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POVERTY, DEVELOPMENT AND HUMAN RIGHTS IN CHILE:
ANALYSIS OF TWO SOCIAL PROGRAMS

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INTRODUCTION

1. This paper is prepared as a discussion paper in the context of the ongoing investigation conducted by the International Council on Human Rights Policy. It examines and describes two social programs currently being implemented in Chile. The first program, known as *Puente* (“Bridge”) is the starting point of a coming new legal system of social protection. It was approved by the Chilean Congress and is based on an innovative government approach to programs designed to eradicate poverty. An emphasis on human rights concepts underlies this program and may spread to other government initiatives.
2. The second program discussed in this paper is *Orígenes* (“Origins”). Funded mainly with a loan from the Inter-American Development Bank, this effort is intended to promote overall development of indigenous communities, in the framework of a new relationship between the State and the indigenous population of Chile. *Orígenes* focuses on rural indigenous communities, which are some of the poorest and least developed groups in Chile. Examination of the program is particularly enlightening when it comes to assessing the range of possible rights-based discourse in the context of development policies. In addition, while the program is funded by the IDB, it is interesting to see how the international agency conceives the implications of such an initiative, and how this conception is actually grounded.
3. The analysis goes as follows. Part II provides a detailed description of the political, social, and economic context of Chile. The anti-poverty policies’ shift that we identify needs to be construed under the general context in which it is produced. Part III discusses two social programs: *Puente* (III.1) and *Orígenes* (III.2). The first is an explicit anti-extreme poverty strategy, while the latter is conceived in a more subtle way. Here we discuss documents as well as present interviewees’ opinions. Our purpose is to convey the several understandings and impressions that social actors maintain towards these strategies. Part IV discusses the implications that the programs have from a specific standpoint, namely, a rights-based approach to development

policies. We shall demonstrate a significant breach between public officials and policy-makers' discourse, appraisers and civil society leaders' opinion, and beneficiaries' impressions. Although the two programs stand as novel initiatives — incorporating a rights-based perspective — beneficiaries' understandings do not go along with that perspective. Lack of participation and the absence of accountability are said to be the main reasons for such a gap. In Part V we present a brief conclusion.

HISTORY AND CONTEXT

4. Chile is 4000 kilometres long, located on the Southeastern cone of South America. Fifteen million people live in this land. 80% live in urban zones. The Spaniards, who settled the country, encountered one million indigenous people upon their arrival in the mid Century 16th. The largest Indian population was the *Mapuche* — 'the land people'. In the early 17th century, the Spanish Crown made an agreement with the bellum *mapuche*, whose territories were conquered later by the Chilean army, in 1881.
5. Chile achieved its independence in 1818 and became a stable republic in 1833, when a new Constitution was enacted. The political and legal system was developed with fewer obstacles than its neighbours; there were two civil wars (1851 and 1891) and some armed interventions in politics (1859, 1924). In spite of the latter, Chile remained as a rather stable Latin American republic. Yet in 1973 president Salvador Allende (the first socialist to be elected as president) was overthrown by the military. A dictatorship was established from 1973 to 1990, in which General Pinochet committed gross human rights violations as well as monetary frauds. Since 1980 a new Constitution, enacted by the military, rules the country. Recently, Congress amended the Constitution in several ways, taking out of the text many anti-democratic provisions — e.g., non-elected senators, and an overly powerful role of the military, among others.
6. Chilean economy has traditionally been based on primary resources-exportation. In the beginning it was wheat — which raised the large *haciendas* (farms) in the Central Zone of the country, and settled the political power. In the early 20th century, the economy was based on the exploitation of mineral resources, such as saltpetre and copper. From 1938 to 1973 an industrialisation model was developed by the Government, in accordance with a process of substitution of imports. This was interrupted by the military dictatorship, which imposed an open-market economy and privatised many state-owned companies. The process has continued with the democratic governments (1990 to present), mainly by free-trade agreements that Chile has signed with developed countries, such as the United States and the European Union. One of the few state-owned companies not privatised by the military is the copper company, which represents 40% of the national exportations. Chile also bases its economy on forest products, salmon (Southern zone), fruits, and winery (Central Zone).
7. Chile has deployed social policies since 1925. First, mandatory primary education was established. (Nowadays Chile has mandatory secondary education.) Later. The process went through national policies on health, housing, and social security. During the '60s and '70s an agrarian reform modernised and expanded capitalist production of the land. The military lowered dramatically the public expenditure, developing focalised programs on extreme poverty (mainly, through subsidies and emergency employment programs). After the military regime, public expenditure has increased up to 160%, expanding the scope of social policies (women, the elderly, the youth, indigenous peoples, the disabled, among others). New institutions oriented to specific disadvantaged groups were established, yet the mechanisms for addressing poverty were not substantially modified: services externalisation, and private companies for social security, health (although there remains a public system), and public education in the hands of the local governments (municipalities).

