the geopolitical and geostrategic role of Jordan in the eyes of the Western powers manoeuvring between domestic and foreign threats within the country (Ryan, 2002, p. 5) and he came to be known as the "father of modern Jordan" (Royal Hashemite Court).

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[180] Many immigrants had been drawn to Jordan for business and commercial activities due to the lack of income tax being applied to commercial and industrial activities until 1951 (Harris, 1958, p. 136).
[181] Given the small numbers of religious minority populations in Jordan, some authors suggest that Christians and Circassians were overrepresented in the parliament.

A law pertaining to political parties was adapted in 1953, which allowed their establishment, but also laid down several principles limiting their activities. Namely, parties were not to harm Arab unity or foster disagreement among Jordanian communities (Harris, 1958, pp. 76–77) and state authorities retained the right to dissolve them if they deemed doing so would serve the interest of the public. In defence of the same objective, the law legally banned voluntary associations, civil society groups and Islamist movements from aligning themselves with political parties, keeping public organisations and forces such as the Muslim Brotherhood delineated to the socio-economic rather than the political domain. Furthermore, the Municipal Elections Law specified that voting rights pertained only to those who had contributed at least one dinar of land or municipal tax over the previous year, effectively excluding the refugee population from the franchise (Brand, 1995a-). Thus, while the Palestinians received citizenship and the constitution affirmed the equality of citizens regardless of race, language and religion (The Royal Hashemite Court, 1952), such commitments remained formal instead of representing a comprehensive rights and equality-oriented approach to policy. In practice, these provisions allowed the monarchy to boost their external reputation by presenting itself as the defender of democracy and modernisation in the eyes of the West, on whom the provision of funds depended. Meanwhile, they promoted an informal division between the 'old' and 'new' populations with regard to people's access to rights, institutionalising varying 'degrees' of citizenship and harming the regime's efforts to espouse a shared identity among those of Palestinian and Jordanian descent – this would later also come to exacerbate Arab nationalism in Jordan. Martial law declared in 1957 cut the period of relative liberalisation short, [182] later banning also political parties. The practice of communal organisations was, however, continued, although their actions were severely limited by repressive and co-optational strategies directed towards civil society, justified by the conditions of martial law.

8.3.2   Evolution of Jordanian identity

On a societal level, uniting the Jordanians and Palestinians under one country posed challenges to nation-building efforts in the Kingdom. Throughout his rule, Abdullah had mainly focused on co-opting local Bedouin tribes to maintain his power and ensure political stability while pursuing pro-Arab aspirations in lieu of expansionary politics. By the time of Hussein's reign

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[182] Article 125 of the Jordanian Constitution granted the king authority to declare martial law, whereby the state would be ruled by decree rather than existing laws.

in the 1950s, no distinct Jordanian identity had fully developed, allowing the regime to draw up, amend and reimagine some of the leading narratives associated with 'being Jordanian'.

During the period after the annexation of the West Bank, authors generally distinguish between two main competing directions of nationalist thought present in Jordan. One was pan-Jordanianism, which repackaged the idea of Arab unity expanding it to both banks of Jordan River suggesting the rapidly growing Amman as the capital of the state. The other was represented by the Transjordanian nationalists, who advanced the supremacy of the 'indigenous' East Bank population and resented Palestinians as newcomers to their state (Phillips, 2011). Yet, another third nationalist discourse that likewise found expression within the borders under the Hashemite rule was pro-Arabism that transcended beyond Jordanian boarders and deeply resented Jordan's lenient politics towards the state of Israel. Jordanian citizens represented a variety of views towards identity so it was imperative that the regime consolidate a shared approach towards citizenship to ensure its survival.

On the one hand, Hussein continued to accentuate tribal and traditional values as core tenants of Jordanian identity. Yet, the tribally oriented aspects of 'being Jordanian' were themselves partly borne out of the need to protect the former Transjordanian populations in light of the demographic and political changes experienced in the country following this critical juncture in attempts to retain the Bedouin support base so carefully built up by Abdullah. Hussein's own persona was presented as the ultimate embodiment of tribal values preserving, empowering, reinventing and nationalising tribal culture over time (Shryock, 2000, p. 65). So in the process of fashioning the 'new' national identity, Transjordanian tribes were certainly not forgotten as they remained the primary source for Hashemite legitimacy and tribalism reimagined as a core tenant of this hybrid identity.

On the other hand, to avoid fractionising the Transjordanian and Palestinian segments of the population, the regime tried to "create a hybrid Jordanian identity for both communities" (Brand, 1995b, p. 50) by emphasising points of convergence. Islam served as the central point of overlap among the 'old' and 'new' citizenry, enabling the endurance of the legitimacy discourse which justified Hashemite rule on grounds of their royal, Islamic descent (Ryan, 2002). In line with Abdullah's former pan-Arab rhetoric, the dominant state discourse highlighted Jordanian citizenship as inclusive of all ethnicities regardless of ethnic origin or place of birth, unified under the Hashemites as its guardians (Harmsen, 2008; El-Said and Harrigan, 2009). The monarchy's ideological hegemony thus claimed to transcend all other

"potentially conflicting identities", much in line with Lucas' (1999) observation about the general developments in the region:

> "Monarchs in the Middle East, like their earlier European counterparts, have focused on claiming a "traditional" if not divine, right to rule. By building their rule on the twin bases of kinship and hierarchy, Middle Eastern monarchs delimit their domains while maintaining ambiguity and pluralism among their subjects. (..) Thus, Monarchs can stand above tribal, religious, ethnic, and regional divisions by acting as the linchpin of the political system. These potentially conflicting identities can then be subsumed under the monarch's benevolent patronage. The monarchy becomes the unifying symbol of the (newly created) nation. (Lucas, 1999, p. 107)

King Hussein similarly made particular effort to position the Hashemite monarchy in the crossroads of the various societal forces potentially divided by issues of identity, socio-economic concerns, access to power or state resources. One issue viewed as potentially threatening to the regime, concerned the rising pan-Arab sentiments in the region due to the continuous political turmoil following the establishment of Israel in 1948 (Larzilliere, 2012). The Hashemites had viewed themselves as the defenders of all Arabs, and the spread of explicitly Palestinian nationalism conflicted this narrative. Meanwhile, much of the recently naturalised Jordanian citizenry were opposed to its foreign policy particularly with regard to Israel – an issue that had been the reason for Abdullah's assassination in 1951. So it was imperative that Jordanian identity was reconciled with these social forces outside of Hashemite control. Hussein did not denounce Arab identities, but insisted that:

> "Arab nationalism can survive only through complete equality (…) It is in our power as Arabs to unite on all important issues to organise in every respect and to dispel friction between us." (King Hussein, 1962)

According to him, the Jordanian state and a unified Jordanian nationalism was the desired response to Arab claims for sovereignty. Pan-Arab nationalism would only be tolerated insofar as it retained respect for national borders in the region, including those of Jordan. Any other sentiments rooted in exclusively Palestinian or Arab identities that were potentially harmful to the existence of a Jordanian state and his own authority, were 'othered', supressed and presented as detrimental to public interest (Massad, 2001; Larzilliere, 2012). At the same time, key groups representing these sentiments were co-opted into the state apparatus to ensure obedience and social control, as his father Abdullah had previously done with the powerful Bedouin tribes.

The prevalent narratives over issues of identity are illustrative of Hussein's attempts to individually strike different 'social contracts' with the various segments of Jordanian population rather than presenting a consistent ideological discourse. As underlined in Shryock's analysis:

> "Hussein's ability to fashion multiple Hashemite identities or "royal personae," was a crucial feature of his elaborate apparatus of power. To his subjects, he was a man of many guises: liberal democratiser, monarch, descendant of the Prophet, secularist, shaykh of all tribal shaykhs, and a refuge for the Palestinian people. Hussein's manifestations were crafted in relation to constituencies (and political trends) he sought to influence or control." (Shryock, 2000, p. 58)

Hussein's approach to fashioning a Jordanian identity elevated the palace to a position that transcends politics, policies or the marginal interests of certain social groups, in line with Anderson's observation about Middle Eastern monarchs in general (Anderson, 1991). The king, through different 'social contracts' with different societal groups was presented as crucial for national security, survival and the public interest due to his role as the arbiter between the state and society and the unifying force of Jordan itself. Although the king was very much involved in orchestrating Jordanian political life though possessing extensive powers to advance policy and alter the country's institutions, his interventions were often presented as attempts to "right a wrong, address an injustice or simply to demonstrate monarchical benevolence that is (or seems to be) above politics" (Brand, 1995a-, p. 180). Hussein simultaneously supported, embodied and transcended the identity-discourses of as Arabism, Islamism and tribalism which otherwise were in competition with each other about their place in Jordanian identity-building (Phillips, 2011), in efforts to create a "Jordanian-ism", in which loyalty to the monarchy served as the focal point and unifying symbol regardless of which segment of population people belonged to.

Efforts to incorporate Arab, Islamic and tribal aspects into a unified Jordanian identity were also captured by official state symbols. For example, the Jordanian flag reflected the Arab revolt with the Hashemite family as the unifying force of all Arab peoples (Méouchy *et al.*, 2013), assuring that Arab identity was incorporated as part of the nationalist discourse with the gradual integration of the two Banks (Phillips, 2011). Regime iconography depicted the Hashemites' genealogical ties to Prophet Muhammad and the king's implied guardianship of not only the nation-state, but also Islam at large.[183] In attempts to emphasise the tribes and

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[183] Phillips (2011, p. 54) claims that these narratives were supported also by state-sponsored attempts to link Jordan's Islamic heritage to the roots of the Hashemite dynasty in museums, mosques and public buildings.

Bedouin life as a unique feature of Jordanian identity, the red headscarf[184] was adopted as part of the army uniform, worn also by the king instead of a crown (Phillips, 2011). At the same time, more coercive efforts aimed at imposing a common identity saw the symbolic references typically associated with Palestine being subsumed under the heritage of Jordan (Harmsen, 2008; Katz, 2003; Brand, 1995a-). To pursue the recently naturalised citizenry to associate themselves with a Jordanian identity, official documents and titles of civil society institutions which had previously been formed in the Palestinian territory, were to replace the term "Palestine" with that of "Jordan" (Brand, 1995a-).[185]

Many of the competing identity discourses found a place in the reimagined Jordanian identity, although as noted by Shryock (2000), the politics of identity-building simultaneously also served to disproportionately empower some regime-friendly institutions over others in the name of collective interest and keep public dissent in check. While the emerging "brand" of Hashemite Arab identity (Ashton, 2008) was not necessarily fully embraced, being enforced by the monarchy and the administrative apparatus, it was at least supported by a large part of the population. So the political turmoil of this period notwithstanding, the subsequent years of economic growth and relative stability that followed the annexation of the West Bank (Piro, 1998; El-Said and Harrigan, 2009) facilitated integration between Jordanian and Palestinian communities and aided the establishment of group and interest associations, which likewise impacted people's abilities to advance their well-being and determined their access to rights and opportunities in the Kingdom.

8.3.3 Establishing a selective welfare system

The Hashemites' attempts to legitimise their rule in the now expanded Kingdom did not only involve relying on the cultural and traditional roots of the dynasty and the military but also took advantage of the increased centralisation of state power. One of the most important developments precipitated by the large scale changes in the socio-economic environment following the critical juncture saw the state assuming a larger role in providing welfare for its

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[184] A red *keffiyah* (headscarf) was to become part of Jordanian dress, as opposed to the black one, which represented a Palestinian identity.

[185] Additionally, Katz (2003, p. 217) has proposed that legitimising the Hashemite rule over the holy places in Jerusalem likewise played a role as a building block of Jordanian identity. Not only was king Hussein the protector of Islam, but he also sought to promote "a spirit of cooperation and harmony between Christianity and Islam" by establishing authority over religious sites in East Jerusalem drawing parallels between himself and the second Muslim Caliph 'Umar, who was the first to allow freedom of worship in Jerusalem. His son, Abdullah II, remains the custodian of these sites, underlining the Hashemites as a unifying force among various religions.

citizenry and engaging more proactively with international organisations to advance people's well-being, propagating also the dependency of some on the public sector.

Upon merging the territories and the populations, there existed considerable disparities with regard to living standards between the Jordanian and Palestinian segments of the society. Harris notes that prior to 1948 the village economy had largely been self-sufficient in terms of meeting the relatively modest needs by people's own productive capacity and neither the industry nor the administrative bureaucracy had played a significant role in influencing patterns of wealth distribution (Harris, 1958, pp. 8–9). Meanwhile, Palestinians under the British administration in the West Bank had received better education, were more urbanised, wealthier, healthier and more politically aware than Jordanians living East of the Jordan River (Harris, 1958, pp. 179–184; El-Said and Harrigan, 2009). In the years following 1948, a significant number of Palestinian refugees in Jordan were housed in refugee camps and cared for by international organisations in cooperation with the government. Yet the majority of the displaced population attempted to establish a living in the towns and villages, prompting rapid urbanisation on both banks of the Jordan River.[186] Eventually, farmers and agricultural workers who were less adaptable to urban life and could not be accommodated by the already dire agricultural sector (pressured by the lack of arable land) mostly settled in refugee camps, but around 100 000 Palestinians got absorbed by the Jordanian economy as civil servants, businessmen or skilled employees. Dispersing these refugees in the scarcely populated villages and towns increased the role cities played not only in influencing political developments but also determining people's access to socio-economic resources.

An additional challenge was presented by the fact that prior to the annexation of West Bank, the Jordanian population had largely remained rural, and social services had mostly been carried out by private, international and charitable organisations, without a significant involvement of the state.[187] Regardless of the drawbacks of this approach, it had satisfied the largely rural demand for social protection. In the Palestinian territory, on the other hand, the state had chiefly been responsible for social services and the demand was high for the government to fulfil a welfare function. With the influx of Palestinians in Jordan, the urban-rural distribution of the citizenry shifted significantly and when Palestinians started settling

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[186] According to UNRWA's estimates, Al Husseini (2013) notes that in 1954, around 75% of the refugees in the original territory of Jordan and 65% of the refugees in West Bank resided outside the designated refugee camps.
[187] Before the UNRWA established a presence in Jordan, the Red Cross had been actively engaged in providing help for Jordanians. Of the charitable organisations, those affiliated with Islamists and Muslim Brotherhood in general fulfilled the task of assisting people with meeting their socio-economic needs (Harmsen, 2008).

around Jordanian cities, they pressured central authorities to undertake a more active role in welfare.[188]

The constitution of 1952 established the concept of welfare state, proclaiming the responsibility of the government to ensure free and compulsory elementary education (Article 20), work as a "right of every citizen" detailing fair remuneration, working hours and health safeguards in places of employment (Article 23), further articulating equality and equal opportunity to all Jordanians (The Royal Hashemite Court, 1952). However, as state resources could not realistically accommodate the demands of all citizens, the practical implementation of economic and social rights was delineated by Article 6.2. of the constitution, specifying that these rights would be advanced "within the limits of [the state's] possibilities"; and citizenship, around which rights revolved, was itself subject to "the limits of law".(The Royal Hashemite Court, 1952). So while the constitution formally articulated ESR, it also provided extensive powers for the government to restrict or suspend their enjoyment (Harris, 1958, p. 95).

Subsequently, King Hussein's government adopted a stance towards people as Jordan's "primary asset", launching a program for the explicit development of human capital until the 1970s (Al-Khaldi, 2006), substantiating these claims by a marked willingness to reduce military spending (from 60% to 50%) and to invest government surplus for development projects directly benefiting the citizens (Harris, 1958, p. 138). These efforts on behalf of the Jordanian government also coincided with the UN establishing a strong presence in the country through the United Nations Relief and Works Agency (UNRWA), which provided basic health, free education and food relief for the refugees in four camps. More than taking the pressure off the government with regard to care for refugees, they also delivered much needed international financial assistance together with other parties interested in maintaining political stability and security in the region.[189]

Following their pledge to care for Jordan's "main asset" – their people, the government also shifted attention to the socio-economic realm, with health care and education becoming the regime's priority, mainly geared towards alleviating the discrepancies between availability of services in the East and West Banks. The health care sector in Jordan was significantly underdeveloped, with only few hospitals organised around the main cities, lack of doctors and

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[188] The rapid urbanisation also overcrowded the towns causing widespread unemployment and challenges with regard to subsistence needs and sanitary conditions. In fact, Harris (1958, p. 179) noted that many refugees treated by the UNRWA were actually better off than the urban populations and 'indigenous' Jordanians.

[189] Brand (1994) particularly emphasises financial assistance from the United States due to their interest in retaining a free flow of oil from the region.

medical staff. The Ministry of Health was created in 1950 and financial resources were allocated to improving the health sector in with a view towards "ensuring access to health care for all segments of the population" (Economic and Social Council, 1990). To further cement Jordanian authority over the newly acquired territories, the Ministry of Social Welfare was established in 1951 (Piro, 1998) with the aim of providing relief to those worst off, establishing a social safety net for the overall protection of Jordanian population as a symbol of solidarity and egalitarian social stratification of both communities (El-Said and Harrigan, 2009).

The government also focused on expanding education opportunities for Jordanian citizens, as considerable disparities existed with regard to skills and knowledge among the relatively educated Palestinians and the more rural Jordanian population. In analysing social stratification within Jordan, Harris noted in 1958 that: "[t]he East Bank residents resent the fact that Palestinians, because of their superior qualifications, have been able to assume coveted positions in government, business and the professions; the Palestinians regard the East Bankers with disdain as backward and ignorant people" (Harris, 1958, pp. 192–193). Lifting these disparities was even more pertinent not only because of this antagonism, but also as it fostered tensions along nationalist lines. Furthermore, with the UNRWA providing social support to the Palestinian refugees (including education), existing inequalities were likely to grow. The state therefore needed to prioritise education in order to avoid potential political unrest in the future.

Alongside UNRWA's efforts and those of private and charitable organisations, the government expanded the school system to provide free and compulsory primary education as enshrined in the constitution. System of public schooling was centralised under the Ministry of Education, which also had the authority to license private schools and oversee the implementation of the curriculum (Harris, 1958), providing a chance to inculcate the kind of nationalism envisioned by the state and to contain pro-Palestinian identity-building. As illustrated in Table 8-2, Jordan experienced a rapid expansion of education in terms of the number of schools in Jordan, school enrolment, improving literacy rates and changing people's awareness about the necessity and value of education (Al-Khaldi, 2006). Because of foreign funding and the pressure from international organisations in Jordan, access to education was also extended to girls, who were previously denied these opportunities due to cultural practices.

Year	Schools	Pupils enrolled	Teachers
1930	54	5239	122
1950	691	123,319	3022
1987	3565	963,252	42533

Table 8-2 *Number of schools, pupils and teachers in Jordan 1930-1987.*
Source: Economic and Social Council (1990)

Facilitated also by the foreign aid and assistance on the ground, the government was enabled to provide public goods and services to the population. These investments in education, health care and social welfare in general contributed to developing infrastructure, the economy and resulted in an overall rise in people's living standards exhibited by a number of improved socio-economic indicators including life expectancy for people in Jordan.

Yet, it was also imperative for political stability of the Hashemite monarchy that the (mostly rural) 'native' Jordanian segments of the population, who had long been loyal to the Hashemite family, be accommodated in a mutually satisfactory way. Together with the urbanisation patterns, the introduction of commercial farming and an increasing role of industry significantly shifted structures for distributing wealth (Harris, 1958) leaving the Transjordanian population disadvantaged in comparison to the Palestinians. So, the overall improvements notwithstanding, the regime carried out significant allocative discrepancies in welfare provision through the emerging centralised state institutions directing public investment mostly towards the East Bank justified by the human rights principle of equality. While in practice the developmental focus on East Jordan served to accommodate the needs of the Jordanian inhabitants who formed the core support for the royal family and appease their dissatisfaction, the disproportionality was presented under the pretext of the East Bank being the relatively less developed part of the country. Additionally, the regime continued its former practice of co-opting tribes within state institutions through their employment in the public sector, state administration and especially the military. In fact, when the first health insurance scheme was established in 1963, it reflected the governmental priority towards appeasing this strategically important segment of the population. Namely, the scheme provided health insurance for armed forces and their families (Economic and Social Council, 1990), which not coincidentally were of Transjordanian origin. A further reclassification of the wage scale was introduced for public sector personnel, increasing wages for the growing number of lower-grade civil servants (Harris, 1958, p. 137). Consequently, the state became the primary means for the Transjordanian population to secure their livelihoods, while they, in turn, remained the primary guarantors of the regime's durability.

This uneven context of early welfare state development had several far-reaching implications. First, focusing the expansion of infrastructure, industry and welfare services in the former Transjordanian territory attracted significant amounts of people towards these areas, especially to the cities. A report for the United Nations Conference on Trade and Development stipulated that between 1950 and 1960 over 10 per cent of the overall population had migrated from the West Bank territories (UNCTAD, 1994). This subsequently increased pressures on housing, employment and welfare facilities in the East Bank, which struggled to accommodate these populations and facilitated the emergence of responses from civil society, seeking to fill this gap by providing alternative means for people to meet their socio-economic needs. Second, many Palestinians who found themselves in Jordan came from a background of a relatively prosperous middle class, which had not yet emerged within the Transjordanian population (Harmsen, 2008) – they were educated, skilled and possessed capital that would be invested in establishing a new life in Jordan through opening businesses, providing services and acquiring real estate (El-Said and Harrigan, 2009; Harris, 1958).[190] So the 'newcomers' to Jordanian cities also contributed to strengthening economic development of the East Bank. Finally, although legally, the emerging welfare state emphasised equality of all citizens, in practice improvements in people's lives advanced by the state disproportionately targeted the 'native' Transjordanian population, who were provided unevenly large access to state resources and cemented even further as the key to regime stability echoing the observation that in the MENA region, social and welfare policies of the post-colonial era were intrinsically connected to state- and nation-building rather than being perceived as explicit guarantees granted by citizenship (Karshenas and Moghadam, 2009, p. 53). However, by institutionalising such distribution of access to the benefits of citizenship, which disadvantaged the Palestinian population, also made the Transjordanians more reliant of the emerging state-level institutions for meeting their socio-economic needs. Consequently, in contrast to the equality-based laws or the rhetoric advanced by state authorities, the Palestinian and Jordanian segments of the population were delineated to different realms for meeting their welfare needs.

8.3.4 External legitimacy as the source of a rights discourse

Jordan is not a typical rentier state, as it lacks own natural resources, but it depends on exogenous foreign assistance for satisfying the needs of its economy. It has hence been characterised as a "non-oil rentier" (Baylouny, 2008, p. 284) or "semi-rentier" economy (Ryan

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[190] Piro (1998, p. 28) accounts that the immigrants from Palestine brought around 20 million Palestinian pounds, which was then more than the total supply of money in Jordan.

2002). Traditionally, domestic and international political developments in Jordan have been closely related as both, domestic and external legitimacy were vital to ensuring regime survival. So establishing and maintaining international recognition was a high priority for the Hashemite family – essentially rooted in the search for internal stability, for foreign funds determined much of Jordan's financial, military and administrative capacity.

Guided by the need to gain credibility in the eyes of the West, Jordan became a member of the UN in 1955, subsequently signing and ratifying a number of international human rights instruments[191] and continuously referenced rights in articulating its laws and policies. As a result, foreign aid continued to flow towards Jordanian economy, not just in the form of NGO presence that provided poverty relief mostly focused on refugees, but also development projects, which helped to improve the state of well-being for local populations. The presence of international NGOs was crucial for the Jordanian government to manage the demands of the rapidly growing number of inhabitants relieving the pressure from the state. With the influx of Palestinians, the UNRWA was mandated to promote socio-economic integration of 85 per cent of the refugees (Al Husseini, 2013) which included the provision of medical care and schooling. A number of technical aid missions were established on behalf of the United Kingdom, United States and the UN aimed at creating services for increasing people's well-being and socio-economic development, which previously had not existed. Such services included maternity and child welfare centres, research clinics, secondary and technical schools created with support from the United States, UNICEF, UNESCO and UNRWA (Harris, 1958, pp. 94–95). Foreign governments also provided loans for economic development projects without imposing interest rates, seeking to provide relief for refugees, village loans, expanding infrastructure, equipping medical and education facilities, improving agriculture and transportation. The UNRWA became one of the main employers in Jordan, relieving the unemployment problem accentuated by the influx of refugees and additional aid provided by foreign capital, designated for specific developmental projects likewise improved employment opportunities for the local population.

So the emergence of a rights discourse in Jordan was partly borne out of its need to secure international legitimacy, foreign funds and internal security. During the 1950s, foreign assistance provided around 60 per cent of all budget revenue and 2/3 of all expenditure for socio-economic development in the country (Harris, 1958, p. 141), allowing the state to

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[191] Jordan signed the ICESCR in 1972 ratifying it three years later.

progressively advance ESR-related outcomes. Yet the source of foreign aid was altered by Hussein's decision to expel British military officers from the region in a strategic move to appease the anti-colonial and pro-Arabic sentiments present in the society that threatened the legitimacy of the royal family. He dismissed the British commander in charge of the Arab Legion in 1956 and renamed the force the Jordan Arab Army (George, 2005), also terminating the Anglo-Jordanian treaty of preferential alliance of 1948 in symbolic efforts to mitigate the obvious signs of British colonial presence and cement Jordan's perception as an independent state. While these actions were aimed to further the monarchy's domestic legitimacy, they also implied that the regime had to diversify its source of economic revenue. Financial aid for the military would eventually come to be provided by Saudi Arabia,[192] while the United States provided funds for technical cooperation and economic development (Harris, 1958, pp. 118–119) under the justification of maintaining political stability in the region – upon which its access to oil depended.[193]

8.3.5 Advancing state objectives through the co-opted rise of civil society

Authors who analyse the role of civil society in Jordanian politics are explicit that, understood in the context of the Hashemite Kingdom, it was not necessarily an indicator of democratisation or collective empowerment, but rather a tool for the state to exert social control upon the changing society (Wiktorowicz, 2000; Brand, 1995a-). Embedded in the bureaucratic apparatus and prone to coercion through regulation on behalf of the formal state institutions, collective activities were tightly controlled and governed in a similar way as its various strands of nationalist discourses.

In the relatively short history of political parties, their agendas had typically addressed issues of domestic and international security instead of socio-economic concerns. Parties had not, therefore, enjoyed wide popularity so the window of political liberalisation gave an impetus for the rise of civil society in Jordan. The constitution of 1952 provided the right to form trade unions and civil society associations (The Royal Hashemite Court, 1952) presenting societal groups with an opportunity to promote their interests to the government and collectively organise to fill the void left by formal institutions in improving and regulating the rapidly

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[192] Throughout the 1970s and 1980s, oil-producing Arab countries provided the bulk of finances in the form of foreign aid needed for the economic growth of the state. According to Piro (1998) this served essentially as an incentive to keep Jordan away from the Camp David peace process.

[193] As financial and strategic assistance under Eisenhower was granted to countries threatened by communism, it was imperative that the king position the monarchy as opposed to communist sentiments and disengaged with countries in the region sympathetic to these ideas (See George 2005).

changed environments of people's lives. Informed by the political turmoil at the time, their emergence was strictly controlled and they were separated from the political realm (e.g. banned from associating with political parties) curtailing civil society's opportunities to meaningfully challenge the regime. Functioning within the delineated bounds of 'national interests', it presented non-governmental organisations limited, but nevertheless important prospects to create avenues for change in the Kingdom even altering its political space (Ryan, 2002, p. 19).

Following the annexation of the West Bank, the Transjordanian population were still mainly dominated by rural lifestyles and tribal order (Harris, 1958) without stern expectations placed on the state to assume responsibility for individual well-being. Rapid influx of Palestinian inhabitants that had belonged to an urbanised and educated middle class and were used to having their voice recognised by the government (Harmsen, 2008) provided an impetus for collective forms of organisation, especially given that many were precluded from access to state bureaucracy. Increased economic activity of the citizenry and refugees settled around the cities (Al Husseini, 2013) further precipitated a rise in civil society advocating for change. Unable to fully supress these forces, the Hashemite crown chose instead to ensure their loyalty by co-opting them within the unified formal framework providing an outlet for different groups to negotiate access to the resources and opportunities in the Kingdom.

As long as civil society agreed to play by the "rules of the game" set forth by regime authorities, they had some freedom to advance their own agendas and negotiate change. In theory, the limits within which civil society organisations were allowed to operate were mostly informed by domestic and international security concerns, but in practice the modus operandi of non-state actors was delineated mostly to the welfare realm, whereby they advanced inter-communal networks of charity and support or in varying degrees negotiated terms for the protection and realisation of their economic and social interests.

There are several groups of non-governmental actors that can readily be distinguished during this period. First were the Trade Unions, which emerged in the 1950s following the struggles of civil society originating from the Palestinian territory. The West Bank-based Palestine Arab Workers Society (PAWS), had actively been advocating for workers' rights in Palestine, which was a movement novel to Jordan, where civil society was underdeveloped and no equivalent of such organisation had previously existed. Justified by political turmoil, Jordanian authorities tried to limit their activities, but the PAWS alerted the International Labor Organisation (ILO) eventually provoking international pressures on the regime. This lead to the introduction of the Jordanian Labor Law 35, legalising labor unions in 1953 and the subsequent registration of the

Federation of Trade Unions Jordan (FTUJ) in 1954 (Harmsen, 2008, p. 128; Brand, 1995a-). Although they were still forbidden to engage in non-labor related issues (including strikes[194]) and had a limited political voice, they defended workers' rights, provided social and economic assistance to its members and cooperated with the government to improve working conditions in Jordan. In 1956, in cooperation with the ILO the government drafted a law regulating labour environments, hours, compensation, and holidays.

While participation in Trade Unions was voluntary, membership in Professional Associations was made compulsory under law for anyone who wished to legally practice professional activities (Harmsen, 2008, p. 127). These groups were founded by members of various occupations (such as lawyers, doctors, engineers, pharmacists and others) with the aim of representing the interests of the respective professions at large – they prepared studies about business opportunities and possible improvements in their fields, as well as controlled for the delivery of certain standards. Throughout the years of martial law, when political parties were suspended, professional associations came to fill the crucial function of articulating people's concerns to state authorities and were able to negotiate improved standards of working conditions (Brand, 1995a-, 1995b; Harmsen, 2008). On a societal level they also created a sense of community under circumstances where few other avenues for collective organisation were possible and based on contributions from membership fees, returns on investments or state subsidies, they introduced social services for their members, including social security, pension funds and training (Larzilliere, 2012, p. 16). Not only did these groups extend a valuable welfare function to their members, but they also contributed to the economy by improving overall labour standards through servicing and regulation. Members of these associations, particularly those in leadership positions, would in turn become highly regarded in the society as experts in their respective fields, so the government could not entirely ignore their expertise and recommendations.

The third notable civil society group was comprised of voluntary and charitable organisations which were likewise retreated to the realm of social and economic life. Voluntary organisations had existed prior to this period[195] and their activities were often encouraged by the teachings of Islam. However, their role grew rapidly after the events following 1948. Harmsen (2008, p.

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[194] For example, after the tailor professionals went on strike in 1954, they were prohibited from joining the union (Harris, 1958, p. 131). Although the ban was later lifted, the government nevertheless monitored potentially political activities on behalf of union members of various professions.

[195] Most widespread were groups affiliated to the Muslim Brotherhood, who operated schools, welfare facilities and promoted an internal system of redistribution in line with the Islamic principles. For an elaborate discussion on the overlapping aspects of Islam and welfare, see Harris (1958).

151) notes that: "[c]itizens of the West as well as on the East Bank spontaneously established associations to distribute food and clothing and provide shelter to the dispossessed Palestinians, and to take care of the injured and the orphans among them". Undoubtedly, these efforts contributed to meeting the needs of the population, relieved welfare pressures from the government and fulfilled an important role in advancing people's socio-economic opportunities at a time when efforts by the government and international organisations did not suffice.

Given their popularity among the society, the government directed efforts to curtail charitable organisations from becoming platforms for political change through numerous legal and administrative measures, especially under conditions of martial law. A law on Voluntary Associations passed in 1956 sought to regulate procedures for registering these organisations and allocated certain ministries with their administrative oversight. Their activities were further overseen by the General Union of Voluntary Services (GUVS) – a body established in 1959, to which all charitable organisations were legally obliged to partake and seek approval for all their initiatives.[196] A further Law of Societies and Social Organisations was passed in 1966, covering organisations that "provide social services without any intention of financial gains or any other personal gains, including political gains", specifically outlining their apolitical character and binding their activities specifically to the realms of their expertise as determined by the regime. Communal activism outside their respective limits of permissibility was, in turn, restricted, policed and oppressed as a threat to the regime.[197]

All collective action had to be registered at the respective government agencies tasked with overseeing it – the Ministry of Interior was made responsible for the activities of unions, professional associations and, later, also political parties; the Ministry of Culture regulated the work of voluntary cultural organisations; and the Ministry of Social Development was tasked with observing and regulating activities of all charitable organisations (Wiktorowicz, 2000). While control mechanisms monitored the potential of these associations to advance any politically-motivated activities, the regime simultaneously also supported their development

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[196] Wiktorowicz (2000, p. 55) refers to the GUVS as a self-disciplining organisation, which over time has acquired increased administrative overlap with state bureaucracy, serving regime objectives.

[197] Activities of the Women's Union in Jordan illustrates the point. Established in 1974 (a year after the franchise was extended to women under pressures from the UN), their activities were later charged with "taking positions antagonistic to the country" in international conferences (Brand 1995a-, 1995b). Authorities closed in 1981 under the pretext of having violated the constitution, while the government instead advanced the establishment of an alternative union representing similar aspirations, but firmly under the control of the state. Formally, the General Federation of Jordanian Women was introduced to act as an umbrella organisation, but it had no agenda of its own and did not oppose existing policies set forth by the government. At the same time, it at least formally occupied the civil society space designated for women's associations in the country and ensured that no other organisation with competing interests emerged.

because they fulfilled numerous functions in advancing state objectives. For one, the welfare function of these organisations was indispensable. Voluntary and charitable associations provided social support for the most vulnerable populations in Jordanian while professional associations autonomously introduced social services, such as training and pension schemes, towards their members, contributing to increased socio-economic outcomes in the Kingdom (Economic and Social Council, 1998). At the same time, the presence of these organisations helped the regime to control class-based tensions while aiding its image of political pluralism and respect towards civil society upon which the access to external funds rested (Harmsen, 2008, p. 149; Ryan, 2002). Eventually, also the work unions would come to be controlled by the state, so they did not voice stark opposition to the government even when proposed policies were harmful to workers' interests (Brand, 1995a-; Larzilliere, 2012). Given institutionalised mechanisms of bureaucratic oversight enacted on civil society groups, as underlined by Harmsen (2008, p. 152), the non-governmental sector became a way to ensure social peace and public order by simultaneously serving and controlling the society.

The political voice of the civil society was effectively curtailed and community organisations were retreated to the realm of welfare. As long as they did not openly confront the institution of the monarchy or policies pursued by the state, they had the possibility to carry out their functions extending their own power and influence among the Jordanian society. After the imposition of martial law when individuals no longer had the possibility to compete for positions of power within the state, opportunities to acquire some influence within these organisations was a viable means to provide individuals access to social capital, physical benefits, connections or *wasta*. Especially because charitable activities were often organised around the principles of religion, tribal values or kin networks, their perseverance empowered longevity also of tribal identities and ways of life (Larzilliere, 2012, p. 14). Connections acquired through religious, tribal, kin and professional networks would later prove beneficial for improving one's individual standing and authority among the society, providing opportunities to further 'distribute' *wasta* to others in need.

It is evident how in the Jordanian context the non-governmental sector was meticulously subordinated to the state, which occupied "a much larger "space" vis-à-vis civil society" (Brand, 1995a-). Set limits of permissibility retreated societal activism to the welfare realm, leaving any activity that could be interpreted as political strictly outside their scope of action. As long as the non-governmental sector did not directly confront the regime, the state supported these associations as legitimate channels for furthering well-being and credible alternatives to

the inadequate and poorly developed public services at the time (Larzilliere, 2012, p. 18). Yet, it was a mutually reciprocal relationship that deemed civil society organisations not entirely 'non-governmental' – through repression and co-optation the state ensured that they fulfil a governmental welfare function that benefited the regime (Brand, 1995a-) in exchange for giving individuals an opportunity to harness their own individual standing. Meanwhile, these activities extended patronage-based networks among the society and provided those outside the scope of government welfare policies alternative means for attaining social and economic opportunities in Jordan. As discussed below, the presence of such alternatives was conductive to governmental efforts of institutionalising selective welfare benefits towards public sector employees – a co-optational strategy rewarding loyalty from 'indigenous' Transjordanians.

8.4 "Jordanising" access to the state 1967-1989

Jordan's annexation of the West Bank was accompanied by a multitude of changes in the Hashemite Kingdom. On the one hand, it had provided an impetus for political liberalisation which saw legal rights formally extended to the citizenry, the constitutional articulation of a welfare state and an expanded civil society activism introduced to Jordanian collective life. With the assistance and pressures from international organisations, people's access to education and health care facilities was improved under conditions of a limited resource capacity, although aside from services provided in the refugee camps, these developments disproportionately benefited the 'indigenous' Transjordanians justified paradoxically on the grounds of equal rights' enjoyment. On the other hand, however, the demographic, territorial and societal change accompanied by these events challenged significantly Hashemite aspirations for eventually ruling a united Arab state. The Palestinian population often posed direct opposition to the policies advanced by the palace, especially because of identity-building efforts of the regime that aimed to assimilate the newly acquired citizenry (Brand, 1995a-, p. 154). The regime's strategies to maintain their rule were closely tied to citizenship and identity-politics, their approach to governing civil society as well as making use of recently emerging, but still rudimentary welfare institutions, all of which influenced patterns determining people's access to socio-economic goods and services. On a societal level the Palestinian and Transjordanian populations managed to integrate regardless, organise on a charitable basis to assist in meeting the needs of the population so that the differences between both segments of

the society with regard to education, health and well-being became increasingly marginal (El-Said and Harrigan, 2009; Layne, 1994, p. 19).[198]

Notwithstanding the political turmoil under martial law, the establishment of Palestine Liberation Organisation (PLO) in 1964 and the Arab-Israeli war of 1967 provided a new critical juncture that introduced marked changes in the policy-direction pursued by the state. For one, although a deal was negotiated that promised to exclude Jordanian citizens from potential recruits of the organisation (Brand, 1995a-) the very existence of PLO challenged Hussein's claim as the defender of the Arabs from Palestine providing an impetus for organised Palestinian resistance and a revival of their identity.[199] Later, the events of Black September in 1970 and the ensuing civil war in Jordan would put an end to the Hashemite plans of a greater Arab state as unanticipated consequences of the earlier policy granting Palestinians citizenship. The Six-Day War in 1967 marked the most significant shock to the regime whereby Jordan lost the West Bank territory and its boarders were once again reverted back to those preceding the 1950 annexation. This implied losing access to also around 750 000 people living in these areas, many of whom had been granted Jordanian citizenship (George, 2005, p. 24). Of these, around 400 000 migrants from the West Bank fled to Jordan (Ababsa, 2013a; Al Husseini, 2013), causing strains on the resource and administrative capacity of the now territorially reduced Hashemite state. Further events escalated by the oil boom in the region increased the cost of living in the country, prompting changes in the emerging welfare as people's income could no longer adequately account for the cost of living (Baylouny, 2008).

The Hashemite monarchy's response to these events was rooted in similar rationales as previously – namely, relying on the Jordan's tribal population to secure the regime. Mistrustful of whether they can trust in Jordan's Palestinian population to back the regime, a process of "Jordanisation" was initiated (El-Said and Harrigan, 2009; Abu Odeh, 1999) institutionalising an informal separation between the Jordanian and Palestinian segments of the population and transforming former pan-Arab rationales to an explicit narrative elevating tribalism above other identity-discourses. The parliament was dissolved and indefinitely suspended in 1967 to severe ties with the West Bank representatives (comprising around half of its members). Jordan ceased financial assistance for development projects in the West Bank (Al Husseini, 2013) and fully

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[198] Differences persisted among rural and urban populations or inhabitants of the north or south, but these, as remarked by Layne (1994), could not adequately be captured with the distinction between Palestinians and Transjordanians.

[199] The establishment of PLO exacerbated animosity of the Jordanian state towards Palestinian nationalism as PLO now claimed to unilaterally represent the Palestinian interests undermining the Hashemite claim to be doing the same through promoting Jordanian nationalism.

restructured their economy back to the East Bank territories (Ababsa, 2013a). While Palestinian refugees fleeing to Jordan had been eligible for Jordanian citizenship, this policy was soon amended to only allow for procuring temporary travel documents that provided their holders access to some government services, but required to pay an increased 'non-citizen' rate for education, health care and training services (U.S. Department of State, 2010). [200]

Additional regulations passed begun to effectively institutionalise a separation between the public and private sectors. Since the public sector was seen as the key to regime security, acquiring jobs with the state were made dependent on approval by *Mukhabarat* – Jordan's secret intelligence department (El-Said and Harrigan, 2009), removing Palestinians who were potentially exposed to nationalist sentiments so as to not pursue "hostile agendas". The state sector was thereby informally designated for the Jordanians, who came to almost exclusively occupy positions in the army, cabinet and state bureaucracy. Citizens of Palestinian origin, who were unable to access public sector jobs, would retreat to the private sector (George, 2005; El-Said and Harrigan, 2009; Massad, 2001). As a result, although the Palestinian population had been naturalised, relatively well integrated and the constitution legally guaranteed them rights to be appointed to public posts (Article 22), these provisions were not followed up in practice. The 'indigenous' Transjordanians would dominate the public sector, while Jordanians of Palestinian origin adapted their lives around individual economic activity in the private sector.

Unsurprisingly, the 'Jordanisation' of the Hashemite Kingdom also reinforced an "instinctive ambivalence" between both segments of the population (George, 2005, p. 25). Despite of such ethnic or cultural differences being largely socially and politically garnered guided by security concerns, the distinction among "Jordanians" and "Palestinians" within Jordan became one of the defining features of Jordanian society (Layne, 1994, p. 19). In stark contrast to former identity-building politics focused on integrating Palestinian and Jordanian segments of the society, Palestinian nationalism now came to be perceived as a threat to Jordanian identity and the Jordanian state. By 1980s Bedouin tribes only comprised less than ten per cent of the Jordanian population, yet their identity was portrayed as intersecting Arab*ism*, Islam*ism* and tribal*ism* blended together and embodying "the true Arabs", from which values and qualities were to be derived (Gubser, 1983, pp. 26–27). This narrative was absorbed and advanced as the desired "Hashemite brand of Jordanian nationalism and under conditions of coercefully

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[200] Al Husseini (2013) and George (2005, p. 34) note that administrative ties with the West Bank were not severed until 1988, when Hussein dispossessed the 76 000 Jordanians in the West Bank from their citizenship issuing instead temporary passes valid for two years. Up to this point they had still retained their right to vote in municipal elections.

'othering' undesired identities and socially embedded patronage networks, settled and urban populations were likewise prompted to embrace tribal values though their continued respect for and regard for the family institution, allowing them to nevertheless identify with "tribal culture" (Al-Ramahi, 2008).

An explicitly Transjordanian nationalism was therefore borne out of the regime's concerns for distinguishing its citizens on grounds of their loyalty, necessitated by previous policies, which had sought to unite the populations under the Hashemite rule. Focusing on tribalism was the Hashemite's approach to highlight "the distinctiveness of Jordan vis-à-vis its most significant other, Palestine" (Layne, 1994, p. 103)[201] and that Jordan is often referred to as a Bedouin country is largely a result of identity-politics. These aspects of Jordanian identity were powerfully reinforced by king Hussein's persona, who continued to refer to tribes as the central building block of society and used his public appearances to emphasise that:

> "whatever harms our tribes is considered harmful to us, and this has been the case all along, and it will continue to be so forever." (Jordan Times, 1985)

Essentially imagined ethnic distinctions that supposedly set Transjordanians apart were reinforced by instituting an informal division of labor mentioned above. More than exacerbating questions of identity, "Jordanisation" prescribed varying "rules of the game" for different segments of the population, institutionalising a discrepancy with regard to the benefits carried by citizenship with wide-ranging implications for people's socio-economic opportunities.

First, the emergence of the "Palestinian threat" coincided with the development of various welfare institutions under the auspices of the state. Under a struggling economy, the state remained the primary employer, providing employment for around 50 per cent of the working population through various public institutions (Brand, 1995a-). These jobs came to be almost exclusively occupied by the Jordanians, which not only provided them beneficial access to centralised welfare institutions, but also increased their dependency on the state. In 1978 Social Security Law introduced insurance for injuries, diseases, disability, health and pension (Elayyan, 1989), but, as it only covered institutions that employed more than 50 people, these

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[201] The need to distinguish a separate Jordanian identity was further aggravated by Ariel Sharon becoming Israeli Minister of Defence in 1981. He pursued a rhetoric of Jordan as a Palestinian state, suggesting that Palestinians from the West Bank resettle to Jordanian territory. Jordanian authorities perceived these proclamations as direct threats to their security and sovereignty, prompting them to emphasise the 'tribalisation' rhetoric even more explicitly.

benefits were largely confined to the Jordanian population working in the public sector.[202] The beneficiary pool was gradually expanded to include establishments employing five people or more,[203] but it nevertheless focused primarily on state employees and those working for public institutions, educational institutions, municipal authorities and the military.

Health care provides another example of selective provision. The emergence of the health care system in Jordan was facilitated by demands of the significant number of military staff, whose well-being also remained a pertinent interest of Western powers providing financial and development aid to Jordan. The government had granted medical assistance directly to members of the armed forces between 1941 – 1962 but the Military Medical Service introduced in 1963 extended these services also to the families of military personnel, at the time covering around 235 000 people (Riegel, p. 11). As the military sector was reserved exclusively for Jordanians, benefits of these services (financed by the government, user fees and members' co-payments) were likewise restricted to this segment of the population.[204]

While basic education was continuously expanded throughout the Kingdom, secondary education was still largely unavailable. The first university was opened in Amman in 1962, with other public and private higher education institutions appearing in the following decades (Ministry of Higher Education and Scientific Research); but with the enforcement of "Jordanisation" strategies, the Palestinians were limited in their opportunities to gain access to and scholarship for public universities (U.S. Department of State, 2010). They did benefit from governmental subsidies on basic goods and setting of maximum retail prices carried out by the Ministry of Supply, but these benefits were likewise primarily targeted towards the East Bank population and civil and military personnel (Baylouny, 2008, p. 291).[205] Under these circumstances, El-Said and Harrigan note that:

> "tribal origin and affiliation became the ticket to state resources and opportunities, as well as to positions of decision making and influence. Personal connections, or *wasta*, came to determine

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[202] The law prescribed a system of compulsory savings with contributions from employers (10%) and employees (5%) while the government spending for social security remained negligible. The Economic and Social Council (1998) reports that it remained under 1% of GNP until 1996. See Riegel (p. 8).

[203] The expansion of the coverage was finalised in 2011 with the aim of covering 75% workforce by 2020 (UNDP 2013a, p. 72).

[204] According to Jordan's Ministry of Health (2011) the Royal Military Service (RMS) continued to undertake health care provision supplying around 20% of all medical facilities and hospital beds. Government estimates that around 1.6 million people, including government employees, military personnel and their families, are still guaranteed health care by the RMS (The Hashemite Kingdom of Jordan).

[205] The Ministry of Supply was established in 1974 and dismantled in 1988, with its remaining responsibilities transferred to the Ministry of Industry and Trade. Baylouny (2008) documents how fixed prices were instituted for numerous products deemed "politically sensitive", including food (such as wheat, sugar, bread, milk, meat and others) as well as non-food items - among others, also petroleum.

almost everything from jobs in the state sector, to access to elite education and quality health services to simple rights and entitlements such as the acquisition of a passport or a driving license." (El-Said and Harrigan, 2009, p. 1241)

With access to welfare for the Jordanian population was directed through formal institutions, Palestinians had limited opportunities to attain education, health care as well as public sector jobs and general funds flowing from the central government.[206] Instead, they would seek social security through professional and kinship networks (Baylouny, 2008, p. 281) furthering the societal importance of *wasta*. Tensions caused by these discriminatory policies were exploited also by the PLO, who sought support among the Palestinians in Jordan by providing large-scale social services and cash handouts in the refugee camps where many Palestinians were settled (El-Said and Harrigan, 2009). While it ensured much needed assistance to the Palestinian segment of Jordanian population, it also aggravated the rising tensions among both segments of the population.

Second, these policies urged many educated Jordanians (mostly of Palestinian origin) to seek employment in the neighbouring Gulf states – a market exploiting oil deposits in search for a skilled workforce (Ababsa, 2013a; Baylouny, 2008). Without a possibility to acquire jobs in the East Bank regardless of their high level of education, throughout 1970s and 1980s around 400 000 people (or around 40 per cent of the labor force) left to seek work opportunities abroad, mainly in the Persian Gulf countries (George, 2005). More than just a societal response to economic challenges and lack of access to opportunities, Larzilliere (2012, p. 14) characterises it as a deliberate "political and economic strategy of "brain export"" aimed at depoliticising sensitive issues from the public domain. By urging intellectuals to immigrate the regime sought to avert potential opposition and public disobedience. At the same time, the economic angle of workforce migration patterns provided monetary advantages to Jordan. The expatriate workers in other countries would send remittances back to the Kingdom, which comprised around 1/3 of the GNP, contributing to increased funds for individual households at the time as well as supplementing kinship-based social networks responsible for providing people socio-economic support (Baylouny, 2008).

Finally, these policies also reinforced the *tribalisation* of the political system and social life in Jordan. Since the time of Abdullah's rule, Jordanian bureaucracy had been used as a co-

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[206] The public/private separation managed to persist. Abu Odeh (1999) notes that a study carried out in 1996 showed that the Jordanian participation in the private enterprises of the country only amounted to 11%, while the rest was dominated by the Palestinians and other minorities.

optational tool for the monarchy, whereby admission to positions of power was extended towards loyal tribal representatives (El-Said and Harrigan, 2009; Cunningham and Sarayrah, 1993; Lust-Okar, 2006). With access to welfare services tied to these positions, the importance of tribal institutions was reinforced among the 'Transjordanian' population as it carried an increasing amount of benefits. It is understandable how such practices reinforced the role of *wasta*, furthering the patrimonial character not only of the Jordanian state but also the society, whereby some people were granted access to patronage and opportunities to distribute it to others. Palestinians, who were largely reduced to the private sector, had to rely on the predominantly Jordanian bureaucracy for advancing their private interests either through providing bribes or employment to Jordanians of strategic interest, or even exchanging their companies' shares for access to state resources (El-Said and Harrigan, 2009).

On a societal level the unavailability of access to state-provided welfare prompted many Palestinians people to seek support within their family and kin for meeting their socio-economic needs, solidifying the importance of *wasta* as well as the role of the family, tribal and kin institutions. Predominant Islamic beliefs that stressed mutual responsibility and prescribed a religious moral obligation to assist the less fortunate members of society also gave an impetus to such a course of action (Harris, 1958, p. 180), but, as noted by Anderson (1991, pp. 12-13), the power of *wasta* and the endurance of these institutions is not necessarily a unique characteristic of Jordanian, tribal, Arab or Islamic societies, but as "a result of the novelty and instability of formal, impersonal institutions and relations". The value of tribe, family and kin relations was continuously reaffirmed by the regime and re-established as legitimate forms of interaction primarily because of their implied benefits for the Jordanian political elites. While ideological concerns as well as financial and administrative capacity limited the regime's ability to extend welfare to all, it was beneficial to instead interpret informal institutions as essential elements of the re-imagined "tribalist" nationalism (Gubser, 1983) based on which the state could legitimately target its investments. Tribalism was thus not produced by the regime, but with limited alternative access to opportunities for attaining well-being, these informal modes of action were reinforced as people's intrinsic modes of life.

8.5   Civil society as welfare providers from 1989 onwards

Part of the reason for the resilience of these informal institutions was that they were effective for the purpose they served. Despite segregating the population with regard to employment opportunities and welfare coverage, Jordan managed to achieve marked improvements in the

overall standards of living.[207] Achieving these outcomes was sustained by external aid and state subsidies that allowed to reduce costs of living, as well as governmental and non-governmental welfare services provided in Jordan that helped to improve the overall socio-economic well-being in the Hashemite Kingdom. Towards the end of 1980s several events shook the status quo in Jordan, altering the social, economic and political context in the country and once again modifying people's established patterns of accessing welfare.

First was the economic crisis, brought about by a sharp decline in oil prices in 1980s, causing a reduction of foreign aid and numerous other economic problems challenging Jordan's ability to pay back its foreign debt (George, 2005). These issues were only accelerated by the wasteful and inefficient public sector that supported the Hashemite co-optational strategies while draining the state budget (El-Said and Harrigan, 2009, p. 1242). The period of economic turmoil in Jordan continued throughout the 2000s, precipitated by the 2003 war in Iraq and the continuous inflow of refugees due to regional conflicts. While an influx of people infused money in Jordanian economy, it also gave an impetus for inflation and increased pressures on people's livelihoods.

Second, the oil crisis in the 1980s also caused many Jordanians who had earlier emigrated for employment abroad to lose their jobs and return back to Jordan. A political event further aggravated this problem, namely, after king Hussein expressed his support of Iraq after its 1990 invasion of Kuwait, [208] the state responded by expelling Jordanians from the country. As a result, around 400 000 people returned to Jordan, in addition to those who had already migrated back to their homeland during 1980s (George, 2005; Ababsa, 2013a). Jordanian economy, which was based mainly on the service and public sector, could not accommodate the sudden influx of skilled workforce seeking jobs, so unemployment rose from 3% in 1980 to 20% in 1989 (Ababsa, 2013a). Remittances too, which had comprised a large part of the Jordanian economy seized to flow to the country (George, 2005; Baylouny, 2008) aggravating the economic hardships faced by the population. A multitude of economic and social problems surfaced amplifying the already dire situation.

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[207] A report submitted to the Economic and Social Council (1986) by the Jordanian government reported an improvement of 224% in overall standards of living.

[208] George (2005, p. 35) and Ryan (2002, p. 75) analyse how Jordan's relations with Iraq had historically been close, but in the years leading to the invasion of Kuwait, Iraq was especially vital for Jordanian national interest – it was the main importer of Jordanian agricultural and industrial products (accounting for 23% of total) as well as the largest source of Jordanian imports (17%) and the main supplier of oil, providing it below market prices.

Finally, in addition to the Jordanians returning to the state, Jordan also experienced a new wave of migration following the 1991 Gulf War, when around 300 000 Iraqis sought refuge in Jordan challenging its housing and social service capacity. Due to the severely limited opportunities for employment, high inflation, declined incomes and yet another influx of migrants, the incidence of poverty rapidly increased from around 3% in 1987 to 14% in 1992 (Seijaparova and van Holst Pellekaan, J. W., 2004).[209] The 2003 war in Iraq would carry similar implications for the Jordanian state and society. Under these circumstances, Jordanian public debt had increased to 189% of GDP in 1989 (Ababsa, 2013b) and the regime experienced a legitimacy-crisis due to the rising people's discontent with the ongoing situation and the lack of an appropriate government response. With political parties banned under martial law, the bulk of people's dissatisfaction was directed towards the monarchy.

Jordan resorted to seeking external financial support and negotiated a structural adjustment program with the International Monetary Fund (IMF) in 1989. This process was further accompanied by the regime's attempts to regain legitimacy through lifting martial law and gradually expanding people's civic freedoms within a period of political liberalisation. Jordan's emphasis on pluralism and tolerance (Brand, 1995a-) was a valuable improvement from the decades under martial law, but efforts in improving its human rights record were mostly confined to the domain of CPR. Privatisation policies that were advanced to reduce government spending and budget deficit decreased the role of the state as a provider of welfare negatively reflecting on people's enjoyed levels of well-being. Even if people managed to maintain jobs in the state sector, incomes were reduced and could barely guarantee people's minimum subsistence needs.[210] These developments enhanced the need for individuals to seek alternative ways for securing their livelihoods strengthening the role of non-state actors in providing people access to opportunities. Various forms of collective associations and society-based organisations emerged (typically initiated by the wealthier and educated middle class population) to undertake the welfare function, building on primarily informal institutions and their pre-established social capital to advance inter-societal redistribution for meeting the rising

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[209] While socio-economic indicators throughout this period rapidly decreased, it must be noted that the former years of relative stability and prosperity ensured that, on average, outcomes enjoyed by the population were still among the best in the region and notable given Jordan's level of economic resource availability. Indicators concerning life expectancy, literacy, education and health levels were generally high, notwithstanding the economic pressures experienced in Jordan at this period.

[210] According to Baylouny (2008, pp. 285–286),the government had provided employment to around ¾ of Transjordanian population – in some rural regions, rural industry or agriculture were largely non-existent so public sector jobs were the only employment available.

demand for employment, education, health care and preferential treatment in face of a rising competition for limited resources (Harmsen, 2008; Bouziane, 2010; Baylouny, 2006).

8.5.1 Political liberalisation under authoritarian control

Perhaps the most significant development of this period concerned the decision to advance political liberalisation. Economic policies of austerity carried out in Jordan were understandably accompanied by rising public discontent and without political parties to blame, these sentiments were primarily directed towards the Hashemite rule, reflecting negatively on their legitimacy. Prompted by the monarchy's dire need to secure Western resources for distribution to regime supporters and appeasing public dissatisfaction (Lust-Okar, 2009) king Hussein responded by announcing parliamentary elections and lifting the martial law.[211] The 1989 elections were an expression of liberalisation efforts, but a cautious one at that. Authors note that authorities did not perceive them as a credible threat to the regime, in part, because Hashemites had managed to establish their political space in the society under years of martial law and lacked any ideological opposition (George, 2005). Moreover, these elections were preceded by changes made in the division of electoral districts in 1986, whereby political power of urban districts (where a larger number of inhabitants from a Palestinian origin resided) was reduced and more seats were allocated to the rural and tribal districts traditionally loyal to the regime (Lust-Okar, 2009).[212] So while elections were a welcomed development, they were unable to meaningfully challenge the regime. Steps taken by the monarchy assured that they are willing to even spearhead political liberalisation, so as to not lose their own grip on power.

8.5.1.1 *Clarifying state-society relations*

To further secure the Hashemites from potential threats posed by the liberalisation process, the king appointed a 60 member Royal Commission tasked with drafting a Charter that would lay out the nature of the relationship between the state, society and political actors. Adopted in 1991, the National Charter affirmed the restoration of pluralism, democracy and participation and called for political parties, citizens and civil society institutions to assert their commitment to Jordan as an independent, legitimate state with the Hashemite monarchy as the head of the constitutional monarchy. The Charter stated that "democracy can only be enhanced through

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[211] Martial law was officially lifted in 1991 following the elections and preceding the Political Parties Law that enabled a legal functioning of political parties.

[212] Changes made in the district law divided Jordan into 45 electoral districts, but the allocation of seats per district was not made proportionate to the size of their population. Instead these changes served to reduce the political weight of votes from Jordanians of Palestinian origin, who mostly resided in cities; and enforce the role of tribes in electoral institutions further reassuring the role of deputies as service providers and holders of *wasta*.

emphasis on the universally recognised rights of the individual and through a guarantee of the rights of citizenship as secured by the Jordanian Constitution" (*Jordanian National Charter of 1991*) but also cemented the Hashemite rule within the anticipated political developments in the Kingdom. Together with the constitution, the Charter aimed to provide people "a compass for the national debate on fundamental issues".

Among matters of security, foreign relations and economic commitments, the Charter affirmed the regime's commitments to human rights. Alongside the main emphasis on democratisation and related CPR, the document addressed some of the underlying human rights principles, including equality under law regardless of gender, race, language and religion. As Jordan had severed administrative ties with the West Bank in 1988, the document affirmed Jordanian citizens of Palestinian origin that their rights would not be affected by this decision (Ababsa, 2013a). It also addressed the need to "provide employment opportunities" and "improve educational system geared towards the needs of society", recognising work and education specifically as rights of Jordanian citizens. These steps were commendable as guidelines for democratic politics with an emphasis on human development, but at its essence the Charter was primarily a means to demarcate political space for the emerging opposition. By involving the opposition forces in the drafting the document,[213] the monarchy ensured that they were co-opted to accept loyalty to the Hashemites as one of the 'guidelines' named in the Charter (George, 2005; Brand, 1995a-) limiting 'democratic' politics to strategies which would not undermine either the power of the monarchy or 'national unity'.[214]

Similar precautions were extended to the relationship between the state and society. The Charter laid out the concept of universal human rights, but emphasised their vision for a "framework of balanced rights and obligations", which included individual "moral responsibility of promoting an atmosphere of social peace". Although it did not enable direct repression of individuals that would disregard the "national interest", it did give the state power to limit media freedom if it was deemed against social cohesion. Expatriate Jordanians deserved an explicit mention in the document – the state was concerned that the returnees would pose demands on the state and strengthen political opposition. It was hence remarked that while the state would care for their interests and fulfil their citizens' rights, they must, in

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[213] The Committee tasked with drafting the charter was led by former prime minister and director of the General Intelligence Department (See George 2005).
[214] For example, to ensure party loyalty to Jordanian interests, they were prohibited from receiving foreign funding or instructions or directions from "any foreign state or body" (*Jordanian National Charter of 1991*).

return, facilitate "the fulfilment of their obligations and commitments to the state" (*Jordanian National Charter of 1991*).

Finally, the Charter identified family as "the principal block of society" recognising it as "the natural environment for the rearing, education and personality growth of the individual" and its role in ensuring individual well-being (*Jordanian National Charter of 1991*). Although the family had survived through the years as a primary source for individual loyalty, this was also due to the Hashemite's policies, which enforced the importance of not only family, but also tribal and kin affiliations. These informal institutions continued to play a role not only in securing the regime, but also providing a safety-net for individuals at times when state welfare facilities were inadequate or inaccessible, especially for the Jordanians or Palestinian origin. By articulating reliance on family in the Charter, the regime enforced their former rhetoric of underlining Jordan's "tribalist" nationalism and formally articulated that responsibility for individual well-being rested primarily on the family, not the state. Individuals were recognised to possess rights, but they were balanced within the framework of collective responsibility. In rhetoric these pronouncements also fed into the discourse advanced by the monarchy, referring to Jordan as a "big family", with the king as the head of this unit, arbitrating among and standing above its individual members (Shryock, 2000, p. 70; Lust-Okar, 2007).

The National Charter thus clearly delineated the bounds of permissible political liberalisation that was to take place in Jordan while also articulating some ideological convictions supposedly shared among Jordanians as "national interest" including "red lines" that ought not to be crossed. The balance of power between the state and society was clearly shifted to the benefit of the Hashemite rule, whose legitimacy and approach to policy were not to be threatened by the ensuing processes of political openness. With time, the state would take an advantage of this position of authority buy harbouring an understanding that "an entire range of agendas and identities – most rooted in Palestinian nationalism, opposition to Zionism, and a refusal to normalise relations with Israel – were no longer consistent with the royal example and would not, for that reason, be accommodated in a political system dominated by King Hussein" (Shryock, 2000, p. 71). The Charter was the Hashemite's approach to control political liberalisation and public opinion in lieu of maintaining their legitimacy in the Kingdom.

8.5.1.2 *Affirming regime's commitment to tribal values*

In his public displays and speeches Hussein continued to place emphasis on the family and tribes, but these values were enforced also through changes in Jordanian political institutions. In 1992 the electoral system was amended substituting the former block-voting with a Single

Non-Transferable Vote system. Previous voting rules that allowed people to cast as many votes as the number of candidates allocated to their district were changed to only allow one vote per election. In practice, these changes in the electoral system were aimed to increase the formal power of tribes – restricting people's vote to one candidate would prompt them to show allegiance to the contenders from their tribe, clan or family thus enhancing tribal affiliations (Harmsen, 2008, p. 114; Yom, 2014). Instead of voting for candidates that represented people's ideological or political preferences alongside tribal representatives, people were facilitated to choose those more likely to provide them with resources, deliver goods and represent their personal interests (Lust-Okar, 2009, p. 25).[215] They could cast votes for others, but this choice at the ballot-box would likely come at the expense of their individual well-being and reduce their access to *wasta*. So the "one-person one-vote system" was explicitly designed to appease the former support base of the regime disadvantaging urban populations and political party candidates (Muasher, 2011) aiming to align the voters' behaviour with the monarchy's objective to place more power in the hands of tribes. Unsurprisingly, this reinforced the role of *wasta* in inter-societal relations and reaffirmed that family and kin loyalties still stand above political or ideological prerogatives as it was the tribal candidates that people believed could most likely provided them access to much needed resources. In the 1993 elections that followed, this strategy proved successful as it had managed to more than double the number of tribal representatives elected, who once again held the majority of votes and secured the regime against potential opponents (Lust-Okar, 2009).[216]

King Abdullah II, who ascended to the throne after Hussein's death in 1999, was less renowned among the tribes and held his traditional support base in the military, where he had made his career (Ryan, 2002; Baylouny, 2008). His advisers, however, came from the same segment of traditional elites as those of his father (Al-Ramahi, 2008, p. 43) so he continued tribalising Jordanian political space through formal institutions. A new amendment to the Election Law in 2001 further reinforced the tribal system by redrawing districts in a way that "helped to almost guarantee seats for tribal representatives" (Lust-Okar, 2009, p. 32). His novel contribution to Jordanian politics was attempts to formally lay down a Jordanian identity in the

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[215] According to a public opinion survey carried out by Centre for Strategic Studies in 2002, 49% of respondents supported candidates with whom they had personal ties, and more than 1/3 supported directly members of their tribe or family (Lust-Okar 2009).

[216] The electoral system was changed in 2016 to an open-list proportional representation system, encouraging a change in voter behaviour, but Jordan's electoral system seems to still be a work in the making – eight elections have been held in Jordan since 1989 and the electoral system has been changed four times during the period of political liberalisation.

face of pan-Arab opposition and societal tensions. In 2002 a document titled "Jordan First" was proposed, seeking to "mould Jordanian men and women in a unified social fibre that promotes their sense of loyalty to their homeland, and pride in their Jordanian, Arab, and Islamic identity in a climate of freedom, democracy, pluralism tolerance and social justice" (Jordan Times, 2002). On the one hand, the campaign has been interpreted as Abdullah's plight for Palestinian loyalty, seeking to unify citizens rather than divide them. His own royal persona and his marriage with queen Rania of Palestinian origin exemplified this objective.[217] On the other hand, however, it further delineated space for political opposition, claiming that "the opposition can exercise its role and convictions with regard to government policies and programmes, but it cannot be opposed to the state's system and established principles. Furthermore, opposition should be exercised in the service of the causes and interests of the Jordanian people and the building up of Jordan, before any other interests and goals" (Jordan Times, 2002). Opposing the "state's system and established principles" primarily concerned the ruling family as the unifying force of the Jordanian state, so the opposition was expected to demonstrate a concern for the Jordanians within the limits of Hashemite interests, survival and delineated borders of "acceptable" public opinion. Imposing boundaries to acceptable dissidence was justified based on a socio-economic reasoning and the need to improve people's living standards. The document proclaimed that:

> "Man by nature seeks to protect himself and improve his standards of living. Therefore we have to embark on "Jordan First" from a solid socio-economic ground, without falling in the traps of contradicting political slogans. If we do base "Jordan First" on socio-economic grounds and achieve stability and prosperity for our people, then we will finally arrive at political clearness in a natural rather than unnatural way." (Jordan Times, 2002)

According to the government, the "Jordan First" campaign was to assert investment in Jordanian education, health and well-being, modernising the state in line with the objectives of increasing people's well-being, fighting unemployment and poverty. It urged Jordanians to unite in struggles for internal development instead of harbouring divisions based in external affairs or issues of regional turmoil.

Although Abdullah II invoked human rights, democracy, accountability and equality, he proposed to prioritise Jordanian national interest and unity. As Jordanian identity had been constructed around its supposed tribal uniqueness, it was an affirmation that improving the

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[217] Shryock (2000) notes how his father Hussein's marriages to women of American and British ancestry had likewise served to symbolise the regime's commitments to the Western powers.

standing of the society members embodying this national identity (rather than citizenship), would be the state's main concern and was indeed seen by Jordanians of Palestinian origin as attempts to silence their identities. This suggested blueprint for success was to be adapted by all levels of society – "villages, badia, camps and cities" and all institutions from education to political and military. The document also called for changes in school curriculum, which together with raising awareness about rights and democracy aimed to "unify" the population by downplaying aspects of Palestinian history to deal with societal tensions.

So these efforts to formally articulate "national interests" supposedly shared among Jordanians and rooted in their identity was a top-down effort to secure regime stability by limiting political opposition and giving concessions to the group primarily loyal to the Hashemite rule – the tribes. The "Jordan First" campaign proposed that the only way to achieve development, democratise and effectively carry out reforms, was if people primarily identified with "being Jordanian" and supported Jordanian national interest as opposed to Palestinian, Arab or other affiliations. With this as a precondition, the bounds of permissible opposition clearly excluded anything that could be interpreted as endangering the monarchy's legitimacy, even in the face of unpopular decisions called for by the conditions of economic hardship, including capitalising on divisions between Jordanians and Palestinians. Marwan Muasher (2011), a Jordanian diplomat,[218] however, noted that the "Jordan First" document did not enjoy widespread acceptance – according to a survey carried out by Centre for Strategic Studies, only 16% of the respondents were even aware about the strategic and reformative character of the document, regardless of the posters and billboards signalling the campaign throughout the country. But it was not abandoned and several other initiatives later attempted to involve more members of society in articulating what they considered the most stringent issues to guide economic and political reforms. One of the objectives for launching the National Agenda initiative of 2005 was to improve social cohesion while democratising and developing Jordan, but the committee tasked with drafting the agenda comprised only members of political, tribal and business elites loyal to the Palace (Abu Libdeh, 2005) and the Agenda was never implemented due to political resistance. Like the National Agenda efforts, also the "We Are All Jordan" forum in 2006 was initiated by the king, supposedly exemplifying the regime's commitment to involve the society. The forum was to give 750 representatives an "unprecedented opportunity to speak out" about urgent issues, but in practice they were rather affirmations of the Hashemite vision for Jordan,

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[218] He later led the National Agenda efforts that were to provide a ten-year roadmap for policy development in Jordan in eight sectors of economic, social and political affairs. Muasher was given the authority by the king, bypassing the prime minister at the time.

reemphasising among their recommendations the need to not "allow Palestinian factions to intervene in Jordan's internal affairs" (*We are all Jordan*, 2006). When such forums gathering grassroots members of society were initiated by UN led institutions, they were typically visited by a member of the palace in a portrayal of support to citizen involvement in public debate.

Demonstrating such spaces of increased liberalisation and openness were crucial for enabling international financial support for development projects, but also helped the regime's domestic legitimacy portraying itself as willing to expand participation in policy-making and receptive to bottom-up pressures. However, as Lust-Okar's analysis shows, the participants of these initiatives still represented the elites and, short of expanding participation, their aim was to align the national priorities with those of international expectations guaranteeing foreign funds (Lust-Okar, 2009, p. 30; Muasher, 2011). Similar portrayals of openness were signalled by the introduction of the National Centre for Human Rights (NCHR) in 2002, which was funded by the government and tasked with training government and personnel on human rights standards and analysing citizens' complaints (U.S. Department of State, 2010). Its credibility as an independent national institution for monitoring rights in Jordan was, however, questionable. It was supported by the royal family, so the NCHR was not exempt from requirements to harbour social cohesion and support Jordanian sovereignty centred around the monarchy. Thus it fell short of providing credible checks to the existing regime and complaints about the state's influence on the NCHR's activities were commonplace.