8. On the 30th anniversary of the coup in 2003, Chile also celebrated two decades of practically uninterrupted economic growth and 15 years of peaceful transition from dictatorship to democracy. The last two processes differentiate Chile in a positive sense from many of its neighbours in Latin America and in a certain way is an unexpected result of the struggle for democracy in the 1980s.
9. Since 1990, active social policies have helped to reduce Chile's rate of absolute poverty in contrast with the rest of the continent. In spite of economic growth, political stability, and an overall improvement in income levels, an effective strengthening of civil society — greatly weakened by 17 years of dictatorship — is still lacking. Indeed, inequality of opportunities among social groups is more entrenched and various types of social disintegration are on the rise. Political participation, as well as democratic commitment, has declined considerably since the first years of transitional governments.
10. The road to “modernisation” agreed upon by economic and political elites at the end of the 1980s focused on economic growth, institutional political “normalisation,” and so-called “payment of social debt.” The goal was to try to maintain the conditions of economic growth and to add on a more active social policy. Naturally, that could not change the basic course of the productive structure. Therefore, the transition’s relevant social achievements could not be translated into stable integration and social participation.
11. Social policies, including higher wages and minimum pensions, as well as low levels of unemployment until 1998, contributed to an increase of Chileans’ income during the 1990s. Yet, parallel to this, inequality of opportunities also increased during this period. Workdays became longer and Chilean families found themselves deeper in debt. Inequality has gone hand in hand with economic modernisation, creating a social fissure that is now having political consequences, especially in a year of presidential elections. For the first time after the Pinochet era, social inequality is a transversal issue. Interestingly, it was not the left-wing candidate but the right-wing one who raised the issue.
12. In 1990, 38.6% of the population received monthly income below poverty level. In the year 2000, the number declined to 20.6%, some three million Chileans, according to the *Encuesta de Caracterización Socioeconómica* (Poll on Socio-Economic Characteristics). According to the 2003 poll, the number declined to 18,8%.
13. Despite this positive showing it has not reached the level of 30 years ago, when in 1973, only 17% of the population was below poverty level. As the economy improves, the contrasts are sharper. Statistics show that 10% of today's poorest Chilean homes have decreased from receiving 1.5% of the wealth, to only 1.3 % with an average income of \$80 monthly. In contrast, the wealthiest 10 % captures 41% of Chile’s total income and earns an average of \$3,000 monthly. Poor households have a larger number of members, which means that each person in the wealthiest sector of the population has income 40 times greater than each of Chile’s poorer citizens. Women run many of those families.
14. Recent studies, including a World Bank report, indicate that the structure of income distribution in Chile is not much different from that of other Latin American countries, except in relationship to the highest income group, which enjoy a disproportionately great concentration of resources and opportunities. The society has managed to increase resources for the poor so they can survive. However, by not reducing inequality, it has blocked the social availability of the necessary resources to live together in harmony.