Political liberalisation was a precondition for receiving much needed economic support and since the crisis influenced primarily the legitimacy of the monarchy, most of the democratisation efforts and rights developments were spearheaded by the royal family. It made it possible to enforce external legitimacy by Hussein and later Abdullah II demonstrating their support of political pluralism in the Kingdom, while also ensuring that they were at the forefront of articulating conditions on which democratisation in Jordan was expected to rely on. Through numerous initiatives the regime made it clear that liberalisation is by no means to endanger the power of the Hashemite monarchy, who projected themselves as the defenders of Jordanian national interest. While their domestic and ideological legitimacy was continuously challenged by issues of regional turmoil causing divisions in the society along ethnic lines, they affirmed their commitment to prioritise the Jordanian interest by choosing to continue reflecting loyalty to tribal and kin networks also through amendments in electoral institutions, which enforced their power. Aside from empowering the tribes, formal recognition of the regime's loyalty to these networks also furthered the patrimonial character of the day-to-day

life in the Kingdom and strengthened the role of *wasta*, which continued to determine people's socio-economic opportunities (Al-Ramahi, 2008). As a result, the very same democratisation efforts advanced by the palace were stalled by the parliament that remained a service-oriented body (Muasher, 2011) acting as a battleground for tribal representatives in competing for access to state resources, conscious that genuine liberalisation in the Kingdom may endanger their social status and access to *wasta*.[219]

8.5.2   Addressing poverty alleviation as the main Hashemite priority

Given Jordan's dire economic situation experienced during the rule of Abdullah II, economic development became the regime's overarching objective informing policy choices. Due to the country's grave dependency on external financial aid, the government sought to establish positive relations with any actor, state or party that could promote the goal. This included joining the World Trade Organisation in 2000, signing a trade agreement with the United States, and the European Free Trade Agreement in 2001. In addition to reaching out to Western allies for support, Abdullah II also sought to normalise ties with Arab states, while preserving the peace treaty with Israel signed in 1994 (Ryan, 2002, p. 114) establishing Jordan as a stable, liberalising, modern state in the eyes of the foreign allies, and portraying the monarchy as the central driving force for all positive developments (Yom, 2014). These steps were helpful in successfully attracting funds needed for Jordanian economy, but unless positive outcomes were achieved for the population, they would not amount to domestic support. The issue posing the gravest challenge to the Hashemite's internal legitimacy was that of poverty, which became widespread during the liberalisation process. While politically, the regime showed efforts to open up, people's socio-economic conditions were negatively influenced by rising unemployment, high inflation and large-scale privatisation (Ryan, 2002, p. 117) that resulted in the state's retreat from welfare provision.

The poverty problem was inflated by the nature of Jordanian economy and prevailing patterns of employment. Historically, the state had been the largest employer in Jordan and a number of welfare services were tied to employment in the public sector.[220] Structural adjustment

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[219] A proportional voting system was eventually introduced in 2016, but it remains to be seen as to how it will manage to balance the power between tribal and non-tribal deputies.

[220] As noted by Ryan (2002, p. 115) the large role of the public sector in Jordanian economy was a consequence of Abdullah's policies at the time of the establishment of the Emirate of Transjordan, who had to establish his rule over a territory with a negligible private sector. Under such conditions, the public sector had become the monarchy's tool for extending patronage and the state acquired responsibility for the main industries (utilising the few resources available in Jordan, such as potash and phosphate) as well as companies providing electricity, telecommunications and public transportation.

policies prescribed significant reductions in jobs in state administration and froze the salaries of remaining employees, furthering the decline in people's standards of living. Formerly, the regime had used employment in the state sector as a co-optational tool for the population, ignorant of their qualifications, so individuals who lost their jobs were frequently ill-equipped to seek employment elsewhere (UNDP, 2013a, 49; 105). Due to the 'Jordanisation' policies of the previous decades, these effects were felt by the segments of population traditionally loyal to the Hashemite regime, whose access to *wasta* was threatened by the sharp decline in resources available to the state. In addition to those employed in the state sector, rural areas too were deeply affected by economic recession, as they relied on *wasta* to provide them access to welfare, employment, education or even possibilities to overcome hurdles of state bureaucracy. With reduced subsidies for basic commodities and rising inflation, these policies had a particularly negative effect on the rural and tribal populations, traditionally loyal to the regime (Ababsa, 2013a; El-Said and Harrigan, 2009). At the same time, the economy was dominated by the service sector, which was comprised predominantly of small businesses employing a few people and covered primarily the Jordanians of Palestinian origin. They were uncovered by social insurance schemes, which provided pensions and health insurance mainly to public servants and employees of bigger businesses (UNDP, 2013a, pp. 31–32)[221] disproportionately serving households with higher income (UNDP, 2013a, p. 70). A significant section of Jordanian population was therefore not tied to any form of welfare security, and the rising unemployment levels threatened their abilities to meet subsistence needs.

To assist with economic hardship, the National Assistance Fund (NAF) had been established in 1986 providing monthly assistance to various vulnerable and impoverished social groups not covered by the social security provisions (Economic and Social Council, 1990). In the upcoming decades, the number of people who depended on the NAF as a source of livelihood significantly increased and, throughout the 1990s, the Fund was employed to provide not only cash assistance but also training programs and education for those able to work, so as to promote 'individual responsibility' for welfare and make people more 'self-reliant' in meeting their subsistence needs, mainly by improving their capacity to seek employment (Riegel, p. 6; Economic and Social Council, 1998). Ababsa (2013b) notes that the number of people

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[221] Social insurance schemes were based mainly on contributions from employees and employers making it challenging to collect the necessary contributions from the small business sector within these schemes.

receiving cash assistance from the government in 2004 had increased eight times in comparison with 1987.[222]

Facing rapidly declining levels of well-being and pressures from foreign donors, the government pledged to prioritise the development of human capital as the Kingdom's main priority in order to improve the dire employment situation (Seijaparova and van Holst Pellekaan, J. W., 2004). Through public announcements the Hashemite representatives reiterated that:

> "Our citizens are our primary asset. They are the engine of development; and their well-being is its objective. It is the government's duty, therefore, to be committed to maintaining economic and social justice and equality. The government's policies will seek to expand the middle class, and to protect and support the poor. Poverty and unemployment are two evils that we should fight by all possible means. In this regard, the government will improve the current mechanism for helping the poor, and will seek to enhance the role of civil society organisations and the private sector in providing parallel support programs." (King Abdullah II, quoted in UNDP 2013a)

On the one hand, demonstrating credible results in lowering poverty rates was a precondition for receiving Western funding that financed developmental projects. Government subsidies for the expanding NAF continued to rapidly increase[223] and reflected the government's strategy to improve people's standards of living through providing cash transfers to the poor, supplemented by income generation, improved education and health sectors (Seijaparova and van Holst Pellekaan, J. W., 2004). But on the other hand, poverty alleviation was made more pertinent because economic recession impacted the regime's domestic legitimacy, reducing the power of the Hashemites' ideological hegemony to provide an adequate 'reservoir' of legitimacy in the face of economic challenges. In that sense, "[c]ombating poverty and its effects [was] made a strategic goal of the Jordanian state" as formulated in the National Charter. While the solutions would involve government efforts and an empowered civil society whose responsibility included caring for the community, representatives of the royal family presented themselves as leading much of these efforts for the good of the society.

Given the slow pace of improvements, the king would demonstrate his benevolence through symbolic efforts to reverse unjust policies, or ordering the government to channel financial resources to particular sectors to alleviate citizens' socio-economic problems (Brand, 1995a-,

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[222] While in 1987 around 8308 families had been dependent on the NAF (Ababsa (2013b) by 2010 the number had risen to 90 000 households, accounting for around 8% of the population (UNDP (2013a, p. 53).

[223] According to the Final Report of Jordanian Poverty Strategy (UNDP 2013a, p. 51), the expenditure of the NAF for its diverse programs increased by 43,2% in 2010 in comparison with 2008.

p. 180). Abdullah II made numerous impromptu visits to hospitals, ministries and departments "to check personally on public services" (Ryan, 2002, p. 119) building his image as providing checks on public services. For example, in 2008 following a royal initiative, the government exempted all public schools from fees for one academic year, easing financial strains for a large number of the population. A royal decree declared 2008 the "Year for Housing" and a project titled "Decent Housing for a Decent Life" advanced the construction of 100 000 housing units over a period of five years. Baylouny (2008, p. 297) even provides an anecdotal example of Abdullah II visiting a public hospital three times to ensure that an elevator gets fixed.

The royal family's emphasis on protecting society was likewise symbolised through their active involvement in various matters of socio-economic development, empowering vulnerable groups, making frequent visits to refugee camps and supporting the establishment of charitable centres, social initiatives and welfare NGOs (Harmsen, 2008, pp. 103–104). The most publicised institutions founded by members of the palace were the Jordanian Hashemite Fund for Human Development (previously known as Queen Alia Fund founded in 1977), the Noor-al-Hussein Foundation (1985) and the Jordan River Foundation (1995) advocating for sustainable development. As royal NGOs they were in a more advantageous position to attract funds and enjoyed privileged legal status in comparison with other civil society organisations active in the welfare realm – already operating in the Hashemite's interests, they were exempt from provisions of social control typically enacted on other NGOs. To underline Harmsen's conclusion, the royal NGOs demonstrated "once again how the Hashemite regime maintains its paternalistic dominance over Jordanian civil society even in the realm of sustainable development, social and economic empowerment and women's and children's rights" (Harmsen, 2008, p. 156).[224] By invoking the protection of human rights, such initiatives aided the monarchy in furthering their image as benevolent protectors of the population – when in 1989 and 1996 protests erupted as a response to the declining living standards, they were mostly directed towards the government, prime minister and corruption in public office rather than the royal family (Ryan, 2002). Likewise, when the uprisings of the Arab Spring spilled over to Jordan in 2011, people called for reforms, but did not significantly undermine the role of the Hashemite monarchy.

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[224] The same point is illustrated also by the Hashemite family's strong presence in various UN institutions. Members of the palace hold numerous memberships, honorary memberships or are goodwill ambassadors in UNESCO, WHO, UNFPA and most prominently prince Zeid bin Ra'ad al-Hussein served as the UN High Commissioner of Human Rights from 2014.

The exact poverty rates of this period vary, but given their significant numbers, it was the 'nearly poor' segment of the population that were most exposed to socio-economic hardships as they were not eligible to apply for government subsidies or cash transfers provided by the NAF (Seijaparova and van Holst Pellekaan, J. W., 2004). Meanwhile, through the NAF, the most vulnerable populations were made heavily dependent on state assistance through providing targeted cash transfers for the poor (UNDP, 2013a, p. 53) without demonstrating comprehensive efforts to increase their individual capabilities for the future. While the government's attention to poverty and unemployment was commendable, measures taken fell short of solving the pertinent issues in the long-run. Paradoxically, part of the reason for this failure was the monarchy's continued focus on directing its welfare efforts primarily to its key 'selectorate'. For example, Bouziane (2010) notes that the aforementioned housing project was targeted to benefit Jordanian civil servants, members of the Armed Forces and civil and military retirees, to appease the monarchy's central support base. For other constituents, housing problems had been exacerbated by the Rent Law passed by the government which enabled landlords to raise the rental costs and evict tenants, influencing much of the poor population. This falls in line with Baylouny's argument that centralised welfare policies during Abdullah's reign were focused primarily around those employed by the security, military and defence sectors as the only growing areas during structural adjustment policies (Baylouny, 2008).[225] Likewise, political reform advocated by the monarchy was often stalled by the same tribal representatives, who ensured a continued Hashemite rule, represented conservative ideas, and were wary that democratisation efforts may reduce their own political, financial and social capital typically ensured to them by their respective positions (Muasher, 2011). Negative effects of economic liberalisation were portrayed as the government's doing, all while the monarchy enforced continuation of the very same practices that stalled progress and cherished an image as wardens of all citizenry.

The regime's clearly inadequate efforts to address people's socio-economic challenges increasingly prompted people to search for alternative solutions outside the formal institutions. Under Abdullah II the monarchy increasingly sought advice from business elites and experts instead of tribal chiefs (Larzilliere, 2012, p. 14), so their political influence gradually receded.

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[225] The author argues that contrary to his predecessors, Abdullah II relied on primarily the military sector to ensure regime survival, distributing economic opportunities and welfare access to military families in otherwise economically stagnating Jordan. Those employed in the military were still mainly of tribal origin, but under Abdullah II increasingly many East Bankers outside of the military were prompted to seek alternative means of securing welfare support.

Exposure to an "increasing marketisation and NGOisation of public services" (Bouziane, 2010, p. 41) provided by actors and institutions not directly related to the state ensured much needed alternatives for the citizenry and in this context, membership in family and kin networks was strengthened as a viable means for increasing people's access to socio-economic goods and services outside of official state channels.

8.5.3 The welfare role of apolitical NGOs

Despite the relatively high levels of socio-economic spending, a significant number of people still had inadequate access to welfare services and even the salaried population could only attain subsistence-level income, leaving many unable to provide for their needs (Seijaparova and van Holst Pellekaan, J. W., 2004). State authorities emphasised that their focus lies on alleviating poverty, while urging the society and individuals to be self-reliant so as assist the governmental efforts (Economic and Social Council, 1990). Paradoxically, it were the groups less dependent on the state which having developed networks of redistribution and reciprocity proved less vulnerable to the nation-wide economic downturn (Baylouny, 2008). In this context, institutions rooted in family solidarity and mutual obligations among their members became imperative in Jordan as welfare providers for individuals facing inadequate governmental support.

Tribal, kin and family networks were not "regime creations" (Baylouny, 2006), but they had been continuously reinforced by the monarchy ever since the establishment of the Emirate of Transjordan. They had initially been deepened by emir (later, king) Abdullah, who co-opted tribal chiefs and their family members within the structures of the emerging state through providing them positions in the state administration. Hussein subsequently institutionalised the 'Palestinian threat' and 'Jordanised' access to the state in the 1970s in addition to constructing the Hashemite image through references to "traditional" identities (Shryock, 2000). Following structural adjustment policies, family values were awarded an additional explicit reference by articulating their importance in the National Charter. When king Abdullah II succeeded the throne, he continued to institutionalise these values by advocating an approach to socio-economic development focused around family. This was underlined also in amendments Abdullah II proposed to the constitution, whereby Article 6 was to state that:

> "The family is the foundation of the Society, it is founded on religion, morals and patriotism, the Law preserves its legal entity, strengthens its ties and values." (The Hashemite Kingdom of Jordan, 1952)

In analysing the Jordanian society in 1958, Harris had noted that tribes were deeply entrenched in the formal and informal aspects of people's lives and even after more than a decade of independence as a sovereign state, individual's primary loyalty was entrusted not to the state, but the family, on which one's reputation, wealth and well-being primarily depended (Harris, 1958, p. 186). Given the regime's continuous reinforcement of these informal institutions, even several decades later there remained little incentive for Jordanians to alter or circumvent their tribal association (Brand, 1995a-). While the dominance of tribal values was rooted partly in the Hashemite's initial need for ideological legitimacy and partly, in the regime's choice to rely on the Bedouins as the 'cornerstone of regime' to secure political stability, their resilience is due to the regimes strategies of co-optation, which absorbed tribal values within the formal state structures. These structures institutionalised an 'authoritarian bargain' based on mutual benefit, whereby tribes provided loyalty to the monarchy in exchange for goods, access to state institutions and ability to increase their social capital (El-Said and Harrigan, 2009). Consequently, it was not political or ideological affiliations, but rather tribal and kin networks that were reinforced by providing people access to state resources, beneficial treatment, *wasta,* or policy (Al-Attiyat *et al.*, 2005; Lust-Okar, 2009). So "[t]he idea of the deputy as a representative of the entire people, exercising legislative authority and able to hold the government accountable, is far from citizens' minds" (Al-Attiyat *et al.*, 2005, pp. 18–19).

When during the three decades of martial law in Jordan political parties were banned and actively repressed, tribal associations managed not only to establish themselves as organisations for representing societal interests but also evolve and adapt to the changing environment. Throughout the politically turbulent and at times also violent Jordanian history the monarchy had remained the most stable political institution, with which tribal values were negotiated and renegotiated. With time, tribal and kin structures adapted to co-exist alongside the state affecting also their ideological and organisational composition and resulting in a fluid conception of tribalism with elements only vaguely resembling the kind of tribal structures present at the time of the Emirate of Transjordan under Abdullah (Al-Attiyat *et al.*, 2005). 'Tribalism' thus came to symbolise many things, often cherry-picked to suit particular circumstances. In the words of Al-Ramahi:

> "At times, [the notion of tribe] referred to Jordan's past, when the tribes were important to the political and social situation of the region known as Transjordan. It is also linked to the background and special relationship to the ruling Hashemite family. At other times, with reference to Jordan's present, it valorizes certain moral virtues that are seen as characterising the

Jordanian people and representing the legacy of tribal social life. Sometimes, the term is used to criticise aspects of contemporary society and culture deemed backwards and outdated. Whichever definition of tribal is adopted, one phenomenon is clear: the Jordanian people are still famous for their loyal attachment to family, distinctive rituals of hospitality and conflict mediation and arbitrations, and effective and flexible kin-based collectivity in lineage or tribe." (Al-Ramahi, 2008, pp. 44–45)

Likewise, the tribal aspects of Jordanian identity were said to encompass respect for the family, which, according to the author, remained the basic unit for identification not only to the "tribal" Transjordanian populations, but also those of Palestinian origin. The flexibility and adaptation of the tribal institution thus allowed for wide segments of the population to align themselves with tribal identities, even with Bedouins only comprising a small fraction of the population. Tribal identification was continuously reinforced as a defining feature of Jordanian identity by the Hashemite monarchy ever since the inception of Jordanian statehood, providing access to increased opportunities in the Kingdom, so not just the Bedouins, but also settled populations and refugees embraced tribal values (Al-Ramahi, 2008) reciprocating the regime's efforts of nation-building and unifying the populace.

8.5.3.1 *Advancing societal forms of redistribution*

In light of the structural adjustment policies and reduced economic security in the 1990s, kin and tribal institutions gained a renewed impetus, becoming an important survival strategy for the poor (El-Said and Harrigan, 2009, p. 1244), enabling access to jobs, schooling, health care and other necessities for meeting one's needs. In her examination of local practices of governance in Jordan, Bouziane eloquently summarises that:

"[a]n inability or perceived unwillingness of the state to ensure access to social welfare services compels citizens to resort to local brokers such as local notables (*wujaha', singular: Wajeeh*), tribal leaders (*shuyukh, singular Sheikh*) whose positions are conceived to allow them to demand resources from the state." (Bouziane, 2010, p. 37)

Resorting to these institutions was common among various segments of the population – those of Palestinian origin, whom Jordanisation policies had excluded from state provided welfare (Baylouny, 2008), the 'Transjordanians', whose access to state support was rapidly reduced under the austerity policies, as well as Jordanians from the Gulf countries unable to secure employment after their return. The regime supported these communal efforts, vowing to "improve the current mechanism for helping the poor" while seeking to "enhance the role of civil society organisations and the private sector in providing parallel support programs"

(UNDP, 2013a). An increasing number of people thus turned to such parallel programs for meeting their needs executed through family, kin and tribal networks, or provided through members of civil society. So, while the internal dynamic of formal institutions changed, patron-client relations on a societal level were reinforced (El-Said, 1996) and CSOs and NGOs were formalised as consolidated modes of welfare provision outside the officially articulated channels.

Jordanian civil society and the non-governmental sector in general significantly differs from other societies, where these groups and organisations represent collective interests and provide checks and balances for the ruling elites (Lust-Okar, 2009; Brand, 1995a-; Wiktorowicz, 2000). The rise of civil society organisations (CSOs) in Jordan largely coincided with the years of martial law, whereby the accompanying legitimised procedures for repressing political activism were also applied to the civil society. This resulted in the non-governmental sector being predominantly retreated to the welfare realm, where its activities were aligned with regime objectives and rather than acting autonomously, they fulfilled in part a political function of serving the ruling elites through their welfare responsibilities.

The role of CSOs as welfare providers was only strengthened by the economic crisis and declining standards of living from 1989 onwards, necessitating societal forms of redistribution for increasing people's well-being and sparking a rise in the number of NGOs and CSOs registered with the Ministries of Social Development and Culture – two of the main regulatory agencies for NGOs (George, 2005; Riegel). Most of these organisations were established with the aim of bringing communities and interest groups together to provide a social safety net in times of need. The Political Party Law of 1992 prohibited any civic activism that could be tied to the exercise of political goals, restricting such actions to formally registered political parties and authorising the secret service to suppress such acts (Wiktorowicz, 2000, p. 53). On its part, the government pledged to provide CSOs funding in support of recognising their role (UNDP, 2013a, p. 80) continuing to institutionalise the non-governmental sector as state-sanctioned welfare providers. Due to the need for financial and institutional support, CSOs tended to avoid roles that would put them at odds with the regime (Williamson and Hakki, 2010). Regardless of their limited capacity to assume a political voice, these organisations nonetheless provided space for civic action and expanded people's opportunities especially in the socio-economic realm (Ryan, 2002, p. 122; UNDP, 2013a) while reducing the state's welfare expenditure.

Besides the larger NGOs associated with members of the royal family that had some political influence (particularly those established by a Royal Decree, being exempt from the Law of

Societies and not required to report their activities to the Registry of the Ministry of Social Development (Williamson and Hakki, 2010)), most of the NGO sector was comprised of small, grassroots, community based organisations that emerged as local voluntary societies to provide protection for their members. They were typically organised around family, kin or tribal networks, which in practice distributed their resources to other members of these groups.

Particularly Islamic charitable organisations set up by groups affiliated to the Muslim Brotherhood had managed to maintain their presence in Jordan since its independence and were empowered by the dire conditions of economic recession.[226] They had been allowed to exist in Jordan conditioned on non-interference with the country's politics (Bar, 1998). Because their actions emphasised people's communal duty to care for those in need, their ideological underpinnings fit well with the idational aspects of Hashemite legitimacy strategies and appealed to the religious sentiment of the population (Harmsen, 2008, pp. 133–135). So, under decades of martial law, the Muslim Brotherhood and other associations falling under the realm of charitable organisations could continue their welfare activities and extend their influence in social matters, albeit nevertheless tightly monitored by the state institutions. Their loyalty to the monarchy was also exhibited when they supported attempts to reproach Islam with democratic values and human rights through the articulation of both as national priorities in the *Jordanian National Charter of 1991*. In turn, the Charter affirmed the regime's support for voluntary work as understood through the Islamic tradition, emphasising that it "must be based on the concept of national commitment and social partnership. Attention must be paid to the establishment of voluntary societies and clubs and providing them with incentives conducive to effective participation, to strengthening the positive values of Jordanian society and to rejuvenating the Arab and Islamic traditions of partnership, amity and altruism".

Their activities based primarily around providing services through their infrastructure of schools, medical facilities and other welfare centres (Harmsen, 2008) were appealing not only to the poor, but also the middle class, and gathered a wide range of support. Contrary to the corrupt and inefficient practices associated with the government and Western influence, these Islamic groups were renowned for effectively dealing with socio-economic problems (Harrigan and El-Said, 2009). Moreover, as their ideological tenants coincided with the legitimacy of the

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[226] As early as 1945, Abdullah, still as an emir, had received a delegation from the Muslim Brotherhood, which wanted to establish their presence in the country. Abdullah provided support for their activities under the condition that they recognised the monarchy, tied with an implicit promise to stay away from the political realm (Bar 1998). Consequently, Larzilliere (2012, p. 18) remarks that they have politically always been less repressed than left or Palestinian nationalist movements.

Hashemite family, they never fully presented themselves as alternatives to the monarchy, in contrast to the left-wing and nationalist discourses in Jordan (Larzilliere, 2012, p. 19).

8.5.3.2 *Reinventing family and kin through voluntary welfare associations*

The influence of religious organisations was predominantly established in the cities and villages, while particularly the rural populations and others underserved by public services turned to kin and family networks to help find employment, access education or receive health care (Bouziane, 2010). Given their relatively homogeneous societal identification (in terms of tribe or family), these contexts were more supportive of the emergence of community-based associations, where access to resources and *wasta* has often determined political representation and socio-economic opportunities (Lust-Okar, 2009). Organisations that emerged in these areas therefore typically tended to reinforce the tribal and family oriented values reflected by these populations (Williamson and Hakki, 2010) following the objective of internal redistribution rather than actively seeking political expression. Such forms of organisation had existed previously and were particularly common among Jordanians of Palestinian origin or religious minorities who were not part of the primary support base for the Hashemite regime and for whom the benefits of citizenship did not necessarily include access to welfare. Austerity policies significantly expanded their popularity and increasingly many people, including those of Transjordanian origin were urged to seek alternative strategies for meeting their needs.

These organisations, also referred to as "family leagues", gained increasing recognition as the building-blocks of Jordanian society as well as the welfare system particularly after the articulation of family as the basic unit of society in the National Charter of 1991. Tribal, kin and family networks had retained a pertinent role among the populace and the state provided a formal expression to the already informally accepted notion that the family possesses an immediate responsibility for the well-being of its extended members. Other than expressing support through official rhetoric, the state also directed funds to support their activities and facilitate their emergence (Economic and Social Council, 1990). Societies Support Fund managed by the Ministry of Social Development delivered technical assistance and resources to these organisations and formal state policies related to ESR reflected these values, reinforcing their longevity.[227] As a result, more than 1/3 of the population turned to kin solidarities in attempts to ensure access to socio-economic well-being reinventing and

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[227] For example, Valentina Riegel remarks how the absence of nursing homes mirrored the socially accepted notion that care for the elderly should be entrusted to one's relatives, and speculates that introduction of such homes in an environment with a pervasive family institution would be deemed socially unacceptable.

formalising such practices as legitimate sources for attaining well-being (Baylouny, 2006). Although. Baylouny (2006) notes how until 2006 the number of these associations had reached 600, most of them set up over the period of liberalisation between 1989 and 1999. Out of the 3200 civil society organisations listed in the Registry of Societies in 2010, around 2000 fulfilled a charitable welfare function (UNDP, 2013a, p. 240).

These associations were based around pooling resources to help their members access various socio-economic opportunities. Unlike other CSOs that were organised around the representation of certain professions or interest groups (such as women or youth), family associations attracted members from different socio-economic classes, varying incomes and levels of education, enabling to attract funds for redistribution. Crucial was also the way in which the need for horizontal redistribution transformed the family, tribal and kin networks themselves (Baylouny, 2006). Often, family resources alone were insufficient to attract enough funds for successful fulfilment of the redistribution function, so these groups increasingly reinvented their associational identity as one spanning across the history of several centuries, tracing lineage back to a common ancestor, city or even region allowing to attract non-relatives as members. As Baylouny suggests, this was not "a revival of pre-existing identities" but, rather, an active construction and transformation of these institutions in the face of high and rising demand towards accessing support, redefining these groups in the process (Baylouny, 2006, p. 350). El-Said and Harrigan (2009, p. 1244) argue that the rise and growing importance of these associations transferred the patronage-character of the state to non-state actors because facing an increasingly privatised welfare sector and a growing competition for state support, they offered connections and access to *wasta* that could establish people points of access to goods and services associated with ESR. Consequently, the need to access these resources urged "potential beneficiaries to adapt their practices" (Bouziane, 2010, p. 41) and alter their own identities to achieve this aim. Therefore an informal socially accepted obligation to help the family and those in need was transformed into a duty to help other members of 'kin', carrying potential repercussions for non-compliance (Baylouny, 2006, p. 355).

The types and kinds of welfare assistance provided by these associations expanded with time, offering not only cash assistance, loans, money for medical expenses and education, but also training, and child care services to the local populations. Family and kin networks could even provide access to formal health care services, as illustrated by Bouziane (2010, p. 44) – kin members could convince other kin members to secure them admission to the Royal Court in order to get medical treatment. As access to resources and *wasta* became the central selling

points for persuading people to partake in these networks, individuals able to ensure people access to such resources came to occupy leadership positions in these organisations. Often they originated from the professional associations, trade unions, NGOs or were individuals previously linked to the public sector, who had managed to acquire economic and social capital as well as *wasta* for further redistribution (Baylouny, 2006; Bouziane, 2010). During martial law, numerous individuals, mainly from the emerging middle class, had used civil society organisations to acquire access to these resources and the liberalisation period of the 1990s provided them an opportunity to transfer such advantages into leadership positions in non-political, welfare-oriented associations extending their patronage networks even farther.

Revival of these organisations and associated identities did not amount to increasing regime opposition, but rather the opposite – it strengthened the state by co-opting new members within the regime by increasing their authority over fellow members of these groups (Baylouny, 2006). Especially in rural regions these associations were often financially supported by the state and provided administrative aid, enabling their societal redistribution function,[228] while the state reserved the right to dissolve them or refuse their registration for a variety of reasons (Baylouny, 2006, p. 354). Their potentially political functions continued to be delineated by the Law of Public Meetings of 1953 and enforced by the secret service – any activism outside of the scope delineated by the state was vigorously repressed (Wiktorowicz, 2000, p. 49).

On the one hand, the emergence of these associations can be seen as a societal response to the inadequate state-level social protection from economic hardship, which resulted from decades of institutional developments in Jordan supportive of flexibly defined "tribal" values. Electoral structures had since their establishment promoted patronage-based relations not only between the state and society, but also within the society itself. These notions were only reinforced through the role of Islam in people's daily lives and the informal institutions intertwined within Jordanian "national" identity. Given that the non-governmental sector had always remained an important actor in providing individuals socio-economic security, the revival of its welfare role following economic austerity was coherent with people's expectations. Resources were pooled and redistributed among members of various associational groups, determining people's access to and enjoyment of various social and economic goods, spanning from cash assistance, and education to health care and employment. The non-governmental sector contributed to enhancing social cohesion, preventing unrest (Harmsen, 2008) and maintaining stability in the

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[228] Baylouny (2006) notes that unlike the family associations in the cities, those that emerged in rural communities were nearly fully funded by the state.

face of economic struggles, meanwhile promoting state objectives and avoiding significant challenges to the regime (Baylouny, 2006). The alternative 'welfare system' that emerged parallel to that of the formal state institutions – provided by the population itself, employed social and material capital to ensure mutual benefit and advance horizontal channels of redistributing access to socio-economic resources while interpreting welfare objectives through an informal lens.

On the other hand, more than a societal response, it was a continuation of the regime's strategies of legitimation. CSOs were subjected to extensive control mechanisms carried out by the state bureaucracy and the secret service, carefully monitoring their power to potentially disrupt the status-quo. As long as these associations did not seek political expression, the state recognised their significant welfare function and continued to alter formal institutions in order to incorporate and accommodate the existence of such networks. In this way, the Jordanian state managed to largely outsource the provision of ESR to the society, while monitoring their potentially negative effects for regime stability and reducing their welfare expenditure.

The evaluation of welfare activity of the non-governmental sector is not straightforward. Some authors note that by accepting that the implementation of state policies was carried out and determined by informal institutions, the state significantly reduced its authority (Bouziane, 2010, p. 53). Yet others remark that, due to the socio-economic character, these associations did not advance pluralism and were an obstacle to the efforts of political liberalisation in Jordan, with narrow interests taking precedence over the attainment of a collective good (Williamson and Hakki, 2010). But it is clear that CSOs eased societal strains on individual welfare in the face of a resilient determination of the government and the palace to continue economic liberalisation. An unofficial welfare system emerged in Jordan under the pretence of 'associational life' and 'tribal identities', which helped further state objectives and contain the spread of poverty, meanwhile reinterpreting social "policy" in accordance with informal institutions. It was due to the combination of both, state and society efforts that Jordan managed to uphold their status as an exemplary state in the region and maintain their levels of socio-economic outcomes[229] even in the face of austerity policies, lack of funds, resources and a reduction in the recipients of official state welfare all while preserving the stability of the Hashemite monarchy.

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[229] Economic and Social Council (1998) reported that by 1996 Jordan had attained the right to basic education for its citizens and improve illiteracy rate from 33% in 1960 to 86% in 1996, and was the first country in the region to achieve this.

8.6 Conclusion: ESR in Jordan

Examining the Hashemite Kingdom of Jordan as a case study for positive developments in the ESR domain may seem unusual given its pervasive problems of poverty and inequality (Muasher, 2011) especially over the past decades exacerbated by economic recession and the refugee crisis. Yet, amidst a pertinent regional turbulence and security challenges, it has nevertheless demonstrated efforts to attain relatively significant socio-economic outcomes for their population given their limited financial capacity to do so. Descendants of the Hashemite family have held power in Jordan since they were "selected" by the British to head its mandated territories in 1921 (Ryan, 2002) and have maintained their rule throughout numerous regional crisis and internal challenges. Formal and informal institutional developments as well as governance strategies pursued by the regime are central to understanding why and how these outcomes have been attained in Jordan and under what conditions and to whom ESR are available in the Hashemite Kingdom. It demonstrates that while the discourse of rights has dominated Jordan's political arena especially since 1990s, some Jordanian citizens have been considered more equal than others with respect to enjoying access to ESR. These distinctions have been drawn and re-drawn based primarily on the regime's survival and legitimation strategies, inextricably linking economic, social and association life in the Kingdom with informal discourses present in the society.

Reasons behind these developments date back decades. Jordan's geostrategic location has undoubtedly played a role in ensuring continued interest of external forces in preserving stability in the region. Initially supported by the British, Jordan has maintained a presence of numerous international organisations and remained one on the largest recipients of foreign aid, allowing (and prompting) it to establish a strong military sector, as well as improve socio-economic outcomes, all while retaining an unwavering emphasis on human rights on which this aid was often conditioned. Yet, this support also enabled a semi-rentier economy in the resource-scarce territory, where foreign funds were redistributed to ensure regime stability. While the country's military has kept Jordan attractive to an inflow of Western capital, often taking priority over the well-being of its population, the monarchy's use of welfare institutions for co-optational purposes has been equally important to determine who, how and under what conditions individuals enjoy access to ESR.

The initial decision to establish a state on resource-poor land with borders delineated by imperial politics, lacking a common identity shared by the people, and to designate a ruling family who themselves were not natives of the land, provided underlying rationales behind the

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choice of the regime's legitimation strategy. State-building thus preceded nation-hood and was rooted in (the emir, later the king) Abdullah's efforts to establish his own authority over the geographical domain under his rule. Given his Hashemite ancestry that traced Abdullah's genealogical ties to prophet Muhhamad, Islam became the central point of convergence between the royal family and the general population living in the Emirate of Transjordan at the time. Particularly resilient was Abdullah's choice to distinguish Bedouin tribes as the main strategic allies of the regime, initiating a mutually reciprocal relationship between the formal institution of the monarchy and informal institutions associated with tribal affiliation. As opposed to several other countries in the region, which marginalised tribes, Jordan made them active participants of state-formation achieving reduction in violence and increasing people's well-being (Alon, 2006, p. 79). For the Hashemites, tribes were crucial in maintaining security and constituted the Arab Legion to provide defence. To secure allegiance tribal representatives were given gifts, benefits and *wasta* in exchange for their loyalty and were provided employment in the public sector and opportunities to compete for patronage on a societal level by ensuring them access to state resources. Although the monarchy as well as the tribal institution have undergone change over the consequent decades of Jordanian history, their mutual reciprocity has largely remained intact and the survival of both owes to this carefully nurtured relationship rather than specific 'tribal' features of Jordanian society at large.

Importantly, since such developments were consistent with a fused political and religious authority in the hands of the monarch, giving tribal populations a stake in the development of the modern state allowed tribes to shape the country in line with their predominant values while helping the monarchy to strengthen the regime's ideological legitimacy. Merging tribal life with electoral institutions, however, not only transformed elections into competition over access to state resources and social capital (Lust-Okar, 2009) but also established key tribal elites as intermediaries between the state and the society thus harbouring their individual interest in maintaining centralised governance in cooperation with the Hashemites. Subsequent Jordanian kings have repeatedly affirmed their dedication to tribalism deliberately encouraging it as the means of regime stability (Anderson, 1991) and further integrating informal norms and customs within official state structures. Such continuous endorsement of 'traditional values' has allowed tribes to evolve, adapt, reinvent and protect their culture and identities in the face of changing circumstances (Shryock, 2000).

Given their elevated role, tribalism and the widespread practice of *wasta* came to influence people's access to socio-economic security. First, key members of the society with power to

distribute state resources gained much valued social capital, allowing them to maintain authority and influence even throughout decades of martial law in Jordan. Even when political parties were banned, it was tribesmen's cooperation with the government and the monarchy that would enable them to function as intermediaries between state and society. The Kingdom's formal institutions have repeatedly been altered from above to reaffirm the tribes' stake in the country and while parties now exist, they are generally resented as unreliable (Lust-Okar, 2009). Tribe-affiliated candidates who compete for elections, on the other hand, are perceived as dependable service providers for their constituencies, weakening the role of political institutions (Al-Attiyat *et al.*, 2005) and enhancing their individual social standing.

Second, while Abdullah had harboured a vision for a united Arab state led by the Hashemites and advanced his co-optational strategies accordingly, under Hussein the monarchy would come to rely on the "indigenous" Transjordanian population to ensure regime survival in the face of internal and external threats. Particularly influential in this regard were king Hussein's 'Jordanisation' policies of the 1960s and 1970s, which institutionalised an distinction between the private and public sectors of employment, constraining Palestinians to private sector jobs and reserving the public sector to Jordanians from the East Bank deemed loyal to the monarchy. Although formerly the "Arabs of Palestine" had been granted Jordanian citizenship, this decision effectively turned ESR into privileges that accompanied state employment rather than egalitarian entitlements associated with citizenship. As "Jordanisation" coincided with the emergence of welfare institutions in Jordan, access to jobs in defence, state administration or public sector came to be tied with social safety nets, which provided job security, health care, pensions or access to education primarily for people employed by the state. With this, welfare was conditioned upon loyalty, which in turn was argued to stem from one's identity – by excluding individuals potentially resentful to the Hashemite rule from the state sector their access to economic and social opportunities was effectively curtailed. As a result, the regime institutionally formalised the informal authoritarian bargain between the monarchy and the tribes also through welfare policies, prompting the 'native' Transjordanians to develop a strong reliance on centralised welfare provision, while the Palestinians relied on informal family and kin networks to substitute their denied access to formal welfare institutions (Baylouny, 2008).

In narrative "Jordanisation" policies were mainly justified by a Hashemite-led reconstruction of Jordanian identity. The process of creating both, an 'indigenous' Transjordanian population as well as Jordanian nationalism was clearly an post-rationalisation of emerging threats informed and limited by the monarchy's plight to maintain their rule in light of the political

turbulence in the region at the time. It was in fact contrary to pan-Arab policies pursued previously by king Abdullah, who had sought to establish a state for all Arabs in the region and Jordanian "nationalism" had hence been directed towards fusing Arab, tribal and Bedouin characteristics in preparation of expansionary politics. This rationale guided post-independence politics as well, and was the reason behind Jordan's annexation of the West Bank additionally extending Jordanian citizenship to the Palestinian populations fleeing the Arab-Israeli conflict. It was only after the rise of Palestinian nationalism started to threaten the legitimacy of the Hashemite rule as defenders of all Arabs that the process of reimagining Transjordan as an exclusive entity took shape. Forced to abandon expansionary objective, nation-building was re-rationalised with the explicit purpose to secure Jordan's sovereignty from the threat posed by Palestinian "others". Increasingly, aspects associated with tribal life came to be formulated as part of *being Jordanian*, and enacted through formal institutions, symbolism and the official narratives (George, 2005). Resilience of these structures was only strengthened when the regime reiterated family as the basic unit of society in the National Charter of 1991. The document was intended as a draft for envisioned liberal reforms in the country and delineated tribal affiliations as untouchable issues of Jordanian society regardless of the fact that tribes only comprised a small section of the population. True, tribalism in contemporary Jordan is very different from what it used to be, but the fluidity of the concept has allowed many non-Bedouins of both Transjordanian and Palestinian origin to identify with these values claimed to be an intrinsic part of being Jordanian (Shryock, 2000; Baylouny, 2006). Formally centralised welfare provision has thus been an inherent part of the 'authoritarian bargain' directed either primarily towards tribal populations considered loyal to the regime or Transjordanians in particular, depending on perceived threats to regime survival and the Hashemite strategies for legitimating their rule.

Finally, under conditions of limited resource capacity and inadequate official welfare institutions (particularly for certain segments of the population) the emergence of a parallel, informal welfare regime was facilitated, where socio-economic well-being was promoted through community-based informal institutions. Thus not one, but two welfare regimes coexisted in Jordan – formally the government ensured health care, education, social insurance schemes and pensions (mainly for those tied to public service employment), while coping strategies to supplement the inadequate access to and coverage of these benefits were informally provided by family, tribal and kin networks. So it was either people's ability to secure access to state employment or social and material capital to maintain connections,

bargain and negotiate access to resources that became central for explaining well-being outcomes (Bouziane, 2010, pp. 43–44; Baylouny, 2006). Increasingly, it was not just parliamentary representatives with *wasta* that could provide people access to goods and resources associated with ESR, but also civil society organisations (associations, NGOs, charitable groups with an Islamic background or family and kin networks) that undertook the responsibility for people's welfare through institutionalising informal ways of inter-societal redistribution.

More than being a societal response, the expansion of these organisations especially after the structural adjustment policies pursued in the 1990s was a continuation of Jordanian regime's legitimation strategies. For one it did not explicitly threaten the regime as martial law had given the government justification to carefully monitor the emergence of civil society, putting in place numerous restrictions to govern their activities. Consequently, the civil sphere in Jordan has never been autonomous but is instead entangled with prospects of regime endurance (Wiktorowicz, 2000) and while politics were reserved for the formally institutionalised channels, CSOs had been constrained primarily to the welfare-realm, barred from having a political voice or party affiliations. Facilitated by the religious duty to help those in need, civil society could fulfil a social charitable function as long as they did not stray from the government-prescribed objectives reinforcing shared perceptions that responsibility towards least fortunate members of the society rests not only with the state, but among the community.

Likewise, the sharp rise in the number of CSOs and NGOs following economic recession in the 1990s was facilitated by government rhetoric of communal and family duty as well as funds channelled in their direction. While the state officially recognised that it must "ensure the dignity and rights of all citizens, as guaranteed by the constitution and affirmed by international conventions", it emphasised that this outcome is to be achieved with an active involvement of individuals and groups, who "must play their part in protecting these rights and observing the principles of justice, equality and equal opportunity for all" (*Jordanian National Charter of 1991*). By enabling and supporting the emergence of an informal welfare regime to co-exist with social policies pursued by the government, the negative impact of declining living standards was in part absorbed, ensuring people access to socio-economic goods and services while reducing pressures on the state to acquire responsibility for welfare provision.

At the same time, however, people's increasing reliance on informal networks allowed these structures to interpret welfare policy objectives through an informal lens, institutionalising conditionality upon which people's access to ESR depended. While the constitution recognised

state-level responsibility delineated by resource availability and "limits of law", the informal regime fringed upon one's access to social capital, connections, *wasta* and identification with certain civil associations, which could grant them access, adding a discriminatory dimension to the enjoyment of these rights. In their examination of social networks in Jordan, El-Said and Harrigan (2009, p. 1246) concluded that, notwithstanding their positive effects in helping to meet people's socio-economic needs, social capital "is not a substitute for a good state". This observation is crucial for evaluating ESR provision in the Jordanian context because while informal networks have absorbed potentially destructive impacts of economic liberalisation, people's access to ESR has come to be dependent on their ability to secure access to certain identities associated with tribal affiliation and kin-networks. Such non-state organisations advancing horizontal redistribution have altered their criteria for participation to include increasingly many individuals, but expanding conditions for participation in associational life is hardly an expression of a state-level commitment to ensure equal access to ESR and related opportunities. Jordanian constitution prescribes that rights be advanced "within the limits of [the state's] possibilities" – a provision continuously interpreted as conditioned on regime survival and political stability. At the same time the state is also granted extensive powers to subject citizenship itself to "the limits of law" (The Royal Hashemite Court, 1952), which the regime has historically used to disadvantage the Palestinian population. Moreover, predominance awarded to tribal structures has also harmed the role of women in the society, as social norms and informal connotations have typically restricted their agency to the socio-economic realm and continue to limit women's opportunities in the Kingdom (Economic and Social Council, 2000).[230] Although some tribes and associations have been more open in this regard and even promoted women's participation in political institutions (Al-Attiyat *et al.*, 2005) tribalism is seen as a central obstacle of meaningfully improving women's rights.

People's participation and accountability have likewise been limited by policies of martial law and issues of national security. When political liberalisation was finally advanced, the regime made sure to clarify the power balance between the state and the society in the National Charter of 1991, articulating that the Hashemite family remains outside the bounds of permissible targets for people's grievances. Through royal NGOs and various interventions in correcting "bad" policies, members of the Palace built their image as benevolent protectors of the population (Brand, 1995a-). Today, the Hashemites are generally well regarded, although it is

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[230] For example, Baylouny (2008, p. 280) notes that women's social rights are typically derived from their relations to male relatives. Since women in tribal societies tend to occupy a welfare position, their entrance in many spheres of employment is also restricted.

difficult to know for certain as criticism is silenced and policed by the secret service. Nevertheless, people have directed their discontent towards the government rather than the monarchy, who not only represent, but also claim to embody the Jordanian national interest, tribal essence and the common good acting as arbitrates among potentially conflicting interests of different segments of Jordanian society (Gause, F. G, III, 2013; Lust-Okar, 2007). As the advent of elections has formally advanced people's political voice and participation, these developments have been spearheaded by the monarchy and enhanced regime longevity, while reinforcing the power of tribal representatives within the society (Lust-Okar, 2009). Individual deputies and those able to provide *wasta* for their constituents are influenced by mechanisms of accountability, but such limited transparency is confined to the informal networks of welfare provision. On the state-level accountability is represented by sporadic demonstrations of compassion on behalf of the monarchy that supposedly protect people's interests rather than genuinely signifying more inclusive governance. The final say still belongs to the king, acting in the interests of the people, not people themselves.

So, far from being inalienable rights, socio-economic opportunities and people's abilities to advance their capabilities are prescribed either by loyalty to the Hashemite rule or individual's stock of *wasta*, which not surprisingly only reinforces the informal institutions deeply tied to regime legitimacy. These institutions have throughout years been adapted and re-invented according to their utility by those partaking in Jordanian society. But as the access to both, formal and informal channels of acquiring welfare is conditioned upon embracing some form of tribalism, even if broadly defined, it is not inconceivable that people's attitudes, values, behaviour and associational identities may, with time, come to be influenced by these informal institutions. Meanwhile, the regime keeps drawing a legitimacy surplus by claiming to protect the same values it has urged people to embrace. Values aside, as *wasta* mediates people's access to ESR it has also come to symbolise corruption and inefficiency creating unofficially legitimised but state-sanctioned frameworks of exclusion and discrimination. Viewed from this perspective, it negatively affects the rule of law and indicators associated with good governance – issues that the Palace advocates for given the pressures from external actors (Ryan, 2002; Lust-Okar, 2009, 2006). So paradoxically, while the monarchy has carefully cultivated the pervasive role of the tribal culture in Jordan, it is now forced to mitigate its negative effects through democratic reforms which are most significantly opposed by the Hashemite tribal support base in fears that liberalisation may undermine their privileged status within the Jordanian state (Muasher, 2011; Lust-Okar, 2009).

9 Belarus: Identity, Ideology and Access to Well-being

"Yesterday there took place the Day of Unanimity, long and patiently awaited by all. For the 48th time, that same Benefactor who has repeatedly proved his unshakable wisdom was elected unanimously. The ceremony was darkened by a certain disturbance, caused by the enemies of happiness, who, in so doing, naturally deprived themselves of the right to become bricks in the foundation, yesterday renewed, of the One State. It is clear to anyone that to take their votes into account would be just as absurd as to take the coughing of some sick people, present by chance in a concert hall, to be a part of a magnificent, heroic symphony…"

Yevgeniy Zmyatim "We" (1921)

Analysing the performance of Belarus as an exemplary case study with regard to human rights is unexpected, if not counterintuitive, given that its detrimental status of rights is globally acknowledged and its president Aleksander Lukashenka has been nicknamed "the last dictator of Europe". After being democratically elected in 1994, he has since implemented a number of constitutional, legal and policy changes that widely increase his power *vis-à-vis* the society, oppressed political opposition and civil society members, and although he claims to enjoy the support of the population, there is widespread evidence of the falsification of election and referendum results (U.S. Department of State, 2014).

As a result, Lukashenka has held power in Belarus uninterrupted for more than two decades. Yet, with scholars' attention focused mostly on the precarious Belarusian politics, economy, its peculiar foreign relations between Russia and the EU, there remains a significant gap in research with regard to its welfare performance. It is generally supposed that since Belarus has undergone the least amount of institutional change of other countries in the post-Soviet space, it is seen as a 'laggard' in social policy reform (Deacon, 2000, p. 150) and has typically not been awarded individual attention. Studies investigating welfare states have found it more intriguing to focus on other countries within the Central and Eastern European region, in which the collapse of the USSR was followed by economic and political liberalisation and reforms in social welfare systems building on the typology proposed by Esping-Andersen (1990) in analysing whether or not the countries that emerged from the USSR in the 1990s fit in his regime typology (Deacon, 1992; Fenger, 2007; Cerami, 2006; Inglot, 2008; Sengoku, 2004). While these studies have shed much needed light on the influence of Soviet historical legacies on current state of affairs, they have generally overlooked the case of Belarus disregarding it as an outlier in too many regards.

Analysis of ESR in the country are likewise scarce.[231] One reason for overlooking the case of Belarus is that its unique political and economic institutions complicate positioning the country in a comparative perspective. While some efforts have been made (see Cook, 2007), research of well-being attainment in Belarus has not been a particularly common research subject. Another reason behind the said trend lies within the lack of reliable information available. In response to Lukashenka cementing his authoritarian rule, Western countries cut ties with Belarus suspending its participation in international organisations, as well as financial aid. As a result, Western influence in the country has been minimal, which has also had a negative effect on the quality of socio-economic data collected for the Belarusian case. Most notably, this is reflected in the grave discrepancies with regard to unemployment statistics, where data provided by the national government and estimates by the International Labour Organisation (ILO) differ significantly.

Due to the lack of existing empirical studies concerning ESR in Belarus, as well as the inadequacy of the dominant theoretical paradigm in explaining its relatively positive socio-economic outcomes, there is a need for more nuanced and contextual exploration of ESR situation in Belarus.

9.1 A brief history of Belarus

The Republic of Belarus gained independence in 1991 upon the collapse of the Soviet Union and after being democratically elected in 1994, its president Aleksander Lukashenka has managed to maintain, consolidate and expand his power in the country. Beyond the few 'democratic' institutions that exist in Belarus today to secure an appearance of popular support, it is undoubtedly an authoritarian state. Scholars have variably identified the political regime in Belarus as a "civilian" (Cheibub *et al.*, 2010) or "personal" dictatorship (Geddes *et al.*, 2014; White and Korosteleva, 2005), while others have described it as "pre-emptive authoritarianism" (Silitski, 2006) indicating the regime's strategy of maintaining power by pre-emptively addressing various threats to the existing rule.

At the same time, positive growth trends in Belarus have not only been reflected in several macroeconomic indicators, but also translated as improvements in people's well-being (Fritz, 2007, p. 211). Today, the Belarusian population of over 9 million generally enjoy favourable socio-economic outcomes given their limited economic resource availability, with the trend

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[231] Notable exceptions exist with regard to the legal analysis of constitutionally provided rights. See Smith (2012); Belavusau (2010).

reflected also in global comparative indexes. The Human Development Index (HDI) value for Belarus in 2014 placed it among the countries with 'high human development'. Ranking it 50th among 188 countries, the report noted also that its HDI performance has increased consistently since 2000 (Human Development Report, 2015). The global ranking of Belarus is only elevated when accounting for its levels of economic development – the Economic and Social Rights Fulfilment Index (SERF Index) consistently ranks it among the best performing states as indicated by the feasible performance rates. So although repression is undoubtedly a popular tool in Lukashenka's strategies to maintain his rule, it is thought to mainly be targeted to political opposition and activists rather than the general public (Pranevičiutė-Neliupšienė and Maksimiuk, 2014). The overall population is by no means blind to such repressive tactics employed, but nevertheless benefit from the maintenance of certain standards of living.

ESR in Belarus are articulated in the constitution, seemingly in line with internationally recognised human rights standards and state authorities frequently proclaim their respect towards this group of rights, substantiating their claims with Belarus' performance in a number of socio-economic indicators. The Republic of Belarus has also signed and ratified the ICESCR,[232] and although it has frequently failed to comply with their monitoring and reporting obligations to the treaty body,[233] the UN CESCR has nevertheless commended Belarus on its efforts in implementing ESR (UN Economic and Social Council, 2013). However, under conditions of grave violations of CPR and a lack of an independent judiciary, the realisation of ESR is recognised to face significant constraints (Kryvoi, 2006; UN Economic and Social Council, 2013).

Therein lies the puzzle with regard to examining ESR attainment in Belarus – while on the one hand its authoritarian rule has been strengthened by the "last dictator of Europe",[234] on the other hand the country has managed to recover from the collapse of the USSR while achieving better economic growth than many other countries in the region, without fully succumbing to market liberalisation.

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[232] The Covenant was signed by the Byelorussian Soviet Socialist Republic (BSSR) in 1968 and subsequently ratified in 1973 (UN OHCHR http://indicators.ohchr.org/).

[233] Belarusian state institutions have failed to report to the Committee on Economic, Social and Cultural rights due in 1999 and 2004 (Collective of authors (2015).

[234] Commonly used by a number of journalists today in reference to the president of Belarus, Aleksander Lukashenka or the state itself, the phrases "last dictator" or "last dictatorship in Europe" were initially coined by Condoleezza Rice during her visit to Lithuania in 2005. In her remarks she referred to Belarus as 'the last remaining true dictatorship in the heart of Europe'. See http://www.euractiv.com/section/med-south/news/rice-belarus-is-last-dictatorship-in-central-europe/

The sections in this chapter outline the key events that influenced the development of socio-economic policy in Belarus affecting also the realisation of ESR. In doing so, the chapter distinguishes and focuses on four periods in Belarus, when particular institutional and political configurations crucially determined socio-economic developments in the country. First, the project captures the Soviet legacy in Belarus that left a lasting imprint in people's perceptions of ESR and formed their expectations towards authorities with regard to desired social and economic development. The second period was initiated by Belarus acquiring an "unexpected independence" (Wilson, 2011, p. 121) in 1991 introducing relative political and economic liberalisation. These events were, however, interrupted by Lukashenka's coming to power in 1994 and entrenching his power through constitutional amendments in 1995 and 1996. The third period therefore concerns Lukashenka's consolidation of his authority and examines the role played by socio-economic policies in his identity and state-building efforts. Finally, when marked by Putin's ascendance to power in Russia, Belarus' relationship with the neighbouring state deteriorated in the 2000s, Lukashenka was prompted to amend the established 'social contract' by supplementing the existing legitimation strategies with an official state ideology to aid his hold on power. Nevertheless, throughout these periods of political and economic turmoil, the 'last dictator of Europe' has at least formally remained dedicated to people's well-being alongside advancing the country's economic growth and employed formal as well as informal channels to achieve this goal. In order to understand the legacy left by the Soviet regime in the context of ESR attainment in Belarus, the project proceeds, first, with a more nuanced analysis of the socio-economic outcomes attained in the Belarusian context in particular and second, with exploring the role and legacies left by the Soviet conception of 'socio-economic rights'.

9.1.1 Soviet formative legacy on welfare expectations in Belarus

ESR situation in Belarus is related to decades of institutional developments under the Soviet rule, which left a lasting influence on social policy and the "rules of the game" in the country long after independence was acquired. Contrary to the experience of some other states in the USSR, the Soviet regime brought substantial prosperity to Belarus. Until the 1930s Belarus had remained predominantly agricultural with the vast majority of Belarusians still living in villages (Marples, 1999). This changed in the aftermath of World War Two – according to various estimates, between one third and a half of the Belarusian population had been either killed or displaced, suffering higher human losses than any other European country (Ioffe, 2004; Wilson, 2011). Estimates of the material devastation caused by the war in Belarus

approximate the equivalent of 35 annual budgets (Marples, 1999, p. 12) as most cities and villages had been destroyed and many never came to be rebuilt. The Belarusian national consciousness could likewise not escape the traumatic of the Holocaust – the expulsion of Nazis from the territory of Belarus in 1944 would later be chosen by the regime as a 'founding moment' for Belarusian independence.

Under the BSSR, the country underwent significant industrialisation process, associated also with socio-economic development, which was especially crucial in the aftermath of World War Two. Given the devastating impact of the war on Belarus, the Soviet regime rebuilt cities, invested in villages, and initiated grand industrial development plans in the otherwise resource-poor country, with positive developments elevated by the Soviet propaganda. According to Ioffe (2004), progress in the post-war period concerned not only the development of industry and the agricultural sector, but was also evident in the social sphere – compared to other Soviet republics, Belarus was leading in per capita investment in housing construction, maintenance of infrastructure and public spaces (Cook, 2007, p. 47). Societal development was mirrored also through a number of socio-economic indicators, such as low mortality and high literacy, altogether creating an impression of Belarus as a "major Soviet success story" in terms of living standards (Ioffe, 2004, p. 88). Upon acquiring independence in 1991, Belarus was ranked 38th among all countries for their attainment of Human Development (United Nations Office in the Republic of Belarus, 2010) and 35th in 1993 (UNDP, 1993), portraying the highest results among other post-soviet states.

Not only was the Belarusian case a case example in terms of the achieved outcomes, but the Soviet regime was itself renowned for widely proclaiming their dedication to 'socio-economic rights' domestically and internationally. ESR assumed an important place as a pillar of the Soviet ideology because "[t]he supreme goal of socialist production" was claimed to be "a steady rise in the standard of living of the people and the creation of conditions for the all-round development of the personality" (para 3 UN Economic and Social Council, 1984). State ideology focused on 'workers' as recipients of state support and promulgated a type of social contract between the state and the citizenry whereby, in exchange for equal protection of their basic needs (particularly of those in the working class), people legitimised the political system by pledging obedience not to a specific ruling elite, but rather the ideology as a whole (Haiduk *et al.*, 2009). Emphasising the 'positive' character of these rights was especially appealing for

the regime[235] as it was compatible with insisting on an omnipresent state in a variety of aspects in people's lives. In the context of the Cold War it was likewise advantageous to stress the historical roots of ESR as entrenched in opposition to capitalism. According to a translation provided by Belavusau, Soviet legal dictionaries emphasised that:

> "[s]ocial law appeared as a result of the intense struggle of the working class for their rights. As for their class-based essence, the progressive norms of social legislation amount to concessions, which the ruling classes are forced to make due to the struggle of labor class for their rights. They make those partial concessions in order to safeguard the dominance the capital. The concessions serve to create an illusion that a state is interested in the welfare of people. (…) Social rights are actively used by the bourgeois propaganda (especially in the mid-20th century) to spread the ideas of "class cooperation" (like the fiction of a welfare state). (…) Communist and labor parties relentlessly expose this bourgeois and reformist propaganda. They defend workers' rights and motivate them for an active struggle for their vital interests." (translation of an excerpt from the Legal Encyclopaedic Dictionary of 1987 by Belavusau, 2010, pp. 139)

Hence, the regime insisted that socio-economic rights are somewhat an intrinsic part of the regime ideology. Smith (2012) notes that conceptually rights in the USSR were divided within three broader categories – the socio-economic, political and personal. While political rights were expressed through the right to vote and personal rights represented guarantees for freedom of conscience, 'socio-economic rights' were seen as revolving principally around the right to work, setting it apart from contemporary understanding of ESR. This conceptual clarification significantly delineated the content of this group of rights, but allowed to present communist states as their true defenders, as workers' rights were an important aspect of their political, economic and social systems. As the state 'absorbed' all responsibility for the socio-economic domain in theory and practice it established itself as the principal actor in welfare provision. The regime claimed that protecting 'socio-economic rights' necessitated state control over the economy and property, downplaying the importance of economic rights together with civil and political liberties. Consequently, as noted by Smith, "in limited and provisional ways, and distorted by the pressures of dictatorship, a system of social rights was inherent to Soviet life" (Smith, 2012, p. 386). Meanwhile, the privilege to interpret their content conceptually remained in the hands of the state and the idea that rights could serve as individual guarantees against potential state oppression was understandably not part of the Soviet interpretation of ESR.

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[235] See the debate between positive and negative aspects of human rights in Part I.

Smith (2012) concludes that social rights in the Soviet Union existed in relation to the state ideology and comprised an important part of the Soviet identity. The point is echoed by Article 37 of the BSSR Constitution stating that:

> "Citizens of the Byelorussian SSR enjoy in full the social, economic, political and personal rights and freedoms proclaimed and guaranteed by the constitution of the USSR, the Constitution of the Byelorussian SSR and by soviet laws. The socialist system ensures enlargement of the rights and freedoms of citizens and continuous improvement of their living standards as social, economic and cultural development programmes are fulfilled." (Quoted in UN Economic and Social Council, 1978)

Yet, the author insists that the regime's broad emphasis on social rights as *human* rights was made possible because: i) the political system held a strong grip over civil society and other organisations that could meaningfully challenge the state's interpretation of these rights; ii) welfare was presented both as a constitutional guarantee by which to measure the regime's success, as well as a benevolent state activity, thus blurring the boundaries between rights and paternalism while paradoxically "enlarg[ing] public space for talk of social rights just as it weakened them in theory and practice"; and iii) the ideological propaganda sought to associate the regime with equality and welfare aiding the drawing of parallels between the state and social rights (Smith, 2012, p. 386). As for their practical realisation, Deacon (2000) analyses how particular elements were illustrative of social policies under the communist rule. First, the state heavily subsidised basic goods and services, such as food and housing provided under market prices. According to Linda Cook, this was "intended to help secure the acquiescence of societies to authoritarian political controls and [provided] in response to pressures from state social bureaucracies for increased allocations in growing communist economies" (Cook, 2007, p. 32). Second, the ideological protection of the working class was conductive of policies that were geared towards providing guaranteed employment. Finally, the state ensured access to adequate health and education that was free or ensured at affordable prices (Deacon, 2000). Others additionally note the comprehensive system of social security (Cook, 2007; Fajth, 1999) targeting pensioners and family development.[236] Kornai's (1992) analysis of socio-economic spending (for areas such as health, education and welfare) likewise provides evidence that attention to people's well-being remained consistently high in communist states, especially when compared to other states at similar levels of economic development (Kornai, 1992, p.

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[236] Regardless of the relatively low pensions, Fajth (1999, p. 418) notes that nearly all the elderly population were in some way covered by old-age benefits and the social security system was family-oriented in the sense that it incorporated maternity and child-related components through family allowances and parental leave.

314) and was dedicated to establishing a comprehensive welfare system financed mainly from state budget. According to Fajth (1999, p. 417): "[i]n the centrally planned economies entitlement to social security benefits was used as an important incentive tool to swell employment in the state-controlled sectors; and high employment rates of both genders resulted in wide access to pension and other benefits". Thus, although the practical elements of the realisation of these rights were tied rather with the ideology of the regime than the concept of rights *per se*, their promotion came to be assumed by the citizenry as the responsibility of the state, strengthening perceptions that the regime is ideologically committed to people's well-being. Together, the policies claimed to be premised on the principle of universalism, although it was essentially enabled by the overlapping objectives of universal workers' 'social rights' on the one hand and regime ideology on the other. Such views and narratives cemented over time and had a lasting impact on framing people's perceptions of ESR, as well as the understanding of the balance between rights and responsibilities.

A significant portion of the current welfare system in Belarus was established during the BSSR and partly due to the exemplary outcomes achieved remained in place with relatively minor amendments even after independence was acquired. But the Soviet history also left several flaws as part of its legacy. First, since universal employment had been part of the regime ideology, the welfare system did not entail unemployment benefits, which were only introduced in Belarus in 1999 (Cook, 2007). Hence the period of economic crisis and growing unemployment that followed the break-up of the USSR left many workers, who had previously be the focal point for the regime, without a social safety net. People's deteriorating socio-economic situation was further aggravated by the inherited system of public health care which, although free and available, was significantly inefficient and underdeveloped (Deacon, 2000, p. 147). But the most substantial inheritance of the former regime was the strong popular support for the existing welfare system. Upon acquiring independence Belarus lacked strong interest group networks and civil society that would represent people's welfare interests from below and could credibly challenge the regime (Cook, 2007; Deacon, 2000; Belavusau, 2010, p. 153; Way, 2005, p. 244) while the large number of public sector employees had an interest in maintaining the existing status quo.

Alongside putting Belarus in a structurally disadvantaged position for coping with change after acquiring independence, the country was also left with lingering perceptions about who is entitled to socio-economic rights and who is responsible for implementing them. The Soviet version of the authoritarian bargain had been rooted in what Deacon (2000, p. 147) termed a

"social welfare contract" – people's basic well-being was ensured in exchange for their acquiescence to the existing regime and its ideological tenants. The state had established a standing commitment to the provision of welfare and eliminated alternative providers, making people almost exclusively dependent on the state for their well-being, which encompassed work, education, health care, as well as pensions and various benefits. While it helped the regime to support its ideology and provide numerous mechanisms with which to control the society, it also enhanced people's belief that the state is the actor principally responsible for social services. The significant public support for this arrangement in Belarus, in turn, harboured a 'welfare culture', which combined with the centralised monopoly over ESR provision and an absence of civil society, consequently reduced individual incentive and reinforced people's dependence on the formal welfare system with regards to meeting their well-being. The point is illustrated by Linda Cook in reference to attitudinal surveys conducted throughout the 1990s, that reveal a staggering 81 per cent of Belarusian respondents in support of the view that government spending on education, health and pensions should be increased (Cook, 2007). The 'success story' of Belarus within the USSR thus left also a pertinent ambivalence to change even after the country's independence in 1991.

9.2 Independence, liberalisation and struggle over continuity or change 1991-1996

In the context of having experienced a rise in the standards of living, elevated by the ideological propaganda machine, David Marples (1999, p. 23) notes that "the path for the pro-democracy forces was always going to be a difficult one". As the previous section has shown, decades under the Soviet rule had left a lasting legacy in the country's formal welfare institutions, as well as informal perceptions about rights and responsibilities surrounding people's socio-economic well-being. Perhaps the most important part of this legacy was people's generally positive attitude towards the USSR, brought about by the high socio-economic performance achieved in Belarus. A USSR-wide poll conducted in 1991 showed that 69 per cent of Belarusian respondents identified themselves primarily as citizens of the USSR while only 24 per cent prioritised their membership to Belarus (Wilson, 2011, p. 142). Unsurprisingly then, the results of a referendum called by Gorbachev before the dissolution of the USSR in March 1991, revealed that 83 per cent of the Belarusians were in favour of retaining the Union – well above the average support shown in other Soviet republics (Wilson, 2011, p. 150). In light of the generally supportive stance of Belarusian citizens towards USSR in comparison with other states, Wilson (2011, p. 121) calls the events that transpired in 1991 an "unexpected

independence". What set the country apart from many of its neighbouring states was that neither the general public nor the political elites had desired sovereignty and viewed independence as imposed upon Belarus. The ensuing economic recession and declining well-being further complicated the transitional process.[237] People ravelled in the nostalgia for the Soviet past as independence came to be associated with sharply deteriorating standards of living.

Two further, interrelated issues additionally played a role in presenting the political future of Belarus in a socio-economically deterministic way. For one, the economic recession was caused by the rapidly changing political and economic institutions. Belarus did not possess natural resources[238] and having been a part of a centrally controlled economy, a significant amount of Belarusian industry was connected to and depended on the economies of the other Soviet republics for imports of raw materials and energy. The dissolution of the USSR necessitated economic reforms for a transition from a centrally planned economic system. With the private sector that could potentially relieve the state from welfare responsibility or establish alternative channels for provision largely absent, independence was accompanied by a sharp decline in people's well-being (UN Economic and Social Council, 1996a). Upon acquiring independence, the Belarusian economy was not self-sufficient enough to support an independent economy and acquire sufficient resources for redistribution (Marples, 1999, pp. 32–35), making it vulnerable to external pressures and in search for allies. The lack of resources thus significantly reduced the number of paths available for Belarusian policy-makers, especially in the face of strong welfare expectations coming from the population.

Socio-economic challenges were further aggravated by Belarus' need to deal with the aftermath of the Chernobyl catastrophe of 1986, which had destroyed large portions of arable land and required significant amounts of resources absorbing around one fifth of the overall state budget (UN Economic and Social Council, 1996b). Zaprudnik (1993, p. 183) documents prevalent fear among the population that if Belarus was to gain independence it would be left alone to cope with the aftermath of the Chernobyl disaster, necessitating even more government expenditure. Gaining independence thus posed a challenge for the state's ability to self-sufficiently serve

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[237] According to the UNDP's Human Development Report (2015), only in 2010 did most of the socio-economic indicators reach their pre-1990 levels.

[238] Zaprudnik (1993, pp. 186–192) challenges the claim of Belarus' resource scarcity and argues that there is a lot of "unused potential" in Belarusian land. He suggests that resource-poorness was not a natural but a political consequence caused by a history of economic dependency on imperial powers. Either way, for the newly independent Belarus it was a reality that weighed on the minds of decision-makers as well as the population.

people's increasing socio-economic needs. Help would either have to come from the West or the East.

The ensuing political turmoil in Belarus provided some context for the direction for socio-economic development eventually chosen. Most members of Belarusian political elite were not too eager about the idea of independence. The 'nationalist' movement in support of sovereignty was politically represented by the Belarusian Popular Front (BPF), only founded in 1989 and lacked powerful leading figures who enjoyed widespread trust from the public. Under conditions of an overwhelming support for the USSR among the citizenry, local strands of nationalism were generally weak (Wilson, 2011, p. 142; Fritz, 2007) so the BPF was not backed by significant popular movement which could ensure them access to political capital. Consequently, former elites managed to maintain their positions within state authorities and argued in favour of reversing the negative effects brought about by disturbing the status quo through acquiring independence.

Vyacheslav Kebich remained the prime minister of the newly independent Belarus and the Declaration of State Sovereignty passed in 1990 proposed "to immediately commence the elaboration of an agreement of a union of sovereign socialist states" (Article 11) (Zaprudnik, 1993, p. 153) seeking to revive another Union of States rather than build independent politics. The legislature responsible for overseeing Belarusian transition had been elected in 1990 as the Supreme Soviet of the BSSR and was comprised largely of former members of the Communist party, who, according to Marples (1999, p. 60), occupied 85 per cent of all seats in the parliament between 1991 and 1994. With the former political elites in charge, efforts of economic liberalisation were also stifled, as the communist elites had an interest to resist privatisation and maintain people's dependency on the state that also guaranteed their own positions (Cook, 2007).

Seeking relative political continuity rather than change translated also to socio-economic policies accompanying the transitional process in Belarus, setting it apart from many of its neighbouring states. While other states tended to reform their economic and welfare systems through attempts to withdraw the state from welfare provision and increasing the responsibility of the markets and individuals themselves (Polese *et al.*, 2014; Cook, 2007), the movement of economic liberalisation had minimal momentum in Belarus. Small portions of the economy

were privatised, but the state largely retained its control over the economy[239] and these processes were not accompanied by significant changes in the legislature.