Public Policies of a Small State

15. The contribution of public policies has been crucial to the increase in income of the poorest. However, employment, closely linked to the evolution out of poverty, and other key factors have not been tackled. While economic growth averaged more than 6% in the last decade, employment has only increased 0.8% yearly. This means that poverty decline has also been slower, particularly among poor women and youth. (Indeed, the latter experience unemployment at three times the rate of adults.) Most jobs are in the informal sector and thus precarious, with low wages and bad working conditions.
16. The amount of resources destined toward social policy has increased steadily, particularly in the areas of health and education, although the impact of this investment has been relatively low. Meanwhile, the majority of the innovative agencies in the public sector created since 1990 (for youth, indigenous, women, and others) have experienced crisis after crisis and have not managed to integrate themselves into the traditional structure of the state. Some argue that the size of the state ought to decrease since it has become inefficient bureaucratic machinery.
17. Chile's social expenditure has doubled in absolute terms from 1990, according to the official report of the follow-up meeting of the World Social Development Summit. It has grown a bit more than two percentage points of the GDP and represents three-fourths of all public spending. How is it possible that in spite of these efforts by the public sector, the increasingly unequal structure of Chilean society has not been altered? "We don't understand why", World Bank economist Guillermo Perry recognised in 2004. Probably the answer is that only public expenditure is redistributed, while the major sources of income tend to be highly concentrated. Almost half of public expenditure is used to pay pensions, a percentage that will only increase in the future as Chileans grow older and the state assumes responsibility for its uncovered or under-covered citizens. Many of them work for the exportation activities, the dynamic "modern side" of Chilean society.
18. Public expenditure has had a limited impact because it represents only a fifth of total economic expenditure. Thus, paradoxically, state monetary transfers represent 31% of the income for Chile's poorest 10%, but their income participation has only improved 0,1%. At the same time, consumers are more frequently paying for public services themselves, 50% in health, almost 40% in housing and 10% in education with a growing tendency for shared costs between the consumer and the state.

The archipelago of civil society

19. The capacity of social groups themselves to act upon the public stage has diminished since peaking in the early 1990s. No normative framework exists in Chile to favour the growth, consolidation and influence of an active civil society. Non-governmental organisations, previously a factor in setting the social agenda, have been reduced to carrying out the spending of public funds, as a way of broadening the outsourcing of government programs.
20. The associative tradition subsists, but it is materialised in a large number of organisations without common links or any real weight in public affairs. In 1999, the United Nations Development Program identified the high number of associations of all types in Chile as reaching 83,000 without even counting religious organisations. This high number reflects only a potential strength but not a social dynamic with the corresponding capacity of influence. The labour sector, in which the rate of unionisation has dripped and the number of union members has fallen by a third, is an example of this trend. The only thing that has actually increased is the absolute number of unions, little entities without any real power. According to the UNDP data, a greater

number of participation in formal organisations is found only in the upper classes, together with a greater “informal social capital of its members.”

21. During the 1990s, the relationship between society and the state were once again redefined. The state — looking “upward” — concerned itself with guaranteeing optimum conditions for the operation of an export economy in which foreign investment and the financial sector predominate. Looking “downward,” the state focused its actions on the poorest of the poor with fragmented strategies and without a framework of universal rights necessary to foment social integration. In Chile, there is no normative framework to favour the development, consolidation, and influence of an active citizenry. An access to public information act was enacted in 1999, yet it has been turned down by administrative regulations. The secrecy tradition of the Chilean state is still in place.¹

New Challenges for an Integrated Chile

22. The previous arguments allow us to identify challenges in the search for a new social integration in which civil society’s role is fundamental, given the limitations of the state’s action and priorities. Social and cultural exclusion must be placed on top of the agenda. The process of economic modernisation integrates some and excludes many, increasing social differences. In this fashion, poverty and marginalisation are not clumped together in large homogeneous groups, but assume multiple guises throughout the country. Some of them are related with traditional rural economies, lack of training and education, as in the *mapuche* population in three of the thirteen regions of the country; the women single householders in the “urban marginal areas.” Others emerge from the extended precarious work in agriculture, fishing, and others.
23. Social action in those sectors in which diverse factors for marginality and discrimination are concentrated such as workers — men and women — who work in precarious tasks with no access to basic labour rights, especially temporary workers in the “modern” export-oriented sector, such as the fruit and fish processing industries and in the lumber trade. Labour rights have to be sought for the distinct forms of work that are prevalent today among the poorest: subcontracts, domestic work and other labour carried out in people’s homes. The inclusion in the workforce of the poorest women — with little education and without access to services — must be improved by widening services to take into account the reality of a broad range of women. Chile is the country with the lowest rate of female labour participation.
24. The traditional rural sector throughout the country lacks access to new productive activities, not experiencing any improvement in their capacity to earn a living, in spite of large investments in social infrastructure. The *mapuche* peasants, not only expelled from their lands, but also enduring the pressure of multinational lumber companies, fall into this category. But so do urban youth, with high rates of unemployment, low salaries, increased school dropout rates and increased participation in crime and drug networks. The “stigma” of these young people as dangerous individuals has increased without taking into account the origins of the problem, which is not limited to Santiago, but has extended to rapidly growing medium-sized cities because of the lack of opportunities in the rural sector.

Development policies in the new era

25. The resumption of democracy in Chile also marked the return of hopes and expectations to the most neglected sectors, which underwent the dismantling of the social protection networks

¹ See Jorge Contesse, *La opacidad del Administrador*, in LIBERTAD DE EXPRESIÓN E INTERÉS PÚBLICO (González, F., ed, 2005) (forthcoming)

during the Pinochet years. As Ana María Arteaga explains, “the tenets of the military government took shape in two substantive actions: focalised social expenditure, and private-sector and market entry into areas traditionally covered by the government: education, health, social security, and housing. Financing and access mechanisms in all these areas changed and the “consumer” again became a key element of the system, free to choose from the range of possibilities offered by the market”.² Chile is one of the paradigmatic cases of a country that adopted in near-orthodox fashion policies for structural adjustment, reducing central government, privatisation, and fiscal discipline, as promoted by multilateral agencies. For this reason, the return of democratic rule was seen not only as an important step in the matter of civil and political rights, but also in regard to social, economic, and cultural rights.

26. As stated in an official document on development policies in the recent past, “the development strategy begun in the ‘90s focused on growth with equity. Modernisation of Chile was the target of the actions undertaken. Social policy goals in the decade have been characterised as a social development strategy that, without upsetting macroeconomic balances, was intended to improve quality of life for the population, eradicate poverty, and revert the processes of discrimination and social exclusion, and so achieve a more integrated and equitable society”.³ Some civil society leaders view poverty reduction by the State not as deliberate action — evidently, poverty reduction is discussed across the institutional framework — but as a result of the economic growth experienced in the ‘90s. ⁴
27. Despite the efforts made in the past fifteen years by successive centre left-wing administrations to lower the number of people living in poverty, social inequality has increased.⁵ As we said at the outset, the latest survey of poverty levels, published in 2004, showed that poverty levels dropped from 20.6% in 2000 to 18.8% in 2003.⁶ Indigence levels also fell from 5.7% to 4.7%.⁷ However, it also showed that social inequality increased.⁸ In 2005, a presidential election year, (poor) income distribution, unequal opportunities for the richest and poorest, and the need for the lately achieved development to reach everyone are strongly rooted in the political debate. Progressive female pre-candidates talk about it, and so, before them, did the right-wing pre-candidates, who are usually identified with the policies of the military régime.

² Ana María Arteaga, “La lógica brutal de la privatización”, in *Los Pobres y el Mercado* (The Poor and the Market), Social Watch, Informe 2003, p. 110 (2003)

³ Government of Chile, MIDEPLAN: Estrategia para el fortalecimiento de la política social en la década del 2000. MIDEPLAN (2001)

⁴ Rodrigo Pizarro, Executive Director, Fundación Terram (personal interview)

⁵ Between 1990 and 2003, public spending increased by 160%. In November 2004, Yasna Provoste, Minister of Planning, gave a detailed lecture before the UN Social Rights Committee stressing that most of these resources have been allocated to education, health, and housing programs.

⁶ It should be noted that poverty is measured according to what Roger Riddell calls ‘monetary approaches’. He says that, “monetary approaches to poverty impute a monetary value to poverty. They are mostly used with poverty lines and can be either income-based or consumption-based. Thus under this cluster of approaches, poverty lines are drawn up which calculate the income required to purchase a given set of required goods and services: those with incomes less than the required amount fall below the line and are deemed to be living in poverty”. Roger Riddell, “Approaches to Poverty: A note from the ‘development’ perspective”, ICHRP, concept paper, p. 4.

⁷ CASEN 2003. Some stand back from these figures. One economist explains: “When the government says that a little less than 1 out of 5 Chileans is poor, it is making a technical error and it upsets the dignity of the people. Strictly speaking, we do not have 18.8% of the population in poverty, they are below a statistical line of poverty, related to consumer indicators for 1986 and said to meet the minimum needs of individuals.” Marcos Krenerman, “La insólita medición de la pobreza”, *El Mostrador.cl*, August 26, 2004. It should be noted that the poverty line applied by the government is set at \$43,712 (approx USD \$75), which is far from sufficient to cover the basic needs of an individual,

⁸ In 1992, the difference between income received by the richest and poorest quintiles was 13.2 times. According to the latest CASEN survey, today the difference is 14.3 times. See also Andrés Sanfuentes, “Disminuye la Pobreza, pero la Distribución del Ingreso Sigue Mal”, *Asuntos Públicos.org*, Informe N° 415, August 31, 2004, and Instituto Libertad y Desarrollo, “Distribución del Ingreso: Antecedentes para la Discusión”, *Temas Públicos*, N 1° 659, December 31, 2003.