At the same time, the socio-economic challenges people faced after the collapse of the USSR were not unlike those experienced by other former Soviet states. A rapid economic downfall ensued between 1991 and 1995 (United Nations Office in the Republic of Belarus, 2010), accompanied by inflation, decline in people's incomes, and rising rates of poverty. Given the political context rooted in Soviet nostalgia, declining standards of living came to be seen as a negative effect of independence itself, especially in comparison with former 'success' experienced under the USSR. Inevitably, these developments also took a toll on public health outcomes, negatively affecting people's nutrition and causing a spike in mortality rates as well as a decrease in life expectancy (UN Economic and Social Council, 1996a). The "unexpected independence" (Wilson, 2011, p. 121) therefore brought about a widespread uncertainty as to whether Belarus should seek economic and political reintegration with Russia or pursue independence with support from Europe. In the context of post-imperial politics, these issues were closely linked to the struggle over a Belarusian 'national' identity with different strands of 'nationalism' being associated with varying and mutually exclusive socio-economic policy directions. That a constitution was not adopted until 1994 is a reflection of this prevalent uncertainty while it also weighed the scale heavily towards the existing political elites, whose power was meanwhile not restrained by legally prescribed checks and balances. Regardless of these political struggles, however, the period directly following independence in Belarus is nevertheless characterised as one of political liberalisation.

9.2.1   Belarusian identity and alternative perceptions of socio-economic direction

The primary political concern of the time came to be exemplified by the struggle of two prevalent strands of nationalist thought competing to establish or maintain themselves within Belarusian identity (Leshchenko, 2004). These ideas both carried implications not only for the country's political and economic life, but also socio-economic development, which would come to be conditioned upon the headway made by either one of the groups, seeking to gain political momentum.

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[239] Marples (1999, p. 33) notes how the state-owned industry in 1994 accounted for 33% of all factories and around 70% of total output, while the private sector only occupied 1,9% of all enterprises and a negligent portion of industrial output.

One side of this dispute over identity was represented by the former party *nomenklatura* which had largely remained in power after independence and comprised the pro-Russian majority of Belarus' political elite. They argued that in ethnic terms no particular characteristics set Belarusians apart from Russians and Belarusian identity was inescapably intertwined with Soviet past. The Russophiles viewed state sovereignty was viewed as somewhat arbitrary as they promoted if not a Soviet nationalism, then at least a rather nostalgic version of nationalism deeply rooted in the Soviet 'success story'. They insisted for a closer integration with Russia and advocated that economically as well as politically Belarusian development should be oriented towards its neighbouring country bordering in the east.

The other side was politically represented by the BPF, who contended that Belarusian history be viewed not in continuation with the Soviet Union, but rather the Belarusian National Republic of 1918 and Belarus' earlier affiliation to the Grand Duchy of Lithuania. The movement pertained that nationalism in Belarus should be based on its language and identity that set it *apart* from Russia and the USSR. It was, however, a very recent undertaking in the sense that it only emerged in the end of the 1980s (Bekus, 2010; Wilson, 2011), when Zyanon Paznyak, gained recognition among the Belarusian public for exposing crimes committed and previously concealed by the Soviet regime.[240] Upon its establishment, he acquired leadership of the BPF and the spearheaded this nationalist movement explicitly based on an anti-Soviet mentality.

Following independence, the BPF gained considerable political momentum advocating for policies of relative liberalisation. As was the case in other former Soviet states, the Belarusian parliament adopted new statehood symbols in 1991 which, in the form of the white-red-white flag, the state emblem and a changed date for independence day, all referenced the Belarusian National Republic of 1918 and the Grand Duchy of Lithuania (Marples, 1999; Leshchenko, 2004).[241] The official name of the country was likewise changed, releasing it from the 'Soviet

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[240] A mass grave discovered in Kurapaty (near Minsk) in 1988 exposed the mass killings of 100 000 – 250 000 people by the Soviet secret police between 1937 and 1941. This discovery gave the leading researcher, an archaeologist Zyanon Paznyak nation-wide recognition and provided an impetus to the nationalist movement in Belarus. See Zaprudnik (1993, pp. 168–169); Bekus (2010); Wilson (2011) Way (2012, p. 630).

[241] According to Marples, when the Belarusian National Republic was established in 1918, proponents of independence were already divided in their vision for what kind of Republic should emerge (Marples 1999). Motyl (2001, p. 45) documents how the Vilnius-based Belarusians envisioned re-establishing the Grand Duchy of Lithuania as a "multinational federation with a Lithuanian, Belarusian, Polish and Jewish population, while the Minsk-based nationalists attempted to create a national state of Belarusians". Although the state only existed for ten months before the invasion of German forces followed by the proclamation of the BSSR, it managed to leave a lasting reference point for strands of Belarusian nationalism as the years when national culture and language experienced their 'golden years'. Therefore, as Eke and Kuzio (2010, p. 527) suggest, the loss of the city of Vilnius undermined the credibility of the nationalist narrative advanced by the BPF during the 1990s,

Socialist' heritage and adapting its spelling to the grammar of the Belarusian language (Leshchenko, 2004). Their most significant headway made, however, concerned the language policy. Belarusian was recognised as the official language in the newly independent state, signalling an evident change of direction that contrasted former policies of Russification under the Soviet rule. The revival of Belarusian was carried out in state administration, media and education (Leshchenko, 2004; Sidorovitch, 2005; White *et al.*, 2005; Ioffe, 2003), and history books were re-written to reflect this discontinuity with the language and identity policies of the Soviet times.

Aside from the progress with regard to language and state symbols, the Belarusian nationalist movement was rather weak and unpopular. In fact, Lucan Way (2012) notably attributes political liberalisation successfully achieved by the nationalist pro-democracy forces to the incompetence and miscalculation of the prime minister Kebich. Way likens these events in Belarus to that of "a deer in headlights" in characterisation of the general political disarray ensuing at the time, arguing that Kebich's inexperience with political competition and lack of "skill" to cope with the rapidly changing political environment resulted in the regime making concessions to the nationalists at a time when their actual support levels among the population were low and structural conditions were favourable to authoritarian rule. However minor and accidental the victories over symbolic state direction may have been, progresses made by nationalist movement in this period were nevertheless felt by the general population within policy and the public life.

On the one hand, given the high support for Belarus' Soviet past, many could not identify with the nationalism symbolised by the newly acquired independence and represented by the BPF. People felt these policies were imposed on them, drawing them further away from supporting the BPF. On the other hand, however, the lack of BPF's popular support was related exactly to the issue of language and its relation with Belarusian identity. In ethnic terms the composition of Belarusian population was relatively homogeneous – a poll conducted in 1989 showed that 77.9 per cent of people were ethnic Belarusians (Wilson, 2011, p. 121). Yet the former Soviet Russification policies had made Russian the main language of the country's public and private life, while Belarusian had come to be associated with hostile nationalism (Motyl, 2001, p. 45) and spoken by a small portion of the population, mainly among the intellectuals and village-populations. Because language was emerging as the defining aspect for membership to the

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making it difficult to promote historical myths associated with the Grand Duchy of Lithuania as part of Belarusian heritage. For an elaborate depiction of the evolution of Belarusian identity, see Ioffe (2003).

Belarusian identity, this narrative excluded the majority of the population from the nation-building process, making it difficult for people to identify with and increasing their hostility towards the version of nationalism proposed by the BPF.

The lack of support for the BPF was also reflected in the results of the early parliamentary elections. When the first elections were held in 1990, the BPF gained eight per cent of seats in the parliament, demonstrating their political momentum. In the 1995 elections that followed, however, they were not granted any parliamentary mandates (Way, 2012, p. 630). Certainly, the elections of 1995 took place after Lukashenka's rise to power and their results were heavily influenced by the authorities' efforts to limit particularly the BPF's activities, but the strategy was partly awarded with success especially due to the relatively small amount of popular support for the BPF. Way notes that their lack of parliamentary representation would not have been possible had the majority of the population supported them. By defining the point of access to national identity in terms of language, the BPF failed to unite the population in this decisive period and was seen as 'too radical' by much of the population. They advocated for a strict rupture with the Soviet past which was presented solely in light of its repressive and imperial policies, at a time when people were aware that positive developments in their lives had been made possible by their membership in the USSR (Ioffe, 2004). Symbolic references of the recent Soviet period were likewise replaced with ones from a distant history which people had no personal connection with (Leshchenko, 2004) further raising animosity towards the movement, increasingly perceived in elitist terms. In short, the BPF failed to adequately capture people's beliefs about the past and visions for the future.

Under such conditions, the former regime authorities seemed to present a viable alternative to those reluctant to embrace the nationalism of the BPF. Belarusian political elites had been, according to Marples "among the most frantically loyal to the Soviet system" (Marples, 1999, p. 19) so this alternative was not a moderate middle-way of a more inclusive version of nationalism but instead an equally radical approach representing the other end of the spectrum captured by a pro-Soviet mentality. Ideological and political continuation with the former system also served their own individual interest as political elites were concerned that the aggressive nationalism promoted by the BPF may result in their loss of power. By seizing the chance to retain their positions in the Belarusian parliament throughout the transitional period, the Russophile elites were enabled to delay national elections[242] and sculpt the formal

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[242] Wilson (2011) particularly emphasises the importance of delayed elections in Belarus, noting that an election prior to 1995 would likely have resulted in more votes cast for the BPF.

institutions in their favour. According to Cook (2007), given this political context, the bureaucratic-statist welfare interests and their influence in executive coalitions comprised the key considerations for lack of changes implemented in the welfare system.

The struggle between both approaches towards issues of identity matters to the analysis of socio-economic well-being because they came to be associated with varying political and ideological directions of the state. They were not themselves explicitly rooted in specific arguments with regard to ESR, but the nation-building failures of the BPF allowed political elites to tie the nationalist movement with the deteriorating economic and social situation in the country, which was claimed a result of economic and political liberalisation. By viewing identity-politics as the BPF's foremost objective, they shifted attention away from the well-being at a time when people's standards of living were experiencing a sharp decline. At the same time, well-being had been an integral part of the social contract under the Soviet rule, and people continued to perceive it as state responsibility so failures to meet people's needs reflected badly on the recently acquired sovereignty. People were presented with the examples of numerous neighbouring states that had chosen to liberalise and faced rising levels of poverty accompanying their political transition while reminded of the high levels of outcome performance attained under the Soviet rule. The approach bore success as the stark contrast between the levels of well-being enjoyed under the BSSR and now an independent Republic was felt in every household. The Russophile political elites argued that reintegration with Russia would shift the focus back to the socio-economic realm and given both, people's prevalent societal attitudes towards the USSR and their recent experience under the Soviet regime, this did not seem like an implausible suggestion. Belarusian public was reluctant to sacrifice their welfare in the name of a 'nationalism' that was only now emerging and proved incapable of adequately mirroring public opinion or reflect people's needs.

In sum, nationalism had become the leading issue for Belarusian post-independence politics with two dichotomous versions of Belarusian identity being presented to the population. One symbolised abrupt change, while the other – a stagnant continuity. On the one side there were pro-democracy nationalists, seeking to integrate with the West, while the other extreme was represented by those loyal to the former regime. One side advanced a radical and elitist *Belarusionalisation* of public and cultural life as an intrinsic part of independence, while the other advocated for an institutional and ideological continuity with the Soviet regime. One sought to use the political momentum to break ties with its Soviet heritage, while the other capitalised on the prevalent nostalgia towards the recent past. They were reactionary to each

other, represented opposing ends of the ideological spectrum, without either being able to adequately capture the needs and identities prevalent among the Belarusian population. As summarised by Marples (1999, p. 65): "[t]he country was led by an elite, opposed by another elite, while the general masses, conditioned to Soviet rule, were reduced to passive onlookers".

Given this sharp dichotomy, no moderate and open vision of identity-politics was present to adequately reflect people's sentiments for the past, present and future of Belarus. The BPF as the only opposition to political elites had proven itself unable to garner public support and present a viable vision for socio-economic development discouraging people from fully embracing political and economic liberalisation. Thus it was not the Soviet legacy per se that came to determine the Russophile attitudes of the Belarusian public thought but, rather, the legacy in combination with the failed attempts to define a Belarusian identity. With both sides unable to rally majority of popular support, these struggle over continuity or change gave rise to the eventual election of Lukashenka, who would initially unite the citizens on a platform of anti-corruption, opposing both, the Belarussian nationalists as well as the corrupt political elites.

9.2.2 Constitutional continuity from a "Socialist Republic" to a "Social state"

Through maintaining power during the post-independence years, the former political authorities remained in charge of the parliament overseeing not only the disputes over questions of identity, but also political reform itself, allowing them to stall progress, delay elections and postpone the introduction of the Belarusian constitution. In March 1994 the constitution of the Republic of Belarus was finally adopted, establishing it as a "unitary, democratic, social state based on the rule of law" (Article 1) and laying out the legal basis for introducing of a number of novel institutions in Belarus aimed to improve the checks on political power.

The state was articulated as the primary "guarantor" of human rights. Article 2 of the Constitution specified individual rights, freedoms and guarantees for their attainment as the "supreme goal of the society and the State" and recognised the State's responsibility "to create the conditions for the free and dignified development of [citizens'] identity" (Republic of Belarus, 1994). Such conditions were not, however, understood as necessarily all-encompassing – the state defined its responsibility to guarantee "minimum social standards" implying an emphasis on basic needs rather than expansive capabilities and freedoms. It was argued that achieving rights necessitated the creation of "a social state" (Ministry of Justice of

the Republic of Belarus; Republic of Belarus, 1994)[243] at least symbolically demonstrating that the 'socialist' legacy is not all forgotten. The government specified that the primary aim of the 'social state' was "the implementation of economic, social and cultural rights" and "to provide social guarantees to every citizen" (Ministry of Justice of the Republic of Belarus).

Perhaps the most significant continuity with the ideology of the former regime was portrayed by the constitutional reaffirmation that ESR are focused primarily around the right to work. Work was articulated as "the worthiest means of an individual's self-assertion that is, the right to choose of one's profession, type of occupation and work in accordance with one's vocation, capabilities, education and vocational training, and having regard to social needs, and the right to healthy and safe working conditions" (Republic of Belarus, 1994). Workers' rights to "participate in the management of enterprises, organisations and establishments to enhance their efficiency and improve social and economic living standards" were further recognised and this included fair remuneration, limited working hours, holidays and even the right to rest and leisure, frequently debated by critics of ESR (Republic of Belarus, 1994).

Aside from labour rights, the constitution laid out protections for an array of other social rights, such as health care (Article 45), social security (Art. 47), housing (Art. 48) and education guaranteed free of charge (Art. 49). But while emphasising the moral responsibility of the state to fulfil these rights, these rights were articulated as somewhat aspirational rather than directly enforceable (Knechtle, 1993). They were constitutionally guaranteed, but their realisation constitutionally fringed on conditionality that could be legitimately set by the government. For example, the constitution recognised the legal commitment of state authorities to ensure free education, but Krasnitskaya (2014, p. 206) shows how the law on education passed in 1991 interpreted the right through a communist lens, in that it defined, as the aim of education, the "development of scientific, technological and cultural activities in order to satisfy the needs of the country". Thus, while education was constitutionally guaranteed, its enjoyment would in the future legitimately come to be subject to the teachings of state ideology and patriotism, while higher education could be enjoyed for free by only half of all students, granted they subscribed to two years of state prescribed employment after graduation.

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[243] As pointed out by Belavusau (2010, p. 143), the constitutional recognition of the 'social state' was built on the example of Article 20 of the German *Grundgesetz*. When looking at the legal articulation of social rights in the constitution, the author argues that Belarus could be seen as following the German corporatist-statist welfare-state model (*ibid.*, p. 153).

In a similar vein, the recognition of a whole array of workers' rights came at a time when Belarus experienced a nearly three-fold rise in unemployment in comparison with the first years of independence (UN Economic and Social Council, 1996a). While constitutionally workers' rights were guaranteed, unemployment benefits in Belarus were not introduced until 1999 (Cook, 2007) leaving those unemployed without a social safety net and questioning the actual commitments of the state to strive for realising the rights granted by the constitution.

That social rights were constitutionally articulated as *rights*, was a remnant of the Soviet legacy as much as it was the achievement of political pro-democracy forces. Knechtle's (1993, p. 42) analysis concluded that members of the constitutional commission tasked with drafting the document viewed it their "moral obligation" to continue the emphasis on social rights and the provision of basic necessities as the communist government had done before. Thus, they believed that "they had no choice but to [constitutionalise social necessities as rights]" because "the political situation demanded it" (Knechtle, 1993, p. 42). Moreover, Wilson (2011) remarks that the drafting process of the constitution had been overseen by Kebich himself, who did not exactly embrace a democratic vision for the future of Belarus. As a result, constitutional guarantees combined with the relevant policy practice prompted ESR in Belarus to come to be understood not as individual entitlements, but state guarantees granted to members of a *community*. And, although constitutionally, rights were articulated as inalienable and living standards recognised as an essential part of "human well-being" as well as "individual development", social rights were formulated in light of an opposition to the rights' perceptions of the Western "hypocritical individualism" and "deconstructed as a socio-legal phenomenon bearing an essential legacy from the totalitarian perceptions of law and society in general" (Belavusau, 2010, pp. 137–138).[244]

The 'social state' thus presented significant continuity with the former 'socialist state' in terms of the constitutional focus on ESR and their conditionality fringing on membership in a community. Regardless of the shortfalls of the constitution, however, Wilson suggests that "if someone other than Lukashenka had won the first presidential election, then Belarus would most likely have become a reasonably well-functioning semi-presidential system" (Wilson, 2011, p. 158). After being elected, Lukashenka proceeded to make changes in the recently adopted constitution to consolidate his power. While the focus on Belarus as a 'social state' was retained, it was argued to necessitate a "socially oriented market economy" and implied

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[244] See Sadurski (2005) for a comprehensive account on the legal and judicial aspects of enforcement of social rights in post-communist states.

conditionality placed on ESR relating legally prescribed state support not as individual entitlements but delineated by one's participation the community.

9.3 The "evolutionary development" of Lukashenka's rule 1994-2001

Aleksander Lukashenka was elected president in the first and what would come to be the only free and fair elections in the history of modern Belarus in 1994. With a voter turnout of 69.9 per cent he received 44.8 per cent of votes cast in the first round and 80.1 per cent of the votes during the second round of elections, emerging as the unequivocal leader among the six candidates competing (Wilson, 2011, pp. 165–166). Lukashenka's had served as an elected member of the Supreme Soviet of Belarus from 1990 and gained public recognition as the head of a parliamentary anti-corruption committee between 1992 and 1994 (Wilson, 2011, p. 157) but he was otherwise relatively unknown in Belarusian politics, so his rise to power was not anticipated by many.[245] Anti-corruption as the source of his popularity also became the central issue of his electoral campaign supplemented by rather populist exclamations pledging to increase social benefits and improve the economic situation in Belarus. In the upcoming years, he established his authoritarian rule in the country, effectively putting an end to the brief period of relative liberalisation in Belarus and initiated a policy direction towards what he himself has frequently referred to as 'evolutionary development' (Belarusian Telegraph Agency, 2016), which aimed to reverse the negative trends of the early post-independence years and set Belarus back on its right course. While Western actors were reluctant to invest significant funds in Belarus in the immediate post-independence years, the country's direction of Belarus was shifted towards re-establishing closer ties with Russia (Marples, 1999, p. 32) based on a pragmatic reasoning rather than ideological efforts of the Russophile political elites.

9.3.1 Nationalism and identity politics

On the outset, nationalism and identity-politics were not the main platform for Lukashenka's election campaign in 1994. He campaigned as an independent, portraying himself as the candidate determined to eliminate corruption among the state authorities and eradicate the

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[245] According to Lucan Way (2012, pp. 637–642) Lukashenka's candidacy was not taken seriously by the other contenders for the presidency as he had had no former experience in the party or the government. Way notes how the idea of establishing the post of presidency was initially Kebich's plan to usurp power in Belarus as he thought he was most likely to win (see also Wilson 2011). It came as a surprise to many, when in 1993 Lukashenka presented the findings of the anti-corruption committee on national radio and his popularity rose from 0.3 per cent in 1993 to 42 per cent in 1994. In this sense, Way argues that Lukashenka 'hijacked' Kebich's plans to establish an authoritarian rule based on the groundwork having been put in place by Kebich himself during the run-up to the presidency.

supposed "mafia" and support for "the conspiracy of the New World Order and zionism" in Belarus (Wilson, 2011). Although he had no intention of targeting corruption, his position as the head of the parliamentary anti-corruption committee prior to the presidential elections in 1994 gave him recognition and provided credibility to his cause. With time he came to used his anti-corruption campaign promises as grounds for justifying getting rid of political opposition and banning people from running for elections based on charges of tax-avoidance (Padhol and Marples, 2005).

Yet, Lukashenka's major strategic benefit was his ability to provide people an alternative political direction alongside the two radical versions of nationalist thought competing for the dominating discourse towards Belarusian identity. Lukashenka had not previously been in power and could not be blamed for the deteriorating socio-economic conditions, which remained a major concern for the Belarusian electorate (Way, 2012, p. 642). This also gave him credibility to denounce the former political elites as corrupt and inefficient, having overseen policies associated with decline in well-being. Meanwhile, he exploited the prevalent pro-Soviet sentiments among the population and presented an alternative, less elitist version for an attitude to post-imperial Belarusian identity, one rooted primarily in pragmatic reasons for reproachment with Russia rather than ideological ones. In analysing the source of his public support in 2005, White and Korosteleva's (2005, p. 73) study concludes that "voters' support for Lukashenko is an emotional and undifferentiated one, which is buttressed by rational considerations in a situation of limited choice" and this observation applies also to his coming to power. He evoked stability by resisting both of the limited choices available to the Belarusian population – the negative elements of Belarusian past (exemplified by the corrupt elites) and the "marginalised nationalist ideology" offered by the BPF. So while nationalism per se was not the primary cause for his election, his political agenda retained nostalgia about various aspects of the country's Soviet history, which resonated well among the electorate.

Lukashenka thereby combined resentment towards the policies of economic liberalisation and insisted on the need for the government to ensure people's welfare. Reintegration with Russia was rationalised as a viable platform for this approach. In 1994 the government had announced a number of liberalising measures for the economy that included cutting the subsidies for food, housing and electricity and reducing monopolies in an attempt to meet the requirements for financial aid from the IMF (Marples, 1999, p. 35), which sparked widespread discontent and

protest among the population.[246] Upon assuming power, Lukashenka sought to reverse the liberalisation trend and instead return to building a "socially oriented market economy" that would "combine a market system with principles of social equality" (United Nations Office in the Republic of Belarus, 2010, p. 14). Ideologically, this was accompanied by a "rejuvenation" of Soviet identity (Leshchenko, 2004), intended quite pragmatically as a guarantee for Russian political and financial support while appeasing the Soviet-nostalgia prevalent among the population. The "Soviet success story" was thus transformed into a new vision for Belarus with a Soviet history and a Russia-oriented future.

The pro-Russian stance resonated among many but not all, and most importantly, due to the parliamentary representation gained by the BPF in the previous elections, it did not receive full-fledged support from the parliament. Anticipating further opposition, Lukashenka sought to remove undesired checks on his power and strengthen his dominance over the formal state institutions. Without parliamentary backing, his tactic for legally justifying his policies was attempted to gain people's popular support using the seemingly democratic procedure of a referendum in 1995 and repeatedly in 1996. (Wilson, 2011, p. 174) which would establish his authority vis-à-vis the parliament and justify expanding his rule even without the support of formal state institutions. The 1995 referendum presented people with the following questions: (1) whether they support granting Russian language an equal status alongside Belarusian; (2) whether they support changing the official state flag and symbols; (3) whether they support reintegration with Russia and (4) whether they approve of changing the constitution so as to grant the president authority to terminate the Supreme Soviet. Although the referendum was widely opposed by the parliament and the parliamentary assembly of the OSCE contested its results on the grounds of not complying with international standards, it had nevertheless managed to produce a turnout of 64.8 per cent, out of which more than 78 per cent of voters expressed consent for all questions (Wilson, 2011). By tying the pro-Russian policy orientation with aspects of language and identity, Lukashenka managed to capitalise on people's discontent about the hectic post-independence identity-politics equipping himself and his planned policies with a claim of popular support.

Strategically involving the seemingly democratic mechanism of a referendum for claiming public support was so successful that people were once again called to vote in 1996 about seven

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[246] This discontent was primarily motivated by people's socio-economic concerns, but given the existing divide between the "liberal-nationalists" and the "social-conservativists" it is easy to see how protests could be interpreted through a nationalist lens.

questions, each presented to them either as posed by the president or the parliament to illustrate the power struggle between both institutions. With a turnout of 84.1 per cent, the vast majority of voters expressed support for granting president's decrees the force of law, handing him control over budgetary matters and extending the presidential term from five to seven years. Due to the dichotomous way questions were presented, the referendum results not only significantly extended Lukashenka's power over formal institutions enabling what came to be known as the "constitutional coup", but also rejected all the proposals of by the parliament by a large margin. Claims made by the opposition that more than half of all votes had been falsified were dismissed and Lukashenka advanced changes in the recently adopted constitution that shifted the balance significantly towards extending his authority and advancing Russia-oriented policies justified by people's consent.[247]

Both referendums were retrospectively interpreted as unquestionable societal support for Lukashenka's persona as well as all his policy priorities. "Integration with Russia" became a cornerstone for the emerging authoritarian regime (Bekus, 2010, p. 108) and henceforth, significant efforts were undertaken to shift the official paradigm concerning Belarusian identity towards that of "brotherly Russia" in order to substantiate the pro-Russian policy direction with symbolic gestures. Belarusian independence day of was once again changed referencing the key historical events of the Republic as rooted in 3 July 1944 when Minsk was liberated from the Nazis by the Soviet army instead of seeking continuity with the Grand Duchy of Lithuania (Marples, 1999, 2007) or the Declaration of State Sovereignty in 1990 (Eke and Kuzio, 2010). Further measures banned the former official state symbols such as the white-red-white flag[248] and the coat of arms, replacing them with mildly altered former Soviet ones. Passports with the previous state symbols were declared void (Leshchenko, 2004) and carrying the red-white-red flag was made punishable by law (Eke and Kuzio, 2010, p. 527). Russian language acquired an official status alongside Belarusian, but the use of the latter was restricted by legal and repressive means – organisations as well as academic and cultural groups that promoted its use came to be seen as 'public enemies' and collaborators of the opposition (Wilson, 2011) echoing the characteristics of the Russification policies of the Soviet times. Belarusian was also suppressed in the realm of education – according to Eke and Kuzio (2010, p. 534), around 500 Belarusian language schools have been closed during Lukashenka's rule and Leshchenko (2004) further documents the sharp decline in books printed in the Belarusian language

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[247] Given the relatively low turnout of the referendum, the support for questions presented by Lukashenka only amounted to around half of the electorate so while support was evident, it was certainly not unequivocal.
[248] The flag had served as the official state flag in 1918, between 1943/1944 and again in 1992/1995.

accompanied by a widespread closure of Belarusian-language newspapers. All these actions together attempted to eliminate people's association with the identities not sanctioned by state authorities, presenting them as hostile to Belarusian national interest as exemplified by Lukashenka and legitimised through public support provided by the referendums.

In the place of the two competing approaches to nationalism which the Belarusian public had largely rejected, Lukashenka promulgated his own interpretation of a pro-Soviet Belarusian identity based on ideas of 'pan-Slavism'. It aimed to build a collective understanding that served as an ideological justification for his plans to advance political and economic reintegration with Russia insisting that "Slavic peoples are really not separate nations, but, in fact, regional branches of one *russkii narod* [Russian peoples]" (Eke and Kuzio, 2010, p. 529). Given the implied ideological component of Lukashenka's rule, the established centrality of the state in the socio-economic realm served as a useful tool to 'guide' public memory so as to enforce the symbolic ideational message. Educational materials were once again modified, now so as to glorify the Soviet past and to downplay crimes committed by the Soviet regime (Marples, 1999, 2007; Leshchenko, 2004, 2008). The law on education of 1991 had designated Belarusian as the official language of education (Republic of Belarus, 1991) but after Russian language gained an equal legal status in Belarus, it was swiftly promoted as the dominant language in all spheres of life (Krasnitskaya, 2014, p. 207). Without being Lukashenka's primary focus, nationalism and identity politics, as some observers have noted, were thus "exchanged" in order to gain economic benefit.[249] Concessions made paid off and resulted in a number of agreements between both states providing Lukashenka's regime substantial economic resources to consolidate his rule in the country.[250] The referendums would later come to be interpreted by Lukashenka as the "Belarusian historical choice" that provided societal approval for his overall policy direction (Marples, 1999; Wilson, 2011, pp. 182–183).[251] But as noted by Pranevičiutė-Neliupšienė and Maksimiuk (2014, p. 111), independent research polls in Belarus likewise portray a stark social support for the exchanging independence for economic benefits, in part legitimising the pro-Russian policies advanced by Lukashenka.

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[249] See Vadzim Smok in BelarusDigest "Bilingualism in Belarus: Civil Society v The State" 25 December 2012
[250] The economic and financial agreements between both states are laid out in detail by Leshchenko (2008, p. 1427), but the author notes that most substantial economic gain was provided by treaties that concerned customs payments from Russian imports, providing cheap access to Russian energy and opening Russian markets for Belarusian goods. See also Pranevičiutė-Neliupšienė *et al.* (2014).
[251] Due to the turnout in especially the 1995 referendum, gaining majority support from those who voted did not in fact add up to having acquired a majority of votes from the general electorate. There was also evidence of rigging the 1996 referendum results, but because the margin between the *for* and *against* votes was so significant, no public protests followed. See Silitski (2006); Wilson (2011).

9.3.2 Pro-Soviet and Pan-Slavic *Belarusianism* as a policy direction

The referendums were important as indicators of public support for Lukashenka, but they also legitimised his ensuing "coup" of the Belarusian constitution amending numerous formal prescriptions of checks and balances to presidential powers. Particularly the 1996 referendum was interpreted as societal consent for Lukashenka's extended authority, which involved dismissing the parliament to rid of potential opposition. Only those loyal to the president were allowed to continue their duties, while remaining posts came to be filled by appointed, non-elected members of parliament (Wilson, 2011; Bekus, 2010, p. 110). Further constitutional amendments gave him the right to appoint a half of the Constitutional Court members, rendering the recently established institution a "a sham institution" (Sadurski, 2005, pp. 7–8).[252] The president introduced a bicameral legislature instead of the former unicameral Supreme Council and was granted the right to appoint members of the Central Election Commission (Silitski, 2006; Fritz, 2007), increasing his chances of 'winning' people's votes and what had previously been an informal practice of locally elected authorities to be approved by the president, became the norm following the 1996 referendum. These actions pertaining to the "constitutional coup" placed the Belarusian formal institutions at the disposal of the president. Bekus (2010, p. 110) draws attention to how the wide powers granted to the president essentially deprived people of their right to control the government and participate in decision making in the country, while formally emulating the principle of participation. Lukashenka was granted executive and legislative authority, establishing what is referred to as the "presidential vertical" – the UN CESCR worryingly reflected on these developments in 1996, noting that "the establishment of a regime that concentrates power in the presidency at the expense of the independent role of the Parliament and the independence of the judiciary is not consistent with the political environment necessary for the exercise of human rights, including economic, social and cultural rights" (UN Economic and Social Council, 1996b, p. 3).

Ensuring financial resources were paramount for meeting these promises. His charisma as a leader exemplified by mannerisms of speech and public appearances helped to establish an emotional support for his rule (White and Korosteleva, 2005; Fritz, 2007) but was inadequate to single-handedly legitimise his increasing authority. From 1996 onwards macro-economic indicators did improve (Nuti, 2005), but so did the levels of poverty among the society. Socio-economic decline was further aggravated by the withdrawal of Western aid from Belarus

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[252] The Constitutional Court was established in 1994 and Wilson (2011, p. 180) notes how through 1994-1996 it had functioned as the main constraint on Lukashenka's power, reversing a number of presidential decrees.

following Lukashenka's emerging personalist rule (Fritz, 2007, p. 211). The EU cut ties with Belarus in 1997 (Wilson, 2011, p. 184; Lynch, 2005, p. 9), as did the foreign donors which had financially helped the country's "transition to democracy" previously (Löwenhardt, 2005) coinciding with increased poverty, unemployment and inequality levels and a weakening of civil society. So although Lukashenka's electoral campaign had pledged to increase people's living standards, these promises were not substantiated in practice consequently excluding performance-based legitimacy as a viable strategy for strengthening his rule.

Rapprochement with Russia was thus presented not only as the only practical option available for Belarusian economic development, but was also substantiated by an ideological narrative supposedly justifying the pro-Russian policies. During his first presidential term Lukashenka evoked the pro-Soviet Belarusian mentalities as a legitimising discourse for Russophile policies, which positively resonated with the Belarusian public. Throughout the 1990s, he even proposed the establishment of a "Union of Slavic Republics" – a reinvented Soviet Union of sorts that would reunite the "brotherly nations" of supposedly independent Belarus, Ukraine and Russia (Marples, 1999; Eke and Kuzio, 2010). While the Russian parliament never ratified the treaty-proposal due to economic concerns, authors have emphasised the unique and enigmatic nature of Belarus' voluntary intention to reunite with the former imperial power (Leshchenko, 2008; Marples, 1999) demonstrating that state authorities were not opposed to sacrificing their "undesired independence" and sovereignty in the name of economic needs. Whether or not Lukashenka was serious about this intention, the pro-Soviet direction rooted in pan-Slavic, instead of an explicitly *Belarusian* nationalism, provided him with an arsenal or viable arguments to rationalise events in Belarus and empower his policy-stance.

During Yeltsin's rule in particular, Lukashenka's ties with Russia were especially close and culminated in a number of treaties that benefitted the Belarusian economy demonstrating that the strong 'brotherly' rhetoric was bearing economic fruit. The pro-Soviet and pan-Slavic policy direction was therefore primarily rooted in economic concerns and Lukashenka's own ambitions to secure his power rather than a genuine desire to capture people's identities and establish legitimacy on their grounds. Economic rents provided by Russia, could in turn be distributed to the population as part of Lukashenka's authoritarian bargain (Silitski, 2006) allowing to demonstrate the benefits of this alliance to the population through very necessary improvements in people's well-being. Ideational elements thus served external rather than internal legitimacy, securing financial support from the East. Meanwhile, the former collectivist mentalities were evoked in urging people to remain resilient in the face of socio-

economic hardship emphasising hard work, endurance and patience as the underlying moral qualities of the Belarusian nation (Leshchenko, 2004).

9.3.3 Retaining a focus on socio-economic well-being

Retaining formal and practical commitment to welfare provision remnant of the communist-era was an important element of Lukashenka's legitimation strategy at least as far as the society was concerned. Context of his rise to power is a significant factor explaining the strategic priority allocated to social welfare. Unlike other candidates in the political arena, Lukashenka did not have support either from a party or individuals within the state apparatus so it was important to ensure at least some levels of popular support. In the words of (Silitski 2006, p. 12) "all he could initially rely on was his sky-high approval rating" achieved through capitalising on people's discontent with the post-independence politics exemplified by declining living standards and having entered the political scene only recently, he could be held accountable neither for the poor socio-economic conditions in Belarus nor political failures so his personal stance as a martyr against corruption appealed to many.[253]

During the first term of Lukashenka's presidency, the electorate was presented as his key selectorate although their actual ability to influence his power and policies was questionable due to the constitutional changes, widespread evidence of election rigging and violations of civil and political rights. Nevertheless, the landslide electoral victory together with the 1995 and 1996 referendums came to be used as evidence of people's all-encompassing support for Lukashenka's rule and even regardless of electoral fraud, independent research affirms that while Lukashenka's popularity was surely exaggerated, the majority of the electorate did actually support his presidency. So while his increasingly authoritarian rule was justified paradoxically as the collective will of the Belarusian people, there remained a need for Lukashenka to continue gaining acceptance from the public and key constituencies he claimed to represent.

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[253] While he was not backed by a party or political elites, Lukashenka did enjoy support from some key members of business cycles, for whom he provided positions in the state administration and companies, in exchange for financially supporting his election campaign (Wilson 2011, pp. 263–265). But he viewed a potential emergence of oligarchs undesirable so he made sure "hidden" economic and political benefits conditioned on compliance with his political agenda available only as exceptions rather than the rule to his key supporters from the business sector (Deacon 2000, p. 147). Lucan Way (2006, p. 174) also notes how serving as the head of the parliamentary anti-corruption committee Lukashenka had established close ties with key members in the KGB, who had provided Lukashenka damaging material against prime minister Kebich prior to the 1994 election to substantiate claims about "the state being robbed by the elites" (Silitski2006).

Socio-economic policy in Belarus therefore remained both, imperative for Lukashenka's legitimacy and subordinate to the president's popularity among the society so he was not fully blind to how these policies were received by the people. Firstly, in analysing Lukashenka's traditional support base among the Belarusian electorate, authors remark that it was strongest among the rural, less educated and elderly populations as well as those receiving state benefits (Wilson, 2011, p. 257; Fritz, 2007; White and Korosteleva, 2005, p. 68) whose "mindset reflected a desire for state paternalism and Soviet-style stability" (Silitski, 2005, p. 25). Alongside their ideological dispositions towards Lukashenka's style of governance, socio-economic policy was aimed foremost towards pleasing his main constituents. Experiencing sharply declining living standards, their support was only strengthened by economic and social benefits granted to them by Lukashenka's regime. People's "will", according to Lukashenka was at the time closely conditioned by socio-economic concerns and exerting political as well as social control was a justified means to achieve these ends. Therefore, aside from other, repressive measures taken by state authorities to oppress dissent and political opposition, welfare remained high on the list of state priorities even during periods of economic hardship. Announcements of upcoming referendums or elections were increasingly accompanied by presidential decrees raising pensions and ordering state enterprises to pay withheld wages in order to signal his support for the president's central constituencies (Wilson, 2011, p. 180). Lukashenka's rule thus was "rooted in some Soviet-born constraints and in the desire to avert a major downturn in the living standard of Belarusians" (Ioffe, 2004, p. 85) and the pro-Russian rhetoric provided external support and resources from Belarus' eastern neighbour for substantiating formal commitments to people's well-being with practical means to attain them. While Belarusians were certainly not leading lives in abundance and their living standards had generally decreased, Lukashenka used the momentum to blame negative trends on the brief period of liberalisation presenting himself as the saviour from the "anarchy and chaos" he claimed the post-independence years to have been.[254]

In terms of practical delivery of socio-economic goods and services, among all former states of the Soviet Union, formal welfare institutions in Belarus have transformed the least (Deacon, 2000) and the state continued to rely on the inherited welfare apparatus with its collectivist administrative structures. The private sector remained underdeveloped while the state retained its grip over the economy and the society at a time when other post-Soviet countries sought to

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[254] Lukashenka was famously quoted by the newspaper *Narodnaja Gazeta* after being elected president exclaiming that "the end of anarchy has arrived" (7 October 1994).

decentralise welfare provision. The 1996 'constitutional coup' had granted Lukashenka powers to introduce or veto legislative proposals by the government so social and economic policies in Belarus could be developed in isolation from formal and informal channels of consultation with actors whom these policies would influence (European Commission, 2009). They remained to be viewed and executed as the responsibility of the state tying positive developments with Lukashenka's own benevolence rather than a result of fair institutions.

Socio-economic infrastructure developed under the communist rule allowed Belarus to maintain a good record with regard to education, providing near universal literacy to people of all generations. With minor modifications, Belarus had likewise preserved the Soviet model for health care provision[255] and social security, which included social insurance, free medical care, health and old-age assistance, maternity, disability and unemployment benefits, as well as family allowances.[256] Prices on essential goods such as food, oil and electricity were maintained artificially low through price controls and further subsidies for specific sectors associated with subsistence needs ensured that goods and services (such as housing, utilities and public transport) are available and affordable. The Belarusian government also subsidised, a significant number of state enterprises which offered employment for a large amount of the Belarusian working population (Pranevičiutė-Neliupšienė and Maksimiuk, 2014) providing and maintaining control over various dimensions associated with ESR.

Government spending on education and health care was consistently maintained at around 11-12 per cent of GDP (Fritz, 2007) and the number of higher education facilities continued to increase. Upon acquiring independence in 1991 there had been 33 education facilities in Belarus and by the time of the second presidential elections the number had grown to 44,[257] in addition to another 16 private universities[258] (Ministry of Education, Republic of Belarus, 2001). The system of education, however, retained the Soviet prerequisite of compulsory employment upon graduation, requiring graduates, who throughout their studies had received state funding to spend two years employed in a job designated by a special committee (Krasnitskaya, 2014, p. 216) aiding state-proclaimed efforts to avoid unemployment and

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[255] As reported by the United Nations Office in the Republic of Belarus (2010, p. 22) the health care system was financed mainly through general taxation with expenses for long-term medical care deducted from the patients' pension or welfare benefits.

[256] Pensions were calculated based on the average monthly remuneration individuals had received over a chosen period of 5 years. Additional "social pensions" were available to those belonging to specific vulnerable groups that disadvantaged them to acquire employment (UN Economic and Social Council 1996a).

[257] 28 out of the 44 facilities were public universities.

[258] Shraibman (2013) remarks that private higher education institutions in Belarus mainly specialised in teaching business and management.

directing the workforce towards rural areas viewed undesirable for many job seekers. Justified by the principle of reciprocity enshrined in the constitution (Krasnitskaya, 2014), it significantly limited the freedoms of recent graduates to pursue other desired employment opportunities. The policy, a remnant of the Soviet times, underlined that education inherently carries a communal responsibility and the duty to society must be fulfilled to earn the 'right' of pursuing individual aspirations.

The socio-economic expediency of the social contract between Lukashenka and the population at the time is underlined by the results of independent polls examining people's opinions. These studies suggest that, while among Lukashenka's supporters, 71 per cent were of the opinion that the economic situation of their family had either not changed or had improved during Lukashenka's first term in office, 61 per cent of those favouring the opposition were convinced of the exact opposite (Ioffe, 2004, p. 98). The 'rules of the game' were clearly favouring Lukashenka's support base all while regime opponents were increasingly robbed of institutional channels for expressing dissent. Therefore, although often overlooked as an important element of Lukashenka's regime stability, the continued provision of an extensive social welfare system provided important mechanism for the regime to maintain the majority of public support at minimal levels enough to support the existing status quo (Pranevičiutė-Neliupšienė and Maksimiuk, 2014).

In retrospect, Lukashenka would come to coin his first term in office as "evolutionary development" concerned with putting Belarus back on the right track through slow but consistent efforts to reverse the multitude of damage brought about before his time. He later rationalised the measured pace of achieved outcomes stating that:

> "for ten years we were busy restoring what had been destroyed while other countries were moving forward, developing new enterprises, inventing new technologies, building social facilities. (..) We couldn't leave our people in distress. Our nation steadfastly and bravely overcame the difficulties and hardships on its own." (Belarusian Telegraph Agency, 2016)

This narrative implied continuity with the existing system by carrying out improvements rather than drastically changing it. But due to its *evolutionary* nature, developments were also slow and people were asked to practice the virtue of patience while waiting for the formal commitments to well-being to materialise in practice.

9.3.4 'Presidential vertical' as an element of social contract

Notwithstanding Belarus' continuity with its Soviet past, the social contract that emerged in under Lukashenka had some important qualitative differences from the arrangement of the Soviet years. At least during Lukashenka's first presidential term, ideational elements composed as aspect of Lukashenka's attempts to maintain his rule, but these were primarily directed towards external legitimacy and built as a guarantee for ensuring Russian funds while the 'authoritarian bargain' was not *per se* rooted in an explicit ideology. People's nostalgia for the Soviet past (Haiduk *et al.*, 2009) was essentially addressed through distributing governmental funds to the areas of main concern to his key constituents (Pranevičiutė-Neliupšienė and Maksimiuk, 2014). In this sense, the state did invest resources to buy people's loyalty (Silitski, 2005), but their compliance was also fed by Lukashenka's own charisma and shared expectations that public investment may eventually result in an increased socio-economic well-being. So a significant departure from the Soviet regime was presented by amending the social contract between the state and the society so as to revolve it primarily around the institution of the president and his persona.

After the constitutional changes that followed the 1996 referendum Lukashenka gradually monopolised political power, assuming a role in decision-making, execution of policy and personally taking credit for successful outcomes achieved (Bekus, 2010, p. 107). He had gained the power to claim credit through legally acquiring authority to appoint and dismiss members of the government, the prime minister, pass laws and veto legislative proposals. Social and economic policy was likewise subject to the emerging 'presidential vertical' – with political opposition, trade unions and civil society outlawed or heavily repressed alongside public protests in support of the opposition (Cook, 2007; Fritz, 2007; Silitski, 2006), there was little space for negotiating policy with actors outside of the formal state apparatus. Lukashenka could determine Belarus' socio-economic direction and instruct state administration to follow the direction as refusing to do so could come at the expense of their own peril (Fritz, 2007, p. 233) and according to Linda Cook (2007), the regime's refusal to reform the welfare system in the face of rapidly growing levels of poverty throughout the 1990s is illustrative of Lukashenka's authority. In short, as articulated by Bekus, Lukashenka was transforming the political system so as to create an "illusion in a major part of society that, as a political figure, he is identical to power as a political institution" (Bekus, 2010, p. 106). Over the years, Lukashenka did not

hesitate to assert that "he is the only politician in the country"[259] and consequently, the 'state' came to be increasingly equated with Lukashenka's persona also in the eyes of the general population as the 'presidential vertical' implied that all relevant decisions are made by him, approved by him or ordered to be executed by him. For the prospects of the Belarusian political system, channelling all relevant decisions through the 'presidential vertical' implied a direction away from a constitutional republic towards increasing authoritarianism, worrying especially because in an interview given to the German newspaper *Handelsblatt* in 1995 Lukashenka had alarmingly referred to German history under the Nazi regime as "perfectly in line with our understanding of a presidential republic and the role of its president" reflecting his vision and ambitions for political authority.[260]

Some authors also remark that Lukashenka's consolidation of his personalist rule also produced some desirable consequences for the general public. First, by avoiding widespread privatisation of state enterprises, the rise of entrepreneurial elites was reduced, hindering the emergence of an oligarchical elite. This was mainly rooted in Lukashenka's fear that providing power to groups with economic interests and possibly political ambitions would endanger his personal power as their potential antagonism towards the status quo could result in calls for a more pluralistic landscape for conducting their business (Fritz, 2007, p. 217). Second, inadvertently, Lukashenka's strive to cement his personal rule also diminished incentives for widespread corruption and tax evasion, which was at the time common among other former communist states undergoing liberal reforms. In part because of the increasingly repressive strategies of Lukashenka's rule, the government managed to show the ability to "formulate and implement its chosen policies" (Cook, 2007, p. 227) resulting, paradoxically, in Belarus portraying impressive outcomes related to governance indicators and indicating higher levels of people's trust in institutions than demonstrated in other states in the region (Fritz, 2007, p. 220). Given that state institutions were under a close oversight of the president, this statistic lent credibility to Lukashenka's own success.

Inescapably, Lukashenka's socio-economic focus aided efforts to fortify his personal authority because, especially in light of the declining living standards, his key support base depended on state welfare benefits. Prevalent discourse continuously emphasised that "the main thing is not

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[259] See also Nikoliuk Siarhey "Whose Pipe does the "young sovereign state" dance to" in BelarusInfo Letter, Eastern European Studies Centre http://www.eesc.lt/uploads/news/id321/Bell%205%20(26)%20(2011).pdf

[260] The interview was transmitted on the radio in Belarus and has been referenced in a number of sources although the president's office later accused the journalist of distorting his remarks. See Open Society Archives http://osaarchivum.org/updates/2006/highlights/03/ and http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=9231#.V6HuK7h9600

to ruin people's lives", claiming that achieving this end necessitated retaining state control over not just the country's economy but also society as enacted by the 'presidential vertical'. In practice too, the regime demonstrated that their priority lies in retaining people's jobs and securing their incomes even at times of economic downturn providing people a sense of security through the regime's unwillingness to retreat from their welfare promises (Pranevičiutė-Neliupšienė and Maksimiuk, 2014, p. 113; Haiduk *et al.*, 2009, p. 28). Thus, throughout his first presidential term, as socio-economic conditions were declining and levels of poverty rose, in comparison with other countries among the Commonwealth of Independent States (CIS), socio-economic outcomes in Belarus were more favourable than those in many other former Soviet republics (Ioffe, 2004, pp. 91–92). Comparisons with other states were frequently invoked to justify Lukashenka's outlier policies, while poverty levels in these countries were presented as the inevitable consequence of liberalisation, which Lukashenka had averted guided in his pursuit of the Belarusian national interest and the collective good.

Towards the end of Lukashenka's first term, he had managed to maintain a strong enough support base for his coercive approach towards for governance from the political elites as well as the population to ensure and even guarantee his re-election. Although the election results were poorly reported and people's political choices were admittedly limited, Lukashenka did enjoy public approval. Through enacting the 'presidential vertical', he had also eliminated threats that formal institutions could pose on his power, rendering the parliament and the Constitutional court ineffective, and had showed his willingness to repress opposition coming from political, economic or civil society sectors, if necessary by force. The ideological justification of his rule at the time capitalised on the existing post-Soviet nostalgia within the society, legitimising policies aimed at reintegration with Russia rooted in pan-Slavic mentalities without yet comprising a full-fledged ideology. While decisions were undoubtedly made in an authoritarian manner, his election, together with the two referendums in 1995 and 1996, were used to justify his actions through 'democratic procedures' and present them as the collective choice of Belarusian people.

9.4 Shifting focus towards an official ideology from 2001

As the constitutional changes enabled by the 1996 referendum had approved extending the presidential term to seven years in office instead of the constitutionally prescribed five, Lukashenka faced re-election only in 2001. This time, however, it was accompanied with an already institutionalised repressive state apparatus that ensured silencing of the opposition, blocking civic activism and taking charge of the electoral commission (Padhol and Marples,

2005), alone enough to warranty his victory. Retaining his presidential post had in a way been the ultimate prerogative interweaving all policies advanced during his first term in office and the chosen strategies bore success. With a turnout of 83.9 per cent Lukashenka received 75.5 per cent of the vote sweeping electoral victory (Wilson, 2011, p. 198). Observers and independent polls suggest that due to his popularity and a lack of credible opposition candidates, Lukashenka would have won a free and fair election as well (Ioffe, 2004, p. 98), but there was nevertheless evidence of falsifying voting results in an effort to pre-emptively ensure a favourable result for himself (Silitski, 2006).

Two turns of events that followed Lukashenka's re-election were of particular significance for the future of Belarusian socio-economic development. First was the worsening of ties between Belarus and Russia. Throughout the 1990s, both countries had established a close economic and political cooperation substantiated also with an ideological dimension placing emphasis of pro-Sovietism and pan-Slavism, with the implication that the border separating both "brotherly nations" was somewhat arbitrary and expedient for the purpose of maintaining economic reciprocity. These ties became increasingly strained after Vladimir Putin's rise to power in Russia.[261] The situation escalated in 2002, when Putin suggested that Belarus should be incorporated in the Russian Federation in exchange for the continued provision of economic support (Silitski, 2006; Wilson, 2011). This rhetoric contrasted Russia's former support for the Union State idea, putting Lukashenka in a precarious position as, on the one hand, these statements undermined Belarusian sovereignty as well as his personal authority, while on the other hand economic assistance from Russia had been imperative for establishing and maintaining his rule enabling the welfare aspect for his 'authoritarian bargain' through providing benefits to the population.

Importantly, with financial help from Russia in the form of trade deals, subsidies on energy imports and customs unions carried out "under the cover of a 'Union State'" (Wilson, 2011, p. 238), the Belarussian economy had started to recover already in 1996 (see Figure 9-1) (European Commission, 2009); but this growth was, however, not substantiated by marked improvements in people's lives (see Figure 9-2). According to estimates of the World Bank,

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[261] Authors mention several reasons for why the relationship between both states worsened. They note that Putin had individual antipathy for Lukashenka and Belarusian policies of the 1990s that were accommodating to Russian oligarchs associated with Yeltsin. Meanwhile Lukashenka had also promised to open Belarusian economy to Russian capital in exchange of attaining Russian funding for his 2001 electoral campaign, which he never realised. See Wilson (2011, p. 186); Rontoyanni (2005).

poverty rates in the Republic of Belarus reached 49.1 per cent in 2000, leading also to a significant plunge in Lukashenka's popularity (Silitski, 2005).
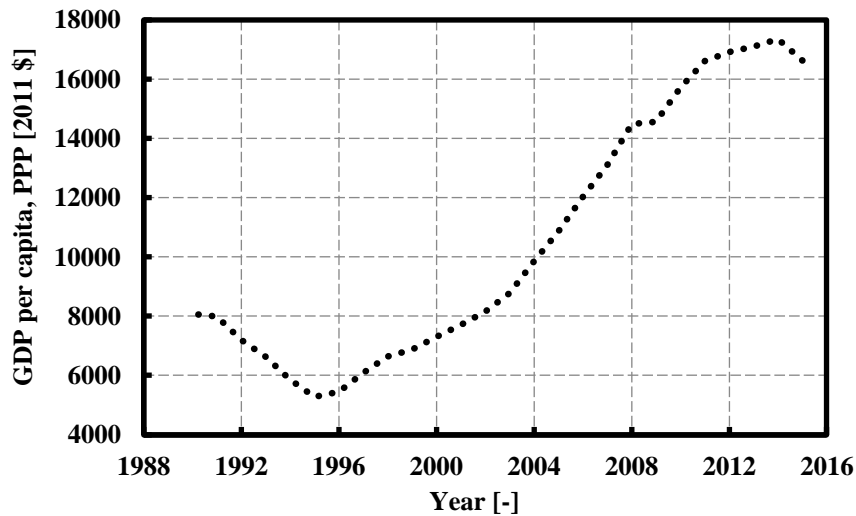

Figure 9-1 *Development of per capita GDP in Belarus, 1990-2015.*
Source: World Bank
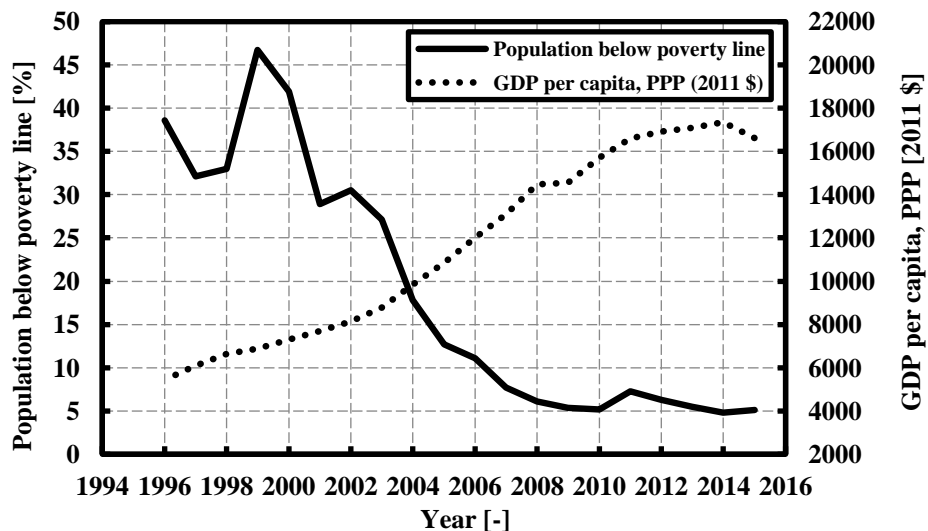
Figure 9-2 *Per capita GDP in Belarus and incidence of poverty, 1996-2015.*
Source: UN Statistics Division (http://data.un.org)

As part of his re-electoral campaign, Lukashenka had ordered the government to raise the average wage (Fritz, 2007, p. 229), but this was inadequate to substitute for people's individual losses due to inflation (UNICEF, 2002) making many unable to meet their subsistence requirements. In light of these trends, people questioned whether Lukashenka's rule was actually living up to its promises of improving socio-economic well-being endangering also his acclaimed widespread legitimacy among the Belarusian public.

These developments presented a critical juncture causing Lukashenka to reconsider the longevity of unquestionable support from Russia for satisfying his domestic ambitions, his eastward policy-orientation as well as his own legitimation strategy including his approach to questions of national identity. He responded to these challenges by setting out to articulate a new take on Belarusian identity, supplementing his rule with an institutionalised ideological element, which in narrative contrasted the policy directions advanced throughout his first presidential term. Focused less on governing Belarus and more on devising ways to maintain his rule after the end of his constitutionally prescribed term in office in 2006, Lukashenka was, according to Silitski (2005) carrying out a pre-emptive electoral campaign – his choice to supplement the socio-economic focus with ideological elements, should likewise be viewed in light of these ambitions, which eventually resulted in another referendum in 2004 providing popular support for Lukashenka's plea to run for the presidential office for yet another term.

9.4.1 Articulating and institutionalising a national ideology

Upon Lukashenka's election in 1994, his pro-Russian stance had been undeniable, but was never officially laid out in terms of constituting a national ideology (Smok, 2013, p. 10). His popularity was acquired on an anti-corruption platform and criticism towards the existing government elites, which were concerns reciprocated by the society. Although he had previously expressed remorse over the dissolution of the USSR, his "pro-Russian" stance was rather reactionary to the struggle between the two more radical versions of nationalist thought and means to ensure Russian economic support.[262] When relations with Russia declined along with Lukashenka's popularity among the population, these concerns were mirrored not through enacting changes in the increasingly authoritarian formal state institutions, but rather the official discourse, which underwent evident alterations (White and Feklyunina, 2014).

Retreating to an emphasis on Belarusian nationalism was not an option, as he had denounced it in the previous years as a hostile ideology and such a path would empower political opposition, not Lukashenka himself. Likewise, due to the worsening of ties with Belarus' eastern neighbour, it was no longer possible to rely on the discourse that stressed the "brotherly" nature of Belarusian and Russian nations. Consequently, significant work was undertaken to articulate a new national ideology that would, on the one hand provide justification for Lukashenka's policies, while on the other hand, establish a coherent narrative

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[262] At the same time, several authors have remarked that prior to the election Lukashenka had written some articles pointing to already preferring an authoritarian rule in Belarus. See for example Lukashenka (1991) "Dictatorship: A Belarusian Variant?".

that could be institutionalised in order to regain legitimacy. A version of *Belarusianness* was being developed that would supplement the Russophile elements already in place with monopolising the discourse of a national identity while distancing these questions from the hands of the opposition. The answer was found in what Leshchenko (2008) has termed 'egalitarian nationalism' – an ideology that combined the Soviet Belarusian patriotism pursued during Lukashenka's first term in office (Silitski, 2006) with egalitarian elements, which emphasised the belonging to the nation based on a shared identity rather than an ethnicity. The state's vision for nationalist ideas was distance from their former pan-Slavic roots and Russia by now insisting that the purpose of the Belarusian state is to accommodate multicultural traditions for the flourishment of Belarusian, Russian and Polish peoples united under a shared civic Belarusian identity .

The 'national ideology' that emerged did not necessarily account to a coherent set of ideas; it can better be described as providing broad themes, which enabled state ideologists to conclude a number of wide and often even conflicting ideas about the essence of desired informal institutions in Belarus and the subsequent policy response. Nevertheless, the new national ideology was "officially introduced" in March 2003 during a seminar for government officials where it was presented as the regime's efforts to safeguard Belarus from internal and external threats (Silitski, 2005, p. 33). Two presidential decrees were further issued to elaborate on the structure of ideological subdivisions in conducting ideological work and training "state ideologists" (Republic of Belarus, 2003b, 2004b) outlining the government's plan and methodological guidelines for formally institutionalising the desired Belarusian identity.

The first significant attempt to present the new ideology to wider public took place during Lukashenka's lecture delivered in the Belarusian State University in 2003 titled "Historical Choice of Belarus" (Lukashenka, 2003) and outlines several of the ideology's underlying themes. First, in stark contrast to Lukashenka's former policies, the ideology was modelled around the idea of national sovereignty, aligning these ideas with the increasingly popular sentiments in favour of Belarusian independence (Silitski, 2005), while also establishing a distance between increasingly unpredictable relations with Russia. By taking on the idea of sovereignty was aimed to signal domestic and international actors that even with Russia removed from the equation he still has every intent to retain his own rule in an independent Belarus. The lecture criticised some aspects of Russian policy, including privatisation, the power awarded to oligarchs and even condemned Putin's personal affluence. Lukashenka's rule, in contrast, was presented as the "historical choice" of the Belarusian people towards a

"socially oriented economy" in the face of such grim alternatives as "selling away the country", "giving away power to corruption and criminal activity", "parliamentary anarchy" and "succumbing to nationalist pressures". He claimed that Belarus chose:

> "its own path to development and retains the right to do so. We have built a socially just democratic government, based not on a foreign-type project but on the historical traditions and the will of our people. (..) Belarusian nation between two variants chose and supported the government, which chose social justice, defence of workers' rights and equality as the most important principles (..) Belarus made their choice independently in the most democratic way – by showing support to the political program of one out of six presidential candidates, giving the answer to most substantial questions during the all-state referendums in 1995 and 1996." (Lukashenka, 2003)

The "historical choice", according to the president, included various "unique" elements of a political and economic nature separating Belarus from other post-Soviet states, but it was his own persona that essentially embodied the vision legitimised by the population. The shift from the idea of a Union State was a significant, but necessary departure from the years before, when both nations were presented as two sides of the same coin, given the change of direction pursued by Russian authorities. The new ideology with its vehement embrace of Belarusian independence, tried to establish Belarus as an equal player in the relations between Russia and the West alike without completely annihilating ties with either.

Another element of the ideology concerned attempts to rewrite the history of Belarus so as to guide collective memory away from rationales pursued by the opposition. During the lecture, Lukashenka referred to centuries-old history of the Belarusian nation, claiming that Belarus was in the heart of Europe and comprised the "most genuine" of all *Rus* nations. Years under Soviet rule were still glorified, but the role of Belarusians in the positive achievements of the Soviet times were prominently elevated. Lukashenka argued that "it was the BSSR that fulfilled the governmental, political and cultural role in uniting the Belarusian nation" (Lukashenka, 2003) and the victory of defeating fascist forces in World War Two was presented as unimaginable without the participation of Belarus. Elements of Soviet nostalgia were thus used to elevate the idea of sovereignty, rather than accentuate an undesired independence.

Finally, he urged to consolidate all "healthy powers of the society" for preserving the claimed achievements of the post-independence years by initiating "regime patriotism" (Silitski, 2006) in the form of patriotic and moral education for the population. He argued that the nation needed to understand their history, take pride in the achievements of the country and embrace

the values this history implied. Unavoidably, this interpretation of Belarusian history linked national survival with the "historical choice" of Lukashenka to rule the country, embedding his presidency within the collective "memory" and national success. Meanwhile, Lukashenka would increasingly present himself as the 'ruler of the people', 'father of the nation' or '*batka*' (Wilson, 2011, p. 257), which literally means "big brother", but is a colloquial term used for a close friend. Inducing an analogy with a family and friendship, the implication extended mutual reciprocity to the whole Belarusian society and symbolically assured that Lukashenka's actions would serve the interest of the Belarusian people. According to Ioffe (2004, p. 105), the reference and rhetoric was modelled on the family unit of rural villages, making use of the prevalent "peasant archetypes" still embedded in the memory of his main constituents. At the same time, it also echoed the main appeal people felt towards Lukashenka's personal charisma – they appreciated the colloquial way he addressed politics coming across as a member of the ordinary society rather than the elite.

The ideology was 'egalitarian' in the sense that it did not postulate ethnic origin as a point of affiliation to the Belarusian community but approached citizenship as the political "membership in the nation on the basis of shared values, rather than shared blood" (Leshchenko, 2008, p. 1420). It sought to unite the society under a collective support for Lukashenka's rule and the values now officially laid out by the national ideology. Such egalitarian sentiments were well received by the society – a poll conducted by the Independent Institute of Socio-economic and Political Studies (IISEPS) in 2005 reflected support of the view that "Belarus is a common home for people of different nationalities. All citizens of Belarus should enjoy equal rights and none of them should be given any advantages". In the upcoming years, Lukashenka continued to justify policy based on this reasoning and emphasised the ideological and pragmatic reasons behind egalitarianism:

> "Many in Belarus are intermarried and are interrelated with the Russians, Poles, Jews, and other ethnicities. We never paid any attention to this and never will. We are under-populated. We need to have at least 20 million people. Why will we pursue a frenzied nationalistic policy? To drive away people who were born here or whose parents were born here? This is nonsense of the highest order!" (Lukashenka, 2015)

By retreating from pan-Slavism and advocating for a multicultural *Belarusianness*, the new ideology attempted to foster national unity, albeit one different from that presented by the opposition or one suggesting unequivocal unity with Russia. As Lukashenka was articulated as the ultimate embodiment of Belarusian national interest, allegiance to the president became a

crucial component of this doctrine. Opposition, on the other hand, was defined as outside the scope of "permissible nationalism" and continued to be 'demonised' as hostile to the national interest (Silitski, 2006). At the same time, the ideology seemed acceptable to the constituencies most loyal to Lukashenka – having experienced the rise of Belarus under the USSR, they shared a Soviet-nostalgia echoed in the ideological narrative and sought to preserve the 'collectivist' values of the past (Wilson, 2011; Eke and Kuzio, 2010, p. 535).

Given the pragmatic need to address the plunge in Lukashenka's popularity, commitment to socio-economic well-being remained deeply entrenched among the regime's priorities. Paradoxically it was Lukashenka's key constituencies that had socio-economically benefited the least from his rule. His electorate was reported to be "more likely to perceive their personal income as sufficient for food purchase only or not sufficient at all" (White and Korosteleva, 2005, p. 68) and relied almost exclusively on state welfare for meeting their subsistence needs (Haiduk *et al.*, 2009). For these constituencies not only did Lukashenka's rhetoric of stability, his references to the gilded Soviet past and the threatening image of liberalisation policies resonate particularly well, but they were also in dire need to improve their socio-economic standing which almost exclusively depended on the state's generosity.

In contrast to previous years, when the welfare state had provided means to buy off people's loyalty in a way that paid homage to the Soviet rule, the national ideology re-packaged these policies in an ideological light. Lukashenka's proposal for the Belarusian socio-economic model, he argued:

> "offers a social orientation, multi-structural economy with a market and rights-oriented functional government and a fair division of property with active government regulatory role of the process of transforming the society. Of course, it is nothing static, especially in these times, this model with develop and improve. You, honorary friends, must develop and improve it." (Lukashenka, 2003)

Achieving socio-economic development and positively transforming the society implied giving wide regulatory powers to the state to advance "fair" policies. Certainly, the fairness of the system was also subject to the valuational, egalitarian and ideological elements that determined whether or not policies serve the good of the society. Hence the notion of a "socially oriented market economy" became an intrinsic feature of Belarusian socio-economic development, an arena for institutionalising the value-orientation of the national ideology that has since guided Belarusian policy and conditioned interpretations of success by state-sanctioned informal institutions.

For one, it provided ideological legitimacy to the otherwise limited scope of the state welfare system, which was geared towards meeting people's basic needs rather than ensuring high living standards. The focus for a socially oriented market economy prioritised equality over prosperity as a guiding rationale for fairness and the regime continued to emphasise that "[t]he objective of the Belarusian legislative framework is to prevent the living standard of the population, primarily less protected categories (retirement pensioners, invalids, families with children and single parent families) from being decreased, to upgrade effectiveness of social programs and to efficiently use funds appropriated by the state for the population protection" (Republic of Belarus, 2006). And, while theoretically, distributing resources with an attention to the most vulnerable groups echoes human rights concerns, in practice it often implied a selective focus on *those* groups defined vulnerable by the government, even if it meant keeping Belarusians "equally poor" (Pranevičiutė-Neliupšienė and Maksimiuk, 2014, p. 113) or leaving others in need for state support (such as the homeless or sexual minorities) outside the scope of state protection. According to the government, "the objective of social policy (..) is to guarantee a sustainable growth in the standards and quality of living of the people and poverty reduction" (Republic of Belarus, 2006) echoing concerns for Lukashenka's main constituents.

With a monopoly over defining the vulnerable groups, social policy remained to serve as a vessel for appeasing the president's support base with the aim of retaining power. Sectors of the society which were not among the key constituencies and, hence, were not enjoying the fruits of the socio-economic governmental prerogative, were urged by the emerging ideology to become more hardworking and resilient in the name of the collective good (Leshchenko, 2004, 2008). Thus the ideational aspects of the national ideology equally implied a vision for expected behaviour in relation to informal institutions that were to guide individual and collective development. People were urged to increase their willingness to work "for the good of the society, the collective, and other people" (Silitski, 2005, p. 33) and striving to increase one's own individual well-being was perceived as 'egocentric' and incompatible with the national ideology (Republic of Belarus, 2004a). The National Strategy of Socio-economic development later explicitly formulated "collectivism, mutual aid and social justice" as the overarching aims of socio-economic policy, while stating that the national ideology "excludes such components as egoism, exploitation of others' labour and inequality" (Republic of Belarus, 2004a, p. 13). Such individualistic behaviour was not only frowned upon, but could also be penalised by losing access to welfare benefits, liberties or even experiencing repression (Pranevičiutė-Neliupšienė and Maksimiuk, 2014, p. 115), likely resulting "in a serious

deterioration of personal living conditions" (Haiduk *et al.*, 2009, p. 6). Without alternative points of access to welfare support, other groups had no option but to subject themselves to the 'rules of the game' defined by authorities.

From 2003 onwards, official administrative and bureaucratic efforts were undertaken to institutionalise the new ideology within all levels of society and by 2005 state reports indicated that "opinions within society with regard to ideological work are beginning to change. The word "ideology" no longer recalls negative associations, but is perceived as a constitutive element of the government politics" (Knazev and Parechina, 2005). The government did not shy away from recognising the value and aims of the established ideology, but took pride in these achievements as aiding efforts to build a fair society. Reports stated that "[e]ffective ideological work is necessary in order to form a clear understanding among the citizenry with regard to the aims of socio-economic politics carried out by the leadership of the Republic, an understanding of common tasks of building a contemporary government" (Knazev and Parechina, 2005). The ideology was justified in the official narrative as the government's attempt to "fight with the manipulation of collective opinions, seeking to impose a foreign ideology and morals" (Knazev and Parechina, 2005), while presenting its own version of the national interest. Consequently, the success of social policy likewise came to be measured not by the outcomes attained, but the achievement of the exact moral components that it aimed to advance. The government emphasised that due to the model of a socially oriented market economy and in contrast to many other transitional economies, "Belarus has managed to avoid substantial negative processes in the social sphere related to unemployment, drastic stratification of the population by income level, lower accessibility to health services, education and etc. while reforming the economy" (Republic of Belarus, 2006).

9.4.2   Coercive alteration of informal institutions through the welfare system

During Lukashenka's first presidential term repressive measures were mainly targeted towards political opposition, largely sparing general public (Hill, 2005, p. 9; Silitski, 2005). The critical juncture discussed above rapidly boosted Lukashenka's personal ambitions for the country, initiating a transition from a 'soft' autocracy to a 'hard' one (Silitski, 2005) and supplementing the social contract between the president and the Belarusian population with coercive ideological undertones. Welfare system, which was largely under government control, provided a useful tool to help align people's personal beliefs and values with the official regime ideology and since the administrative system was built on the interdependence of state and

society, today ideology is an inherent part of the Belarusian welfare state that sustains the social contract (Pranevičiutė-Neliupšienė and Maksimiuk, 2014, p. 115) and aids the resilience of the regime.