28. In addition, from the standpoint of politology, the return to democratic rule has brought about a particular understanding of the transition period. As a concept, the idea of democracy implies that the citizens are “empowered” and responsible for many activities that under authoritarian rule are removed from public spaces and monopolised by the authorities. In the negotiations between *Concertación de Partidos por la Democracia* (the ruling coalition) and the right wing (who supported the Pinochet regime), a particular way of doing politics was found that would avoid conflict and sustain a stable governance project. Some called this phenomenon “the politics of consensus”, inasmuch as the political system has grown accustomed to stalled projects and innovative policies, choosing to follow the economic and social model promoted by the military government. We do not intend to address the political implications of the transition period,⁹ but rather to convey the political context in which consensus and understanding of development policies are sustained. *Puente* (and later, *Chile Solidario*) and *Orígenes* are two programs that, insofar as they both break this mold, suggest possibilities of development policies with a human rights component.
29. Nonetheless, establishing a practice that is inconsistent with the all-inclusive discourse that has been disseminated, where participation is limited to complying with formal requirements that rarely translates (in the understanding of an individual called to participate) into a deep-rooted feeling of contributing to the project, initiative or policy, makes it hard for users to “feel” that the state is any different. Although in 2000, the need for a “new deal” with citizens and the state was recognised, favouring an agenda of citizen participation,¹⁰ today Chileans claim more authority, feeling that the government was not close to them and that it was not easy for them to play a part in social development and progress.¹¹

Methodology of this study

30. According to ICHRP guidelines, our analysis is supported by a compilation of documents on poverty, human rights, and governmental social and development policies. In addition, interviews were held with public officials at various levels, individuals linked to civil society organisations, academics, and beneficiaries of the programs under study. We sometimes quote interviewees in their own words. In this connection, we decided to present the circumstances of the people involved without further conceptual analysis. In the conclusions, we offer our assessment of how these programs affect the attitude of the government toward the poorest sectors and whether a human rights approach may or may not contribute to reach this goal.

THE PROGRAMS UNDER ANALYSIS: “PUENTE” AND “ORÍGENES”

31. In this section, we discuss two programs that have been implemented in the last years. *Puente* is the antecedent of a major social policy known as *Chile Solidario*, which aims at reducing extreme poverty. On the other hand, *Orígenes* is a program focused on the poorest segment of Chilean population, namely, rural indigenous communities. We have selected these initiatives because

⁹ For an interesting discussion, see Peter M. Siavelis, *The President and Congress in Postauthoritarian Chile: Institutional Constraints to Democratic Consolidation* (2000)

¹⁰ At the end of the Eduardo Frei administration (1994-2000), the idea of a “new treatment” began to gain strength within the government. It was clear that there was a crisis in citizen participation and involvement in public affairs, so it was decided to adopt policies and initiatives tending to take into consideration the opinions of the people. See Marcelo Martínez Keim, “Nuevo Trato. Alcances Políticos y Conceptuales para una Política Nacional y Transversal de Participación Ciudadana” Documento de Discusión N° 2, División de Organizaciones Sociales, Gobierno de Chile, Santiago, 2000.

¹¹ The 2004 report on human development was dedicated to ‘power.’ It concludes that Chileans demand more horizontality in relationships of power, as well as a more robust civil society. See United Nations Development Program, *El poder: ¿para qué y para quién?*, UNDP (2004)

they represent, in our view, a shift in social programs to eradicate poverty; a shift that takes into consideration a rights-based perspective.