This shift was partly supported by the population because of the economic growth experienced in Belarus following Lukashenka's re-election in 2001. A number of measures taken by the regime positively affected people's well-being, including the raising of administrative wages in line with Lukashenka's election campaign commitments. Several public infrastructure projects were also carried out to provide a visible reflection of an upward development trend, including the construction of a national library, sports arenas and shopping malls. By increasing people's wages (between 2003 and 2006 wages increased nearly twofold (European Commission, 2009, p. 8)) and gradually decreasing the portion of people living in poverty (the poverty rate was reduced to 6.1 per cent by 2008 (United Nations Office in the Republic of Belarus, 2010, p. 15)), Lukashenka strengthened support among the segments of the population whose lives were improved by these developments. According to Wilson's estimates people's wages increased nearly five-fold between 1996 and 2010 (Wilson, 2011, p. 257). In fact, Haiduk *et al.* (2006) remark a pattern, where employment and other socio-economic indicators frequently improved together with important political events such as the referendums in 1996 and 2004, as well as the presidential elections in 2001 and 2006. For example, in 2004 the minimum wage, which had previously been set below the official subsistence levels, was equated to the subsistence minimum (European Commission, 2009, p. 15), lifting a portion of the working population out of poverty. Pensions, too, had been rising steadily to appease Lukashenka's constituents – as every fourth person in Belarus is a pensioner (European Commission, 2009, p. 62), a focus on this societal group continuously provided a considerable stock of popular support. But these developments have become contingent on important political events (Haiduk *et al.*, 2009, p. 9; Haiduk *et al.*, 2006) showing the regime's willingness and strategy to use welfare in exchange for political gain. A similar approach was also employed prior to the 2015 presidential elections, when a presidential decree declared a moratorium on increasing taxes and instructed the government and the National Bank to deliver a plan against rising inflation (Lukashenka, 2015).

Lukashenka's second term in office resulted not only in an introduction of a national ideology that exposed the coercive side of the 'social state', but also in gradual improvements of socio-economic performance with regard to poverty reduction. The number of people living under the officially determined poverty rate was reduced from 46.7 per cent in 1999 to 5.4 per cent a

decade later (United Nations Office in the Republic of Belarus, 2010, p. 15). Keeping in line with regime ideology, the GINI Index, calculated by the World Bank, continuously placed Belarus among the most equal states in the world,[263] suggesting an egalitarian redistribution of resources. [264] Chubrik and Haiduk's (2007) study on the economic status of households likewise finds that economic growth was evenly distributed among different income groups. While the system of social services disproportionally targeted societal groups defined as vulnerable by the government, other benefits such as municipal services were available at low prices to the overall society. Electricity, water, heating and gas were heavily subsidised by the state and, consequently, expenses for housing and utilities only accounted for around 5 per cent of household expenditure in 2014 (Republic of Belarus). Additionally, people were provided low-interest loans for housing construction and social housing facilities were made accessible for the poor populations (European Commission, 2009).

Unsurprisingly, these efforts were enhanced by positive coverage in the media (Silitski, 2005). The state-controlled propaganda apparatus continuously emphasised Belarusian socio-economic developments and praised its macroeconomic achievements, contrasting Belarus to the liberalisation policies of its neighbouring states and the former members of the USSR. Negative elements of the regime were downplayed so the press could hardly be said to provide an objective picture for the state of Belarusian economy and standards of living. Belarus, by making the historical choice to follow a different path was presented as "an island of peace, calm and order" (Lukashenka, 2015) as opposed to the 'chaos' and 'anarchy' present in other countries.

The social welfare system aided Lukashenka's efforts to secure the support of many, but not all. It was particularly the younger generations that did not feel the benefits of the 'social state' so lowest levels of support to the status quo were exhibited among students and the urban population. At the time, these groups comprised the majority of the total population and the portion continued to increase steadily while the regime's actions, policies, rhetoric and ideology demonstrated its commitment to Lukashenka's core constituents. Therefore, the younger sections of the society and the employed working class who benefited the least,

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[263] See World Bank, Development Research Group http://iresearch.worldbank.org/PovcalNet/index.htm
[264] The Human Development Report (2015) reveals a GNI increase by 105,6 % since 1990 and these improvements have been mirrored in a rise in life expectancy as well as mean and expected years of schooling. Currently, the scores for Belarus place it above the average for both, countries in the high human development category as well as other states in the Europe and Central Asia region. The European Commission (2009, p. 54) concluded that the main reasons for high levels of equality (comparable to countries such as Sweden and Austria) are explained by the wage and pension policies as well as social benefits provided to the poor.

became the core target groups for the coercive elements introduced by Lukashenka's shift to a more aggressive authoritarianism. Moral and patriotic education, that was to complement the new official ideology, was hence a crucial element for Lukashenka's effort to consolidate his future rule among these segments of the population.

9.4.2.1 *Introducing moral and patriotic education*

The state-controlled system of public education presented a useful tool for spreading the ideological message to the population. A policy document titled "On Ideological Guidance of Educational Work" was accepted by the government in 2003, calling for the implementation of a variety of prescribed mechanisms that would emphasise the distinct culture and history of Belarus. Lukashenka's view was that "[a]ll over the world the system of education shapes not only specialists, but also citizens with certain moral values", insisting that Belarusian education should strive to ensure that citizens are able and willing to struggle not only for the sake of their own individual well-being but also for the sake of society and feel pride for their homeland (Knazev and Parechina, 2005). Alongside promoting certain behavioural aspects supposedly pertaining to Belarusian identity, the policy was also accompanied by emphasis on regime objectives targeting people's values, beliefs and their overall assessment of the authorities. These sought to impart people support for "the aims set forth by government" and develop such "qualities" as "patriotism, collectivism and love for work" (Ministry of Education, Republic of Belarus, 2003).

In 2002 the Law on Education of 1991 was amended to increase the president's role in governing the content of education as well as granting him authority to oversee the institutions responsible for the domain (Krasnitskaya, 2014, p. 210). Some of the changes introduced were to provide compulsory courses in Ideology of the Belarusian State, combined with moral education focused on the nurturing of morally rich citizenry (Sidorovitch, 2005, p. 485). The latter was to be carried out with the assistance of the Orthodox Church; hence, legislation was amended to reflect the exemplary role of this religious denomination within the system of Belarusian values. Critics emphasised that the "Law on Religion", introduced in 2002, violated religious freedom, while the regime urged educational institutions to pursue "the potential of orthodox traditions and values in moral, spiritual and patriotic upbringing of Belarusian children and youth" (Republic of Belarus, 2003a). The notion of national development was thus not focused only on the economy and improving socio-economic indicators, but now also implied a strong moral component by which to measure national success.

Aside from the content of moral and patriotic education, new regulations were introduced that limited the opportunities of students and teachers to travel abroad (Silitski, 2006, 2005) and sought to eliminate "Western" influence on Belarusian campuses. Students who wished to travel abroad for study or research were required to receive authorisation from the government, and the content of their research was now vetted for its compliance with the official ideology. Failure to comply with regulations could result in suspension, expulsion or even revoking of certificates of education – a move particularly targeted at teachers and educators as it influenced their future prospects of attaining employment. The guiding assumption behind these activities was that education was heavily subsidised by the regime and its role therefore was to educate state servants, even at the expense of curtailing academic freedoms. The European Humanities University – a private university for liberal arts founded in Minsk in 1992 was expelled from Belarus because of their "unorthodox approach to education" and levels of academic freedom provided. It continued to operate as "the university in exile" in Vilnius (Krasnitskaya, 2014, pp. 208–209).

The issue of language remained a prominent socio-political concern for the regime. Belarusian language continued to be heavily targeted under Lukashenka's rule and it has experienced a steady decline not only as preferred language of communication but also as that of people's education. Smok (2013) notes that, during the 1990s, 1/3 of all pupils acquired education in Belarusian, while in 2013 the number had reduced to 1/5 due to the decreasing availability of schools providing education in Belarusian language. So although the constitution prescribes an equal status to Belarusian and Russian languages, de facto this is clearly not the case. The possibility to acquire higher education in Belarusian has become negligent, as none of the Belarusian universities use it as the primary language of education outside from departments of history and philology (Smok, 2013).[265]

9.4.2.2 *Promoting 'collectivist values' trough employment*

People's right to work likewise came to be severely restricted by the regime's attempts to employ the welfare system coercively as means for ensuring loyalty. As Belarus had avoided widespread privatisation and the state retained control over most enterprises, the public sector provided employment to the vast majority of the Belarusian population, who were consequently dependent on the state for ensuring income and livelihood. While this allowed the regime to ensure low levels of unemployment, pervasive centralised influence in the sector ensured an

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[265] Some attribute the declining role of Belarusian language to Lukashenka's own inability to speak fluent Belarusian.

additional mechanism through which the state could socially control the population (FIDH, 2013).

A system of fixed-term employment was introduced in 1999 replacing the former open-ended labour contracts with a one-year contract determining future employment as pending on the extension of labour relations between the employer and the employee. This allowed the regime to effectively control and silence public sector employees as unwarranted individual activity could now potentially carry dire repercussions for one's well-being. Participation in protests and activities organised by political opposition could result in a termination of employment after the expiration of the one-year contract, unemployment and a subsequent removal of people's opportunities to acquire a job in the public sector in the future. The policy significantly increased people's costs for disobedience making workers "entirely dependent on the state, whose organs are not obliged any more to justify the non-renewal of the contract, to give advance notification or to provide redundancy payments" (Belavusau, 2010, p. 151). In 2009 all public sector employees and around 90 per cent of workers outside the public sector were employed by fixed-term contracts (European Commission, 2009, p. 17). With limited job opportunities outside the public sector or possibilities to claim their rights, it is evident how this policy could have influenced people's 'voluntary' subordination to the coercive state institutions and compliance with the regime. The Concluding Observations of the UN's Economic and Social Council likewise remarked that "such employment contracts create job insecurity among workers, exposing them to uncertainty about their work-related incomes and to the threat of arbitrary non-renewal of their contracts with a serious negative impact on the enjoyment of all their labour rights" (UN Economic and Social Council, 2013).

These coercive measures came on top of the already existing requirements tying free education to compulsory employment designated by the government, which required graduates to undertake state-prescribed jobs for several years. This policy has been criticised as a form of forced labour because rejecting these jobs could result in a legal obligation to cover the full costs of one's education (Krasnitskaya, 2014, p. 217; European Commission, 2009, p. 18; FIDH, 2013). Lukashenka affirmed his commitment to these measures stating that "[a]s unpopular as this may sound, there will be assignment. If you don't want to be distributed, pay your money and study at your own expense, and may the Lord guide you on your way" (FIDH, 2013, p. 68). Evidently, free higher education was not seen as a right, but a privilege, which moreover imposed the responsibility to contribute to state objectives through individual labour.

Other measures that curbed people's freedoms were further taken to advance 'collectivist' values at the expense of workers' rights. Achieving societal well-being was presented as the utmost priority of the government and all legislation advanced, even if it was presented as the regime's response to emerging economic problems or aimed to eliminate political opponents. Guided by this rhetoric, the society, on the other hand, was obliged to prioritise collective interest above that of the individual. In practice, this meant complying with the regulations presented by the state, even if it came at the expense of improving one's own socio-economic well-being.

Workers' rights thus frequently came to be violated through legal measures, which, paradoxically, in theory aimed to protect these very rights. For example, the low wages provided by employment in the public sector and state enterprises grew to be inadequate for securing people's livelihoods, increasingly prompting people to quit their jobs in search for alternative means of income. The government sought to reverse this trend and a presidential decree "On additional Measures to Develop the Wood Processing Industry" was passed in 2012, essentially barring workers in the industry from leaving their jobs. At the time, this policy was connected with the 'collective interest' in the sense that the wood processing industry had undertaken a number of publically funded enterprises and the decree prohibited resignation until these projects were completed (Kryvoi, 2014). Employees who chose to quit their jobs were required to pay back the bonuses received throughout their employment, while a failure to do so would result in forced employment with their "debt" for bonuses withheld from one's salary (Preiherman, 2012b).[266] Broadly, the decree barred people from resigning jobs in search of better remuneration and although it did not extend to all workers employed by the government, undertaking such measures threatened setting a daring precedent for the future.

Other legal measures continued to curb individual rights in the name of the common good. In 2015 Lukashenka passed a decree "On the prevention of social parasitism" aimed at "stimulat[ing] able-bodied citizens to engage in labour activity and fulfil their constitutional obligation to participate in financing state expenditures". Also known as the "social parasite law", it prescribed fines for people who were unemployed and had not paid the income tax for more than 183 days essentially outlawing unofficial employment or unemployment. By deeming the unemployed as "parasites" who abuse state resources, the law referred to a policy

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[266] Preiherman (2012b) clarifies that these regulations affected around 13 000 people working in the 9 wood processing factories that were part of the modernisation program of the government as well as state servants from the affiliated state construction companies.

from the Soviet times, whereby people who refused the labour possibilities assigned to them were accused of "parasitism" and faced the threat of being expelled from cities or subject to forced labour. Likewise, the law in Belarus articulated the failure to pay the prescribed tax as a crime punishable by further fines, detention or community service, reinforcing the legacy from the Soviet times, where job security was connected to an institutionalised responsibility to be employed (Cerami, 2006). On top of this, keeping in line with the 'collectivist' rhetoric and Soviet heritage, compulsory nationwide "subbotniks" became frequent in Belarus, forcing all workers to conduct unpaid work on state's command, with the income "earned" transferred directly to the Ministry of Finance giving the state additional resources. Although legally this was conceptualised as 'voluntary work', in practice workers faced real repercussions for failing to "voluntarily" go to work – consequences ranged from being deprived of bonuses to ruining relations with the management, which could result in losing employment after the expiration of the one-year contract (FIDH, 2013, p. 36).

For the government, such measures were justified by the need to improve the efficiency of the system, as the relatively high rates of social spending did not manage to produce the socio-economic outcomes desired by the population. The president assured that "the state would continue acting in the interests of the socio-demographic triad: elderly people (..), people capable of work (..) [and the] young generation (..). But in doing so we will be seeking to raise efficiency to use the allocated funds rationally and to eradicate parasitic attitude" (Lukashenka). While the government interprets these measures as in line with their commitment to secure employment or an expression of the collectivist nature of the Belarusian society, they reflect the extent to which state authorities are willing to use ideology to justify violations of people's economic and social rights for economic or political ends.

9.4.2.3 *The precarious role of civil society in providing social support*

Decades of paternalistic state welfare provision in Belarus prior to its independence had had a significant impact on the society. It had weakened individual and communal incentives to partake in the welfare provision resulting in a low activity of non-state actors and local communities (Galkin). Such reluctance to participate in the communal well-being was not, however, always been the case in an independent Belarus. During the period of liberalisation between 1991 and 1995, the non-governmental sector had increasingly become a space for people to address their needs and civil society organisations emerged to deal not only with political, but also social issues. International and local organisations emerged providing social services alongside the established government institutions, raising the number of NGOs from

24 in 1990 to 2191 in 1998 (Chulitskaya, 2015, p. 136). While some of these NGOs were concerned with specific issues of the social domain, such as providing social support for the victims of Chernobyl, people with disabilities, children or the poor (Bekus, 2010, p. 114; Chulitskaya, 2015), others focused on the promotion of democracy. The rise of NGOs was therefore perceived by the regime as a worrying trend and civil society came to be seen as a threat to Lukashenka's rule, with the state increasingly attempting to establish their authority over the non-governmental sector.

A presidential decree issued in 1999 prescribed the establishment of a Commission on the Regulations and Re-registration of Public Associations, tasked with overseeing that al NGOs are compulsorily registered with government institutions. The decree authorised state bodies to refuse registering NGOs for a variety of not entirely specified reasons ranging from failing to acquire the necessary signatures to mistakenly filling out registration forms (Silitski, 2005). Since anything could serve as justification for declining registration, the state managed to eliminate most of the regime-unfriendly organisations and the number of NGOs was rapidly reduced from 2500 to 1300 within a period of one year (Wilson, 2011, p. 178; Bekus, 2010). In addition to removing organisations' legal status, the government would also confiscate properties and use the presidential decree of 1997 to prevent CSOs from acquiring foreign funding significantly limiting their operational space (Artsiomenka, 2015).

During Lukashenka's second term, repression towards civil society was intensified further. Silitski (2006) remarks how, previously, civil society activism related to opposition activities had been oppressed under the pretext of corruption or hooliganism. In the wake of the 2006 presidential elections, any opposition activity was directly outlawed and became punishable as criminal activity with up to two years in prison. Thus, as the author notes, attention of repressive tactics was shifted from targeting other candidates running for presidential election to targeting the emergence of grass-roots activism.

The extensive system of state welfare provision provided an opportunity for the state to further target grass-roots movements, which were perceived as hostile unless proven otherwise. For example, housing regulations prohibiting the use of residential apartments for office-space were intensified in 2005. Many civil society groups that served as brunches of opposition parties lacked funds to rent commercial office spaces and political activity in residential buildings came to be punishable by arrest so these organisations were effectively repressed by failing "to confirm their registration" (Silitski, 2005, p. 29). A further decree issued in 2008 increased rent expenses 10 times for most NGOs (U.S. Department of State, 2014) making it

clear that since the state was the primary provider of welfare, it would not tolerate its benevolence 'abused' by questioning the regime's legitimacy. Accessibility to socio-economic domains monopolised by state welfare therefore hinged upon compliance with the regime.

While most of these repressive policies aimed to target grassroots efforts of political opposition, they influenced also NGOs that were socially-oriented. Yet their activities were welcomed by and even necessary to the regime, since the state struggled to improve people's well-being. Organisations fulfilling an entirely social welfare and charity functions were exempt from a number of restrictions imposed (such as increases in rent) or were eligible to discounts, but these exemptions were conditioned on support shown to the policies of the government (U.S. Department of State, 2014). Moreover, as most NGOs concerned with some type of a welfare function typically received funding from abroad (European Commission, 2009, p. 41), religious organisations or were supported by the state (Chulitskaya, 2015), their activities inescapably implied an interaction with regime authorities. The Law on Social Services adopted in 2000 broadly defined the term *social services* as "activities with the purpose of organising and rendering social services, helping people activate their own efforts to prevent or overcome a difficult life experience and (or) adapt to it"[267] further outlining a specific list of target groups seen by the government as desired recipients of these activities. In doing so, however, civil society organisations were also restricted to permissible target groups, leaving others, such as the homeless, drug addicts or sexual minorities outside the scope of their efforts (Chulitskaya, 2015, pp. 131–132). As their activities were also subject to the vertical decision-making procedures and rules and regulations set by the government, the relation between the state and these organisations remained paternalistic and CSOs with social objectives were transformed into yet another tool for the government for implementing their own goals while depoliticising the agendas of these organisations. As noted by a report submitted to the European Commission, "NGOs and state bodies do action 'in parallel' not jointly" (European Commission, 2009, p. 41) limiting their potential to achieve substantial improvements. Chulitskaya (2015, p. 140) likewise notes that because the "Big State" claims its status as the primary actor in the provision of social services, socially-oriented civil society organisations are not seen as partners, but supplementary entities "that must obey state-run social institutions". Thus while the social function was recognised as a legitimate sphere for public activity (Chulitskaya, 2015, p. 140) and even received financial support from the state budget, they were required to subscribe not only to the formal rules that governed civil

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[267] Translation in English is available under http://cis-legislation.com/document.fwx?rgn=2035

societies, but also to the ideological tenants prescribed by the regime. Over time, civil society activities were retreated mostly to the social realm – according to the Database of Belarusian NGOs, the overwhelming majority of all registered organisations today fulfil a charitable, humanitarian or social welfare function, while only eight organisations remain concerned with the protection of civil rights.[268]

More recently the Belarusian government has opened up the potential for state-society collaboration in the socio-economic sphere by financing NGOs and recognising the value of potential partnerships through avenues such as the National Social Forum, which brings together state and civil society actors with the objective of formulating joint strategies (Office of European Expertise and Communications, 2016). Yet the process remains in early stages of development and the requirement of these organisations to remain apolitical has not been loosened. It is evident that they fulfil a certain social welfare function with regard to the vulnerable groups of the society, assisting governmental efforts to improve people's living standards. It also becomes clear however, that being subject to stringent regulations and formalised 'rules of the game' which also target informal institutions the activities of civil society in Belarus function under a strictly limited environment. Therefore the failure of civil society to contribute to democratic transition in Belarus may lends to interpretation as "a mere reflection of the overall condition of civil society" (Artsiomenka, 2015, p. 210) both, due to its lack of experience as well as a result of disincentives to do so. Either way, retreated to the welfare realm, civic activism in Belarus remains mostly non-political, yet still serves a governmental objective.

9.4.3 Disincentivising 'informalisation' of well-being attainment

There exists a growing body of scholarly research investigating 'informalised' aspects of well-being attainment in the former Soviet states, where policies of liberalisation were adopted and the state gradually withdrew from welfare provision. Authors argue that shifting responsibility for the socio-economic domain from the state to the market and individuals, prompted people to seek informal ways of ensuring livelihood, which often encompassed reliance on one's family and social networks, or a spike in informal economic activity, such as tax avoidance, barter and corruption (Polese *et al.*, 2014; Cook, 2007). Belarus is typically overlooked by such research as, in contrast to other examples, the state is still omnipresent in the welfare system and the market plays a minor role. There is evidence, however, that informalised practices for

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[268] See Belarusian Civic Organisations Database http://en.ngo.by/database/ngo/ (checked on 17.02.2016.)

attaining well-being have gained prominence also in Belarus. Unlike other states investigated by these studies, where reliance on informal networks evolved in response to the state's withdrawal from the welfare sector and inadequacies of the emerging market system (Cook, 2007, p. 13), the trend in Belarus was reactionary to shortcomings by the formal state welfare system.

Economic, social and individual life in Belarus remained under close supervision of the authorities and this has subsequently limited alternative strategies available to the Belarusian population. One considerable correlative effect of a number of governmental policies has been the large amount of Belarusians belonging to the middle class, estimated by the World Bank to comprise around 80 per cent of the population.[269] Intended as a measure to decrease poverty and stabilise the society, maintaining the middle class at around 70 – 75 per cent has been an intentionally articulated programmatic prerogative of the government (Republic of Belarus, 2004a). While it succeeded at achieving reduction of poverty rates, it also implied a focus on satisfying people's basic needs rather than comprehensively improving their well-being. Consequently, the majority of Belarusians nevertheless struggled to ensure their livelihoods beyond a certain threshold enabled by the formal welfare institutions.[270]

Following independence and a decrease in the agriculture and industry jobs, the number of people employed in public administration, services, housing, utilities, health care and education grew (European Commission, 2009, p. 12) tying the livelihoods of the majority to the state jobs. Public sector employment in Belarus was thus a means to ensure the considerable size of the middle class while at the same time serving as an important source for establishing political patronage (Eke and Kuzio, 2010; Cook, 2007). While these jobs were typically poorly remunerated, they nevertheless provided a stable income, so when the public sector was reduced in the 2000s a large number of people were prompted to seek alternative strategies to provide for their well-being.

Meanwhile official rates of unemployment recorded by the government remained below one per cent (United Nations Office in the Republic of Belarus, 2010, p. 15), but estimates of the ILO report a steady persistence of unemployment at around six per cent in the period between 2000 and 2015. The actual level of unemployment is believed to be much higher than recounted

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[269] See http://www.worldbank.org/content/dam/Worldbank/document/eca/RER-31-eng.pdf
[270] Pranevičiutė-Neliupšienė and Maksimiuk (2014) note that people still needed their remuneration to be supplemented by welfare payments and around 20% of people's total monetary incomes between 2000 - 2011 were comprised of social benefits.

by government statistics due to the flawed system official system of unemployment data collection (European Commission, 2009, pp. 10–11) as well as 'concealed' employment, whereby a significant number of people are employed in short-term jobs or placed on an indefinite unpaid leave (UN Economic and Social Council, 1996a, p. 3). Observers note that Belarusians are also likely to fail registering their unemployment to state bodies because of the social stigma unemployment carries. Unemployment benefits introduced in 1999 were minimal and insufficient to ensure subsistence (Cook, 2007) – according to Preiherman (2012a), these benefits only covered around 15 per cent of what was required to meet one's basic needs and fringed on a complex bureaucratic procedure. In addition, people who registered as unemployed were required to participate in a compulsory community works program that offered poorly paid employment in sectors ranging from seasonal agricultural labour in farms to street sweeping (FIDH, 2013). Given the limited extent of benefits, low pay associated with 'community service' tied to official unemployment and the short interval for which benefits were awarded,[271] many chose not to officially register their joblessness. As unemployment rates were kept artificially low, the state could retain their dedication to full employment as a regime priority at least in rhetoric and present it as a measure of regime success.

People's problems were only exacerbated by reforms introduced in the social benefit system in 2007 whereby striving to improve the cost-effectiveness of the welfare system, access to benefits, which had previously covered up to 65 per cent of the population, was made more selective (Silitski, 2009).[272] The reforms aimed to shift the welfare system towards targeting those "below the minimum subsistence level for reasons beyond their control" (Pranevičiutė-Neliupšienė and Maksimiuk, 2014, p. 124), which now comprised mainly the elderly, disabled, minors living in the radioactively polluted areas by the Chernobyl catastrophe and several categories of war veterans (European Commission, 2009, p. 43).[273] An IISEPS study in 2011 found that 52.2 per cent of respondents characterised their socio-economic situation with the

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[271] On average people received unemployment benefits over a period of six months.
[272] Silitski (2009) argues that the 2007 welfare reforms were prompted primarily by the energy dispute between Russia and Belarus whereby the Russian state owned company Gazprom cut gas supplies to Western states through a pipeline going though Belarus. Not only did this escalate the price for energy, on which Belarus had relied for its economic growth (Pranevičiutė-Neliupšienė *et al.* 2014) but also prompted the realisation among Belarusian authorities that given the unpredictability of Russian aid, their socio-economic model requires substantial reforms. The global financial crisis escalating in the following year only exacerbated Belarusian need for economic resources and reassured the need for reforms.
[273] The report to the European Commission (2009, p. 35) notes that until the 2007 reforms, there were more than 50 citizens' categories that could qualify for more than 100 types of social benefits ranging from discounted medicine and public transportation to subsidies for hot water. At the same time while primary and secondary education was still provided for free, only 55 % of students qualified for free higher education, which moreover carried with it the obligation of compulsory employment.

statement: "it is difficult to live, but it is possible to endure" with a further 29.7 per cent claiming it "impossible to endure our misery any longer" (IISEPS, 2011). A significant amount of the large middle class was facing an increasing need to substantiate their reduced access to welfare and opportunities by seeking alternative means of ensuring livelihood.

People's increased reliance on subsistence agriculture for ensuring their nutritional needs attests for this observation. Produce from gardens, plots breeding poultry, cattle and bee cultivation became an important way individuals could reduce the burden of food-related expenditures, which in 2000 comprised 59.6 per cent of all household expenditure (Republic of Belarus).[274] Many sold their produce to provide additional income and, as noted by a report to the European Commission (2009), subsistence agriculture became so important that it could even qualify as a 'second job' for many individuals. According to the document, 72.4 per cent of poor and 58.6 per cent of non-poor households used subsistence farming to meet their food requirements and supplement income, most widespread among pensioner households (83.6% of whom recognised the role of agricultural produce in meeting their subsistence needs), workers employed in enterprises and members of cooperatives comprising households with children (55.5%) as well as lone parent households (41.1%) (European Commission, 2009, p. 54). People from urban areas with fewer opportunities for subsistence farming (comprising around 70% of the Belarusian population) would seasonally help their family members in the countryside with agricultural works in exchange for sharing the food produced after harvest.

Other opportunities for coping with the dire socio-economic conditions in Belarus were found in the shadow economy and the informal labour market. One widespread approach was for people to seek work in other countries. Labour migration to mainly Russia and Poland (Smok, 2016) gained popularity as secondary or even primary source of many people's income, particularly among the young skilled workforce (Preiherman, 2012a), but also prevailed among healthcare professionals and factory workers due to the low wages provided by these sectors (European Commission, 2009, p. 76). An estimated 1/10 of working population travelled to neighbouring states for work (FIDH, 2013, p. 12) providing also much needed remittances for boosting individual well-being for their families at home.

Others turned to unofficial employment in the informal sector to supplement their official income. Between years 2000 and 2010, more than one thousand primary and secondary education institutions were closed (Republic of Belarus), resulting in rising unemployment for

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[274] Although the share of food expenditure as % of total did decline, it remained at around 40 % of all expenses until 2015 and remains the most significant source of spending for Belarusian households.

teachers and educational staff. Many teachers formerly employed by these institutions undertook informally to individual tutoring, which provided them higher incomes than their previous jobs in the public sector (European Commission, 2009, p. 19). Such kind of undeclared work was also common across other sectors, as well as among pensioners who seek to supplement their small state pensions and benefits.

It is hard to evaluate the exact popularity of informalised welfare attainment, as many facets of such kind of employment are at odds with the official government rhetoric and go unreported. Official statistics place the informal economy at around 15 per cent, but its size is believed to be significantly larger, with some studies estimating it at around half of the Belarusian economy (European Commission, 2009, p. 18). Partially because of the large size of the Belarusian middle class, the turn to informalised ways of attaining income have significant economic ramifications on the economy. On the one hand, "exporting" unemployment (and political dissent) infused the Belarusian economy with foreign funds while allowing the regime to substantiate their programmatic prerogative of providing full employment. On the other hand, the increasing size of the shadow economy has also resulted in significant losses of tax payments prompting the state to increasingly regulate such informal coping strategies.

Over the past years, the regime has tried to supress unemployment and employment outside the state sector often in reference to their self-prescribed ideational principles. The re-introduction of a "social parasite tax" described previously serves as one of such measures, prescribing people to cope either by "choosing" to acquire low-paid public sector jobs or paying a fine for tax avoidance through their partaking in the shadow economy. The official stance of the regime remains that people working in the informal sector "[..] are not making any kind of contribution whatsoever to developing the economy at the same time as they are taking advantage of social benefits" (FIDH, 2013, p. 13). This view seems uninformed by the fact that neither the benefits nor public sector remuneration are enough to ensure most people an adequate livelihood, which still necessitate additional avenues for income or even drive people to undertake informal jobs. The repressive measures and hostile rhetoric is applied to all "able-bodied citizens", who are, according to the state, to contribute to the economy through the 'appropriate', formally prescribed channels.

Changes in the pension system introduced in 2013, further sought to discourage unofficial employment as well as labour migration to foreign countries. A presidential decree changed the minimum length of public service for receiving state pension from five to ten years. This significantly influenced those working abroad because choosing to undertake such employment

was likely to result in an expulsion from the national system of social welfare, including the pension system. Short-term individual gain, hence, was to be weighed against the security of old age well-being choosing either one or the other, and for many this remains a difficult choice (FIDH, 2013, p. 12). This policy too confirms comfortably the collectivist standpoint of the regime – individual choice to operate outside the state-prescribed framework is translated into an unwillingness to partake in the development of the Belarusian society and therefore becomes a legitimate source for repression and discrimination.

These mechanisms were *informalised* in the sense that they took place outside of the formal institutions of the state, but being nevertheless strictly controlled by the official state institutions through the imposition of sanctions on practices that were not seen as in line with the government's objectives, they were not fully informal. On the one hand, such practices benefited the state by engaging individuals in furthering their own or their family's well-being helping to narrow the gap between the state's acclaimed efforts to improve people's well-being and actual outcome performance (Polese *et al.*, 2014, p. 190). On the other hand, however, they were seen as potentially harmful for the established state's predominant role over the welfare realm and threatened to undermine the 'collectivist' rhetoric advanced by authorities, posing a threat to the mechanisms for achieving regime legitimacy. Hence legal means were employed to discourage the attractiveness of horizontal coping strategies, equating informalised practices increasingly with "exit" strategies from the social welfare system and the polity itself. Authors refer to the Belarusian approach as presenting people a "choice with no options" (Haiduk *et al.*, 2009, pp. 155–156) since punishments for non-compliance prescribed by the state were increasingly severe. But this approach towards informalised efforts of attaining well-being generally fall in line with the regime's the more general 'sticks-over-carrots' approach of the government in promoting their national ideology – while there were some attempts seeking to incentivise certain behaviour and promote certain values, they were necessarily complemented by other measures that prescribed retribution for non-compliance broadly with the regime's vision for the state. Punishments could range from fines and detention to removing people's access to economic and social rights through terminating employment, prescribing compulsory labour, excluding them from access to social benefits, revoking educational degrees or even having their civil liberties revoked and becoming targets for the regime's repressive strategies (Pranevičiutė-Neliupšienė and Maksimiuk, 2014).

9.5   Conclusion: ESR in Belarus

Belarus has been an outlier within much of welfare research, as the policy continuity with the Soviet rule does not provide for easy generalisations or lead to comfortable comparisons of its experience to many other states. Examining "the last dictatorship of Europe" for positive developments hence seems counterintuitive at best with rights as the object of study. Yet, it is useful and even necessary to explore such irregularities as it helps to understand the link between ESR and regime strategies for legitimising their rule and shed more light on authoritarian welfare states.

The BSSR "Soviet success story" (Ioffe, 2004) provided not only the ideological disposition for the state's role in improving people's standards of living, but perhaps more importantly, also a lived experience for many, who carried high welfare expectations as a legacy towards the independence of Belarus. Socio-economic well-being has remained an integral part of Belarusian leaders' strategies for maintaining power and this situation cannot be reduced to the Soviet heritage alone.

Upon achieving independence, Belarus struggled to define its sovereign non-Soviet identity as most of its neighbouring states were doing after the collapse of the USSR. With a high regard for the years of development experienced under the Soviet rule, societal conditions were neither conductive to an "unexpected independence" (Wilson, 2011, p. 121) nor particularly to the establishment of democratic institutions since it lacked adequate resources and people's identities were rooted in Soviet rather than explicitly Belarusian sentiments. However, it was the events that transpired throughout the period of relative liberalisation between 1991 and 1995 that were crucial for the future political and socio-economic development of the state. Most importantly, it was the inability of political actors to appropriately capture the nationalist sentiments present among the populace and reflect an accurate version of a national identity. Among the two radical approaches present in Belarusian political discourse, the BPF offered a vision for how Belarus *should be* – Belarusian-speaking, Western-oriented, and seeking to aggressively cut ties with its recent past under an imperial power. The former party nomenklatura was reminiscent of the memory of how it *had been* – it glorified its Soviet experience, sought economic reintegration with the East and a reversal of the unfortunate circumstance that they viewed the dissolution of the USSR to have been. Although the prevailing sentiments at the time were perhaps better reflected by the latter approach, its main representatives had discredited themselves as members of the former ruling elite which had also maintained power in post-independence years and overseen the sharply declining

standards of living. That this conflict over the narrative happened amidst conditions of economic downturn and declining living standards further aggravated the political situation. The ensuing vacuum on Belarus' political stage would come to be filled by Lukashenka, who won the presidential election of 1994 on a platform of anti-corruption and proclamations that "the most important thing is not to ruin people's lives". The two former approaches had proposed not only dichotomous visions for national identity, but also presented contrasting implications for the socio-economic path deemed desirable for Belarus. Although Lukashenka did not gain popular support by aligning himself with either of the visions for identity, he did claim that "not ruining" people's lives be achieved through an East-ward oriented economic and political path. Re-integration with Russia in efforts to ensure financial aid from its former imperial power was supplemented by a rhetoric glorifying Soviet history and portraying the Belarusian and Russian "brotherly" nations separated by an arbitrary boarder, but the rhetoric sought to provide a rationalising narrative for Lukashenka's policies and external legitimacy rather than amounting to an explicit ideology.

Lukashenka consolidated his authoritarian rule in reference to the popular support gained through claimed victories achieved in referendums posed to the Belarusian public in 1995 and 1996. He would come to refer to the latter referendum as Belarus' "historical choice" which was supposed to legitimise his own presidency together with all the policies he advanced. Meanwhile, an inherited comprehensive welfare system already at the state's disposal allowed to distribute resources to his main constituencies and recently established democratic political institutions were changed to rid Lukashenka of political opposition. Having introduced constitutional changes that significantly increased presidential powers, he could veto and change laws, introduce policies, appoint members of the parliament and local councils establishing what came to be known as the "presidential vertical".[275]

Given that people's nostalgia for the Soviet past was partially rooted in the socio-economic developments achieved within the former regime, Lukashenka retained the former rhetoric geared towards support for communally defined 'socio-economic rights'. During his first term in office, however, it was not a cornerstone for his legitimacy and rather served as a symbol

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[275] Lukashenka also gained the power to appoint members of the electoral commission almost ensuring guaranteed electoral victories. In fact, his ability to manufacture votes has become a political anecdote within the society. Astapova's (2015) analysis of political humour in Belarus refers to a joke often told in Belarus: Lukashenka, Chavez and Putin are in a boat arguing over who will row. Putin says: "My country is the largest, I won't row". Chavez says: "My country is the richest in oil, I won't row." Lukashenka says: "Let's vote". Later, Putin and Chavez are both sitting by the paddles of the boat wondering how they got seven votes cast with only three people in the boat."

legitimising policy-direction aimed at strong continuity with the past. People's living standards were still declining in reference to the past Lukashenka glorified and wide proclamations in support of ESR were "hardly correlative with" the actual lives people experienced (Belavusau, 2010, p. 153). As the regime lacked funds for redistribution that could be exchanged for political leniency, Lukashenka's first term in office was legitimised by his charismatic properties as a leader, evoking memories of the Soviet past on the basis of which he claimed Belarus' future was to be built on (Haiduk *et al.*, 2009) as well as hopes and promises that his rule would eventually result in improved of socio-economic well-being. It was such symbolic benefits of security and stability over actually achieved performance that rhetorically justified his power among the society.

In practice, successful improvements of people's lives would fringe on economic and political support provided by Russia, which was the single most important factor responsible for the increasing growth trends following 1996. Funds made available for the Belarusian regime to consolidate the loyalty of the large public sector and the middle class through the provision of mainly poorly paid, but stable employment while supporting a generous system of welfare benefits targeted towards pensioners and the rural population, which ensured the central support base for Lukashenka's rule. Additional benevolence of the regime was also episodically witnessed prior to significant political events, increasing salaries, pensions and welfare benefits prior to elections. So performance was, in a way, exchanged for political support, as Desai *et al.*, (2009) suggest with their 'authoritarian bargain', but broadly the approach was focused not on continuously improving people's living standards in line with trends of economic growth, but instead revolved around ensuring people's basic needs. This tactic resonated with Lukashenka's reference to Soviet nostalgia, communitarian plight against income inequality and ensuring protection against extreme poverty. Performance aligned with this given rhetoric therefore was interpreted as guaranteeing a social minimum (Haiduk *et al.*, 2009) rather than comprehensive commitments to progressively improving people's well-being.

This explicit arrangement was threatened by the worsening of relations between Belarus and Russia in the 2000s, prompting a critical juncture in the regime's approach to guaranteeing people's compliance. Facing an increasing uncertainty about the stability of Russian rents, it became clear that Lukashenka's narrative as being committed to people's well-being may come under threat. Moreover, it was also unclear what implications such changes would pose for the former rhetoric of 'brotherly nations' that was previously enforced to justify close ties between

both neighbouring states. As a response, the regime sought to increasingly penetrate informal institutions to provide a rationalisation for national-level policy. Commitment to the primacy of socio-economic domain was retained, but in 2003 it was substantiated by an official national ideology that was to be institutionalised throughout the country. Opposed to the previous calls for a Union State, the new "ideology" advocated for Belarusian sovereignty rooted in centuries-old history in the crossroads of the East and the West. Although not rooted in an explicit ideological –*ism*, the regime did not shy away from recognising the need to indoctrinate the public to support the direction advanced by the government and 'informed' people of the central lines of rationalisation that would henceforth not only guide policy, but was also to inform public behaviour and beliefs. Other than providing a novel interpretation of Belarusian history, the ideology also outlined the centrality of the presidential institution and made clear that any criticism of Lukashenka would be perceived as opposition to the national and collective interest. This was rationalised in reference to the 1996 referendum as Belarus' "historical choice" which legitimised Lukashenka, his authoritarian way of governance and any decisions he would advance as essentially the protector of all Belarusians, who were urged to participate in spreading the ideological message.

Prior to this, repressive and coercive measures had mostly been reserved for Lukashenka's political opposition instead of the general public. At this critical juncture, however, the role of the established state's monopoly over the welfare apparatus was clarified as a tool of social discipline and public control. Moral and patriotic education spread the ideology among the younger population, while labour legislation was changed in the name of 'collective' values that it sought to promote, increasing the coercive capacity of these domains to attain people's compliance with the regime and their 'voluntary' subordination to state institutions. Violations of particularly economic and social rights came to be justified by the official ideology, the need to promote the collective good or social unity. Exercising individual or collective political voice that contradicted with the government's position could result in losing access not only to civil and political rights, but also a restricted one's economic and social opportunities in the form of jobs, education, pensions or social security. Attempts to silence criticism from the civil society were likewise often carried out through the welfare system – the authorities made it clear that since the state provides education, housing and employment, it would not tolerate its benevolence being used against itself. So with the introduction of the ideology, non-compliance with the formal, as well as informal 'rules of the game' came to be interpreted as hostile to the Belarusian nation and punishable with removing one's access to ESR.

Under conditions when the majority of the society were not impoverished, but nevertheless struggled to get by, changes introduced in the social benefit system in 2007 further deteriorated people's living conditions and individuals increasingly sought informal avenues and alternative strategies for improving their individual standing in terms of well-being. But such coping strategies too came to be subjected to state control justified by the ideology. It professed such actions as 'egoism' taking place at the expense of the communal well-being and, according to this widely defined conception, striving for higher standards of living individually was frowned upon as incompatible with the Belarusian national interest. Quitting employment in search for better remuneration, being self-employed to increase one's resources or labour migration fell under interpretations of such 'egocentric' activity that supposedly opposed the professed egalitarian values of the society. Policy defined individualism 'parasitic' and progressively equated it with the choice to exit from the welfare system as a whole. These arrangements have been described by scholars as presenting people a "choice with no options" (Haiduk *et al.*, 2009, p. 155) if they were to remain a part of the Belarusian society. Consequently, while the regime now had an ideological tool at its disposal with which to legitimise curtailing people's rights in the name of the proposed principles, people had to weigh their individual short-term benefits against increasingly high and rising costs for disobeying the formal and informal structures promoted by the regime.

Given the regime's focus on basic needs, the incidence of extreme poverty in Belarus remains low. Less than two per cent of the population live under $2 PPP per day, which is a notable achievement, especially in comparison with other countries at similar levels of economic development (Institute of Economic Research under the Ministry of Belarus Economy, 2010, p. 16). Yet, as remarked previously, while people are not poor, they are not prosperous either. On its part, the state has shown a commitment to securing minimum levels of well-being, instead of ensuring that people's living standards are progressively improved to reflect the growth of its economic resources. Meanwhile it was made clear that opportunities for improving individual needs beyond this state-sanctioned level must confirm with the formal and informal rules set by the regime and failure to do so may result in denying access to socio-economic goods and services guaranteed by ESR.

Somewhat counterintuitively, the dire socio-economic state of a large part of the Belarusian population has not lead to widespread calls for regime change. In a poll conducted by the IISEPS in 2014, 55.5 per cent of the respondents agreed with Lukashenka's statement that "*people are fed up with democracy*" and his calls for a "*strong state, which will not allow*

chaos". Findings by White and Korosteleva (2005) likewise support the claim that people have generally sympathetic attitudes towards paternalism and authority. In the same poll, 60 per cent of respondents agreed with the statement that "*the main problem of Belarusian economy lies in helpless and passive leaders, who cannot do anything without directions from the top*" illustrating that inadequacies are blamed on the bureaucratic functionaries while the leadership is viewed from a benevolent prism (IISEPS, 2014). This suggests that the Belarusian population are more than simply passive recipients of the regime's repressive policies, but have, to an extent, also come to embrace the valuational and ideational sentiments that justify such policies and legitimise the regime. However, it is likewise understandable how acquiescence may be guided by the condition of having to trade-off one's access to ESR as punishment for non-compliance. It is indeed a significant cost to pay – one that may have an ability not only to coerce people into compliance to the regime's rules of the game, but also by adapting their beliefs and values accordingly.

The regime's widely proclaimed support for ESR and improvements of well-being are articulated in the constitution, laws and rhetoric, but the actual realisation of socio-economic commitments as *rights* remains questionable. Although Lukashenko has claimed legitimacy in reference to a seemingly democratic referendum supposedly symbolising a "historical choice" of the whole nation, people's right to participate in decision-making is effectively non-existent. Elections in Belarus continue to take place, and Lukashenka continues to win the majority of electoral votes under unfree and unfair circumstances. But given this disposition as well as the widespread repression employed against public protests and political opposition, the "historical choice" referendum of more than two decades ago remains the primary 'democratic' procedure used by the regime to justify its power. People's attempts to voice their opinions must necessarily confirm to the delineated lines of permissible activity and the regime's interpretations of what is deemed as 'political activity' in the first place or else they risk facing repercussions, arrest or even imprisonment. This applies not only to formally organised protest activities, but also various individual interactions in the public sphere, such as educational institutions or the workplace since they too remain under a close surveillance by the state. With the help of the legislation and policies, the regime has managed to largely contain civil society activities within the welfare realm, reducing their abilities to challenge the regime's vision for Belarus. This essentially robs people of their opportunities not only to participate in the decision-

making in areas that influence their own lives, but also to keep decision-makers accountable by challenging the 'presidential vertical'.[276]

The state interprets its responsibility with regard to ESR as that of ensuring people's basic needs instead of attaining well-being that would be conductive to promoting a dignified life, rooted in free individuals exercising their agency in line with human rights objectives. In this narrow interpretation of 'socio-economic rights' the regime's commitment is indeed extended to the whole Belarusian population without discrimination. Especially with the advent of the national ideology that switched the focus from a pan-Slavic to a multicultural version of egalitarian nationalism (Leshchenko, 2008) people's access to education, health care, housing or work for the most part is not curtailed by formal discriminatory practices that would distinguish on the basis of ethnicity or race. This insight is largely rooted in the tenants of the official ideology, among which *egalitarianism* prescribes citizenship based on a shared national identity instead of an ethnic or exclusively Slavic background. At the same time, however, legitimate forms for discrimination have been created by the very same ideology that ties Lukashenka's rule to the survival, well-being and success of the Belarusian nation. Consequently, all but those who disagree with his rule or the state-sanctioned formal and informal institution of the game present in Belarus, can partake in its welfare system or else they are deemed 'parasitic' to the society as a whole and hence, justifiably barred from access to work, education or the social system.

Finally, ESR in Belarus are certainly not inalienable, as they fringe on people's support for the regime and compliance with the values prescribed by the official ideology. Thus, beyond widespread proclamations of the regime's dedication to ESR lies a commitment towards guaranteeing basic needs guided by the purpose of maintaining power not by a serious commitment to agency, dignity and freedom. Regime authorities have frequently demonstrated that access to ESR can easily be withdrawn for non-compliance with these principles without any repercussions to the state, essentially becoming not a deviation from the norm but modus operandi for regime governance. Under such conditions, individual "choice" consists of a rational calculation about whether individual costs for non-compliance trump one's benefits in deviating from the prescribed status quo. Paradoxically, restrictions of individual agency,

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[276] Amid widespread public protests against the "social parasite tax" Lukashenka did suspend the legislation halting the collection of funds from individuals. This move, however, is better explained not by the receptiveness of the state to public opinion but rather a measure of momentary presidential benevolence. He clarified, that the legislation was to be amended, but that the state has no plans to scrap it entirely.

freedom and access to ESR are justified through a rhetoric of regime's dedication to welfare as the overarching objective of the collective societal interest.

Several authors suggest that "Belarusian stability is based on public consent to the state of things in the country determined by authorities" (Haiduk *et al.*, 2009, p. 5; Cook, 2007) and independent research polls confirm that although the majority of Belarusian public may not feel enthusiastic support for their president, most have come to embrace a deep nihilism for politics as such and have no interest in participating in protests, politics or even elections (IISEPS, 2015, 2016). The official results of the presidential elections of 2015 concluded in yet another landslide victory by Lukashenko, winning 83.47 per cent of the popular vote (Republic of Belarus, 2015) and, although the elections were not free and fair, they illustrate the difficulties in challenging his 'presidential vertical'. Apparently, decades of ideological work have bore fruit, and, although political opposition exists in Belarus, many opt for complying with the existing status quo, given that dissent may come at a risk of declining living conditions and losing access to ESR. This compliance, however, becomes increasingly questionable as an argument for active consent legitimising his rule, since the state has monopolised nearly all sectors responsible for people's ESR, exerts control over non-state actors involved in providing alternative points of access and does not hesitate to curtail people's access to these rights if obedience to the regime is not provided in exchange. It illustrates how socio-economic well-being has assumed an important place in Lukashenka's strategies for legitimising his rule, providing also a comprehensive tool for coercing people to 'voluntarily' comply with his vision for the country.

10 Conclusion and comparative perspectives

What are our priorities? First, the welfare, the survival of the people. Then, democratic norms and processes which from time to time we have to suspend."
Lee Kuan Yew
(National Day Rally speech 1986)

"Our citizens are our primary asset. They are the engine of development; and their well-being is its objective."
King Abdullah II
(quoted in UNDP, 2013a)

"The priority is the growth of well-being of our people."
A. Lukashenka
(Speech to the National Assembly and the Belarusian People 2010)

The UN Committee on Economic, Social and Cultural rights has acknowledged ESR to be compatible with a "wide variety of economic and political systems" (GC No. 3, 1990) and, with a few exceptions, does not specify a certain way or particular policies through which these rights should be implemented. Developments ought to progressively follow economic growth and meet the underlying principles of all human rights, but there remains significant flexibility for states to diverge in their approaches with regard to policy response required for achieving ESR. Whether or not such flexibility accommodates autocratic forms of political governance remains an issue underexplored both in theoretical as well as empirical research. Seeking to improve the understanding of the still cryptic relationship between ESR and authoritarian regimes, this study analyses the processes of ESR institutionalisation particularly in contexts deficient of democratic rule, providing valuable insights into the connection between rights, well-being and their place in strategies of autocratic governance, additionally illuminating aspects that can contribute to refining the conceptual and methodological focus for future research on ESR.

The theoretical paradigm dominating contemporary research broadly insists that democratic states should be more advantaged in attaining ESR for their populations, yet it is not always the case. This inquiry investigates three unlikely authoritarian outlier cases – Singapore, Jordan and Belarus – which according to the SERF index portray a good ESR performance when compared to other, democratic states at similar levels of economic resource availability. Not only have these countries not transitioned to democratic regimes, but they also enjoy relatively high levels of political stability and regime legitimacy, indicating a consolidated authoritarian rule. Public support enjoyed by the ruling elites in all countries under investigation provides

valuable evidence suggesting that legitimacy has been achieved not by means of solely repressing the population into subjugation, but employing more complex strategies of governance to justify their rule among the public. Through thorough, contextual examinations into how and why their respectively high levels of ESR have been attained, the project traces the process of institutionalising these rights and explores whether and to what degree these practises have accommodated the human rights principles of universality, accountability and inalienability. Although the case-study research design employed here generally offers few possibilities for broadly generalising its findings, the three cases under investigation provide an empirically rich research material spanning across diverse levels of economic resource availability, varying well-being outcomes enjoyed by the population, different political regimes and institutions, and complex historical legacies. Thus, while this study does not claim to afford a conclusive account as to ESR realisation outside of democratic rule, its findings point to several underlying threads as points of convergence with regard to ESR institutionalisation illuminating avenues in dire need for further investigation previously overlooked.

At first glance, the diverse body of evidence analysed here surfaces some striking similarities with regard to historical conditions upon which these countries acquired independence. In all three cases, state sovereignty came about in a post-colonial or post-imperial context, without it necessarily being desired by the people. Singapore was a 'country of immigrants' (Barr, 2000a) who did not conceive themselves as a 'nation' and had in fact experienced a number of ethnic riots among members of the society undermining the cause for unity. People in Jordan likewise did not share a unique identity setting them explicitly apart from other tribal populations in the region and, as noted by Wilson (1987, p. 3), "had no reason to be a state on its own rather than a part of Syria, or of Palestine, or of Saudi Arabia, or of Iraq". Although the Belarusian population was at the time relatively ethnically homogenous, its former experience as the 'Soviet success story' (Ioffe, 2004, p. 88) had left a lasting legacy for people sharing a Soviet, not an explicitly Belarusian identity, deeming its independence "unexpected" (Wilson, 2011, p. 121) and not necessarily desired by all. Consequently, in neither of these states did sovereignty emerge as a result of an explicit will of self-determination by a 'nation' of peoples. With independence and statehood somewhat imposed on all three states, building a unifying national identity was among the main issues that would dominate post-independence politics.

The second rather structural similarity shared by all three cases under investigation concerns the lack of resource availability at the time of independence, seen as a further impediment to national sovereignty. As an island-state, Singapore possessed no natural resources and had to

rely primarily on its geostrategic position for economic growth. Unlike its neighbouring countries in the Middle East region, the Hashemite Kingdom of Jordan did not possess any oil and, in fact, the physical boarders drawn to delineate its territory hardly ensured access to any resources, even water. Belarus had for decades been part of a centrally planned economy, so the collapse of the Soviet Union gravely threatened the longevity of its national economy, further aggravated by its need to continue mitigating the negative effects of the 1986 Chernobyl nuclear catastrophe. Eventually each state would turn to different strategies for obtaining economic rents, but the lack of resource-availability, at least in the crucial post-independence years, would limit the options governments had for ensuring loyalty from their respective populations. Most crucially, neither state could explicitly rely on the traditional 'authoritarian bargain' (Desai *et al.*, 2009) whereby rents are redistributed in exchange for political compliance.

Such historical circumstances influenced ways in which relevant actors perceived pertinent threats, formed their objectives and what solutions in response to these threats they would rationalise as necessary and desired. Consequently, they manifested themselves not only in the ruling elites' approaches to constructing centrally governable states and moulding their respective populations into specific nations, but also had important implications for the processes of institutionalising ESR. Upon acquiring independence, each country had inherited varying institutional legacies of former political, economic and welfare systems, choosing to either reinvent or create them, keeping in mind their rulers' aspirations to govern in the long-term. Accordingly, while the formal welfare institutions in place responsible for the relatively high ESR performance today vary significantly among the three states under investigation, the common denominator that emerges concerns the three-fold role assumed by welfare institutions in state-, nation-, and regime legitimacy-building.

First, in all three states, leaders have and continue to proclaim an utmost dedication to furthering people's well-being so ESR were powerfully stressed within the rhetoric that publically justified the respective regimes. People were posited as the principal national resource and this claim has indeed been substantiated by carrying out improvements in the socio-economic realm, partly with a view towards improving human resources as a long-term investment towards economic development. Such a performance dimension has contributed to the regimes' legitimacy as they came to be seen as ruling in the interests of the people decreasing both, people's willingness to overthrow the rule as well as the regimes' need to employ costly repressive instruments for maintaining their longevity. That in all three states

increases in the socio-economic domain often remained contingent on important political events such as elections, only demonstrates how outcome performance is intertwined with the political elites' governance strategies.

This observation, however, does not alone explain either people's support for the rule or the comparatively high ESR performance in the respective countries. Crucially intertwined with legitimacy rooted in outcome performance is the closely related symbolic value awarded to and advanced by socio-economic policies. Especially during the formative years of each polity, without sufficient resources to be distributed and without explicit 'national' identities to ideologically unite the people, their rulers employed culturally, morally and ethically rooted rationales to justify their policies, their vision for the respective states and essentially their own rule. Such points of reference allowed the regimes to symbolically extend the 'selectorate' to the overall citizenry even when electoral channels were lacking or deficient and posit themselves as the guardians of the collective interests and the common good in general. Here, all states explicitly used informal institutions for defining what exactly these notions entailed so as to justify policies pursued by the regime. Closely related to the nation-building objectives advanced in the countries, various ideological narratives were posited as representative of the traits, beliefs and values pertaining to *Singaporeanness*, *Jordanianness* or *Belarusianness*, which were claimed to also carry implications for the collective interests and therefore – public policy. Often dressed in the language of various ideological *–isms*, informal institutions were employed for building the national consciousness, but they also informed perceived threats to the 'collective interest', which in turn, were to guide interpretations of rationalising abstract principles into specific policy. In this way, *communitarianism* and *Confucianism* alternated as distinctive traits of the Singaporean people and the reasons behind its economic success; *tribalism* was claimed to be embodied in a Jordanian identity; and *collectivism* was revived as a crucial attribute of 'being' Belarusian substantiating often inadequate outcome performance with symbolic benefits "distributed" to the population, according to which regime success could be measured.

Regime authorities did not exactly invent the informal institutions they came to reference – these may have been, to an extent, reflective of the prevalent mentalities and worldviews of the respective populations. However, being typically articulated in a top-down manner, the formal institutionalisation of these informal norms and relationships was undoubtedly aided by the regime, clearly indicating their importance for the rule and sustaining the resilience of certain informal beliefs. By defining these notions as intrinsic parts of the 'collective interest', the

regimes drew ideational justification for their legitimacy from representing these interests stemming from allegedly shared societal attitudes. In neither state could such state-sanctioned shared beliefs be adequately captured in reference to the specific ideologies encompassed by Confucianism, communitarianism, tribalism or collectivism. They were rather broadly framed, allowing the rule to bind even sometimes contradictory principles and policy-directions into a common narrative of the respective –*isms* nevertheless justified in reference to these acclaimed identities. More than simply existing as socially shared rules that influence individual behaviour (Helmke and Levitsky, 2004) these informal institutions in Singapore, Jordan and Belarus came to be formally codified through an articulation of official national identities to further guide policy as well as individual, collective and organisational activities, delineating the borders of permissibility on the societal realm. In 1991, the White Paper on Shared Values explicated particular views and values supposedly cherished by the Singaporean population; Belarusian 'national ideology' was articulated in 2003 in attempts to guide not only the national consciousness, but also the work of administrative ideologues who were to implement the views it expressed; and although in Jordan the National Charter of 1991 was not explicitly referred to as an ideology, the document was officially proclaimed as an effort on behalf of the royal family to define relations between the state and the society on the basis of tribal and kin-based attributes pertinent among the populace.

The regimes' claims to represent the collective interests were only strengthened by the rhetoric likening the 'national community' to an extended family, the heads of which were its respective leaders. While it is not uncommon to ascertain certain "fathers of the nation" that symbolically embody the consciousness of a national community, in Singapore, Jordan and Belarus sovereignty did not result from a collective will but rather historical circumstances. With independence unanticipated, uncalled for and even undesired by many, the process of nation-building coincided with the rise of their authoritarian leaders. When designated as the heads of emerging national communities, the fate of national survival came to be tied with the rule of these specific persons and ideas they represented. The reference to family hereby also implied the rulers' ability to select the best course of action for their subjects and their authority to prescribe 'punishment' for misbehaviours, infusing paternalism into people's understanding of the polity and often even asserting that individualist mentalities are incompatible with the well-being of the national 'family'.

Finally, all three cases likewise demonstrate how the state's responsibility for various domains associated with ESR came to be employed as valuable tools for social control. As informal

norms were institutionalised through official channels, they attained coercive capacities when transferred to the welfare system. With socio-economic policies likewise subject to the regime's interpretations of the 'collective interest', these informal notions came to justify various limitations placed on rights and defined the bounds of permissible activity, in reference to which one could claim access to ESR. People's right of entry to achieving well-being through official channels thus came to be contingent upon their acceptance of or compliance with these informal constraints. State authorities enjoyed disproportionate power over interpreting sanctioned informal institutions – a practice often informed by efforts to attain or maintain the ruler's legitimacy or combat perceived threats to the regime. Unwillingness to embrace values enshrined within the official "ideologies" often came at a cost of denying people access to ESR so individual "choice" to abide to these norms became increasingly involuntary. Aside from education that often directly promoted moral components sanctioned by the ruling elites, other socio-economic policies were likewise tailored to indirectly control the society by incentivising or discouraging certain behaviour warranted or undesired by the regime. The selective access to universal housing in Singapore, "Jordanised" social welfare benefits in The Hashemite Kingdom and labour policies in Belarus strongly demonstrate their expediency for regime purposes, illustrating that state benevolence does not tolerate disobedience to the regime and the norms associated with 'collective interest', which were likely to come at the expense of one's own well-being. At the same time, the regimes drew a legitimacy surplus by claiming to defend the national interest and providing the symbolic benefits associated with promoting the common good.

The social control potential of the welfare domain is also demonstrated by the precarious role of civil society in all three countries under investigation, deeply intertwined with the regimes' pursuit of acclaimed symbolic benefits. Over time, organised collective activism has come to be explicitly barred from pursuing action that may be interpreted as 'political' in order to limit oppositional capacities of civil society, consequently retreating it to the realm of welfare. In Belarus this has significantly limited people's alternative coping strategies or their potential to exit from the state's welfare regime, as objectives of these welfare organisations remain policed and controlled by state institutions; in Jordan it has created an informalised welfare regime (albeit with governmental support) that established horizontal mechanisms of inter-societal redistribution in helping people cope with inadequate state institutions; while in Singapore such forms of communal 'non-political' organisation remain heavily subsidised by the state as they are seen to strengthen collective ties and national unity – programmatic objectives of the regime

itself. But in all three cases, delineating civil society to activities deemed 'non-political' has enforced the implicitly governmental functions of the supposedly non-governmental organisations. By redistributing additional resources, in practice NGOs often contribute to furthering people's well-being without additional welfare investments of the state while aiding to bridge the performance gap between what the regimes claim to be doing and what they actually do (Polese *et al.*, 2014, p. 190). They are also promoted, reinforced and justified in reference to the analogy of the nation as a sovereign family, who ought to value the welfare of its members above an individual and 'egoistic' strive to prioritise one's own standing at the expense of others. Such measures have aided the regimes' efforts to limit and police people's access to exit strategies from the established formal welfare institutions, reinforcing the state's capacity to control the population through determining their access to ESR – both formal and informalised channels for well-being attainment remain to an extent subject to the state sanctioned informal institutions.

It becomes evident that domains associated with ESR are highly prioritised within the governance strategies of authoritarian regimes and their role cannot be reduced to a mere provision of goods and benefits in exchange for compliance, as anticipated by the authoritarian bargain. The social control potential of the welfare state is also widely recognised in literature on authoritarianism, however studies mostly emphasise the capacities of the welfare system to repress political opposition. While such observations likewise apply to the cases investigated here, these findings additionally clarify the role of informal institutions in the regimes' use of domains associated with ESR in order to attain legitimacy. Namely, efforts to ensure loyalty towards the rule can and do prompt regimes to improve socio-economic outcomes, however, these developments, in turn, enable the ruling elites to shape informal societal institutions, increasing the value of symbolic benefits vis-à-vis outcome performance alone. ESR situations in these contexts cannot be adequately understood without paying attention also to the processes of sanctioning, enforcing or reinventing certain informal institutions, which are enacted through the welfare realm and consequently contribute to the regime's pursuit of legitimacy. Such norms are crucial in construing collective identities, building a sovereign 'national' consciousness, and emboldening specific symbolic values, frequently in reference to acclaimed 'cultural' identities, the protection of which become crucial to the autocrats' strategies for legitimising their rule.

These insights into the multifaceted utility of domains associated with ESR for consolidating, stabilising and legitimising authoritarian rule provide valuable indication for answering *why*

these regimes deviate from theoretical expectations by portraying relatively 'good' performance outcomes. Attention to ESR in these autocracies has not come about as an explicit result of benevolent rule caring for its people, but has been conditioned on specific expectations that include people's compliance with the status quo, as well as their membership in the informal institutions promoted by regime authorities. In this regard, the state's often unilateral role in the provision of goods and services associated with ESR has purposefully hollowed out and policed any alternatives that may provide individuals coping or exit strategies from the established welfare system. As people's options for using other means for attaining welfare are limited, access to ESR becomes a bargaining chip in the hands of the state that may or may not be taken away as punishment for disobedience. On the other hand, such leverage can also help to eventually solidify the ideational legitimacy of the regime – with alternative ways of ensuring one's well-being limited and facing a significant cost for disobedience, it is plausible to conceive how people may, over time, be inclined to align their behaviour, aspirations, beliefs or values with both, formal and informal rules of the game put forward by the authorities.

Viewed from the aspect of formal institutions, the answer to *how* ESR have been institutionalised, understandably, varies significantly from case to case. Singapore is ruled by a dominant political party, Jordan is governed by the Hashemite monarchy and life in Belarus is subject to Lukashenka's 'presidential vertical'. Formal institutions that underpin their welfare systems are likewise considerably different. Access to socio-economic goods and services in Singapore is governed almost exclusively through the state-controlled CPF; in Jordan a more customary state provision is supplemented with an institutionalised informal 'welfare state' that ensures a horizontal redistribution of resources; while in Belarus, formal structures that ensure people access to equally minimal levels of well-being remain the only "rules of the game". However, an exclusive focus on formal institutions fails to expose that in all three countries the institutionalisation of ESR has been underpinned by ideational elements to an extent that they comprise inalienable parts of these welfare states themselves. Namely, the provision of as well as access to ESR has been explicitly tied to informal institutions that feed the rulers' legitimacy, justify policy and delineate bounds of permissible activity for the citizenry.

This illustrates how ESR in these autocracies are certainly not seen as inalienable rights, but rather as exhibitions of state benevolence that carry with them an imposed duty to subscribe to the state of things as proposed by the authorities. All three states under investigation have demonstrated their willingness to limit individual access to these rights as punishment for non-

compliance and used ESR provision pre-emptively as leverage to contain people's capacity to challenge the rule when the supposedly shared values associated with its legitimacy are questioned. With lines between formal and informal institutions blurred, people's well-being fringes on their "voluntary" participation in the state-sanctioned informal institutions.

Commonly, such limitations are in fact justified with the regime's invocation of the universal and non-discriminatory nature of ESR and the rule itself. Equality is indeed enshrined in the states' constitutions and their professed dedication to egalitarian socio-economic policies are widely invoked in the official narratives informed by Singapore's multicultural population, Jordan's pan-Arabism and tribal identities, and Belarus' 'egalitarian nationalism' (Leshchenko, 2008). But while these states may not explicitly discriminate people based on ethnicity, gender or race, their focus on social norms has institutionalised other legitimate forms of exclusion and discrimination with regard to people's enjoyment of ESR. In this way, Singaporean housing and health-care policies have at times disproportionately targeted sexual minorities and women under the guise of pro-family 'collective interest' or curtailed people's freedoms for the sake of harbouring social cohesion; Jordan's welfare system has been made available mainly to the Transjordanian populations justified by security concerns and, initially, as efforts to equalise development vis-à-vis its population of Palestinian origin; while Belarusian welfare institutions not only remain blind to deprivations felt by particular 'undesirable' social groups (such as the homeless or sexual minorities), but also entail a structurally embedded component of punishments for insubordination to the lines of permissible activity as determined by the 'presidential vertical', including 'egoism' associated with furthering one's own well-being. Thereby as access to ESR is not inalienable, it is not universal either, despite being supposedly rooted in various interpretations of the principle of equality.

Finally, these insights illustrate the complexity of assessing also the participation and accountability principles of ESR provision. While all three states employ some institutions that pay homage to participation, people's ability to influence socio-economic policies is severely constrained by limitations placed on their engagement in (and indeed, the regimes' rationalisation of) "political activities". Yet, rulers in these states are not legitimised through such mechanisms, but by ideological principles that promote symbolic performance such as the protection of security, the national interest or the collective good. As this ideational message is enforced through the welfare system, accompanied by institutionalised punishments for non-compliance, it is possible to conceive how this may shape people's short-term behaviour as well as their worldviews in the long-term, weighing on their values, aims and

expectations placed on the ruling elites. With the regimes generally focused less on repressing people into compliance and more on compelling them to *want* to accept the underlying rules of the game, leaders of these states enjoy relatively high levels of popular support, promoting symbolic legitimacy as a somewhat self-fulfilling prophecy. Public compliance, in turn, enables the use of various tools that signal participation and accountability (such as referendums, public debates, consultations or even elections) since their ability to meaningfully challenge the rule is procedurally constrained. In this way, participatory mechanisms and accountability are likely rationalised as regime benevolence in enacting 'just' policies in the name of defending people's interests. Increased participation is meanwhile often coupled with further delineating bounds of permissible participation as informed by threats to the regime and justified in reference to informal institutions, restricting the scope of legitimate objections.

These findings altogether point to the multitude of functions assumed by ESR related domains in contributing to the resilience of autocratic rule, extending far beyond the exchange of goods for loyalty, as assumed by the 'authoritarian bargain' (Desai *et al.*, 2009). Importantly, the study illuminates the strategic and intentional processes of institutionalising certain informal norms within the respective welfare states as means for ensuring regime legitimacy and increasing the value of symbolic performance as its source. In this way state-sanctioned informal beliefs become themselves intrinsic features of authoritarian welfare provision – as alternative approaches to attaining well-being not dominated by the regime are hollowed out and delegitimised, compliance with and "voluntary" acceptance of informal institutions become a necessary condition for ensuring individual access to ESR, both through formal welfare institutions as well as the 'non-political' communal practices. Such aspects have been gravely overlooked by contemporary research of rights and development, yet they may be a crucial piece of the puzzle in understanding autocratic welfare provision and can create important path-dependencies that reflect on social policy and may be difficult to deviate from. Some welfare scholars have pointed to the importance of ideas, valuational dispositions and public attitudes as formative of social policy (Steinmo, 2003; Blekesaune and Quadagno, 2003), yet this study draws attention to these aspects themselves being disproportionately fuelled from above. As autocratic elites employ culture, morals and ethics to justify their politics and enforce their views, values and beliefs with the help of the welfare system, certain *paths* may be "locked in" and an ideological deviation from this culturally justified direction becomes increasingly implausible because it forms a part of the underlying narrative that validates and legitimises not only the political system but also the sovereignty of the polity and

individual identities themselves. Critical junctures hence stem not so much from exogenous events, but rather their potential to pose threats to the autocrats' legitimacy. As a result, welfare institutions may undergo change, but this change is subsumed within the relatively resilient underlying narratives that shift only marginally because of their value as legitimising discourses. Consequently, references to 'cultural traits' do not necessarily reflect innate characteristics of a polity, but are more adequately viewed as resulting from a process whereby 'cultures' are defined, redefined and reinterpreted also in lieu of ruler's legitimacy claims. So while the formation of a 'nation' in these states has not been a bottom-up process reflecting a collective strive for sovereignty, neither has the process been entirely imposed from above illustrating the interactive nature of formal and informal institutions in authoritarian regimes. The regimes' hegemonic dominance over alternative approaches is strengthened through their respective welfare systems that reinforce state-sanctioned 'truths'. Over time such norms have potential to solidify into worldviews about the self-understanding of individuals themselves and how people are able to define themselves as a 'national' polity – it is such symbolic, not outcome performance that primarily justifies the rule and cements public support for the status quo with the help of the welfare system.

This poses important implications also for human rights and development scholarship, specifically in reference to its conceptualisation of individual agency. The normative question as to what extent the concept of rights accommodates cultural particularities remains unresolved. Agency is typically asserted by rights research as (a) conductive to individual freedom and (b) enabling one's choice in the pursuit of whatever they deem valuable ends in life, accommodating potentially 'culturally' rooted values as informative of such choices people could legitimately make under the rights framework. This research illuminates that concepts such as 'values', 'preferences' or indeed, 'agency' itself possess a temporal, interpretive nature are not necessarily "natural" as they can be informed by the aspirations of the rulers rather than inherent 'cultural' dispositions of the ruled. In the absence of democratic institutions, normative assessments of individual agency become difficult as valuational prepositions are often invoked to justify the rule from above. While the study does not provide a conclusive answer to this debate, it does suggest that attention be paid to the aspects that *shape* people's individual agency rather than merely assuming it based on the presence or absence of democratic institutions for not only can 'agency' stretch beyond mere oppositional activity, but it can also, in fact, be conductive to the longevity of paternalist authoritarianism, which limits people's access to rights justified by the consent of those it deprives.

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