From the Family and its Rights to the Protection System of *Chile Solidario*

Background and Diagnosis

32. The Socio-Economic Characterization Poll (CASEN) is conducted in Chile every two years since 1985. The results are public since 1987, since when the percentage of homes and individuals below the so-called “poverty line” has not ceased to diminish with every measurement.¹² From the 1996 CASEN Survey on, however, the percentage of families in “extreme poverty” has remained the same and even tended to rise, in spite of a general decrease in the number of “poor” families. This led to a critical assessment of anti poverty policies in effect at the time, conducted by the Budget Department (*Dirección de Presupuestos*) of the Ministry of Finance, with emphasis in the assistance network provided by the public sector (welfare subsidies for families and for drinking water; old age, relief, and mental disability pensions; health care, assistance to schools and associated benefits, etc.). The diagnosis was that there was a “hard-core poverty” that failed to benefit from the effects of economic growth, and to gain access to public services, out of ignorance, isolation, uncoordination, and insufficient service coverage.
33. The need to improve co-ordination of the network of welfare benefits was suggested to make sure that they were available to “extremely poor” families, and the need to provide a money bonus to supplement the family income and enable them to rise above the “indigence line” was also discussed. At the same time, in 2002, the Social Investment Fund (Fondo de Inversión Social, FOSIS) was preparing to adjust its approach to intervention with a view to improving its targeting of actions against poverty (territorial scattering, low amounts of investment, many groups with small projects, excess of diverse interventions).¹³ Such adjustment consists in adapting the approach to the Social Management of Risk developed (among others) by the World Bank.¹⁴ This approach establishes a broad range of risk factors that affect families and individuals. Affecting such risks allows taking various forms of action to combat poverty: pre-emptive action, to prevent risk from occurring; protection mechanisms in the event that risks occur; and, finally, reducing damage caused to individuals who have already suffered the consequences of such risks — e.g., loss of employment, diminished income, lack of education, impaired material circumstances, etc. The adaptation performed by FOSIS and applied in the *Puente* Program includes restricting the approach to a Matrix of Social Risk Analysis covering only “extremely poor” sectors and the last of the above strategies: remedying the expressions of risk impact on families whose circumstances are heavily impaired owing to the concentration of different kinds of risks.

The Program

34. The efforts of the Ministry of Finance aiming to ensure an income level that will enable families to rise above “indigence”, and of FOSIS seeking to establish some kind of protection system

¹² The poverty line is the result of comparing family income with the average cost of the family food basket, calculated from family consumption data obtained in the Family Budget Survey of 1986. If income fails to exceed the cost of two average family baskets in urban areas or 1.75 in rural areas, the family is considered “poor”. If it fails to exceed the cost of one average family basket, the family is considered “indigent” or “extremely poor”.

¹³ Fosis: “Manejo Social del Riesgo. Enfoque orientador de la intervención e inversión del Fosis”, 2002, p. 9.

¹⁴ The FOSIS paper quotes Holzmann, Robert, and Jorgensen, Steen: “Manejo Social del Riesgo: un nuevo marco conceptual para la protección social y más allá. Depto. de Protección Social, Red de Desarrollo Humano, Banco Mundial, febrero 2000. Fosis, *op. cit.*, p. 19.

against social risk were confluent. They were enhanced by action taken by the President of the Republic himself, who granted the issue political priority and directed that a system called *Programa de Protección Social Chile Solidario* (“Social Protection Program”) be structured. The program ought to be designed and implemented by the Ministry of Planning (MIDEPLAN). Mideplan decided that *Puente* program, already started by FOSIS, was to become the instrument for families to join the *Chile Solidario* System.

35. Implementation of the *PUENTE* program began in 2002 in four regions, and by early 2006 it is expected to have assisted the 226 thousand families then estimated to make up the indigent population of Chile.¹⁵ Implementation of *Chile Solidario* was announced at the same time. The explicit mission of this program is not to overcome poverty but to “integrate families in extreme poverty to the government social protection network, at guaranteed or preferential level (depending on the benefit), which involves effective interaction, readjustment and effective linkage of all the existing program supply.” *Chile Solidario* is expected to “help to ensure that families living in extreme poverty conditions can improve their living conditions”.¹⁶
36. The system is composed as follows:
 - Social and psychological assistance performed by the FOSIS *Programa Puente*. A trained professional (usually a woman) provides assistance for a period of 18 months once the family has been identified and visited, and a contract has been signed with a representative of the family (generally a woman head of household or the spouse of the head of household).
 - Family Protection Allowance. A monthly allowance in money in decreasing amounts over a period of four semesters. During the first six months, the amount is CLP10,500 (US\$15 in 2002), the following six months, CLP8,000, then CLP5,500 and finally CLP3,500. Families meeting contract conditions receive a monthly Protection Allowance as of the 24th month, which amounts to one *Subsidio Unico Familiar* (Single Family Allowance) (US\$ 5.4 a month) for three years. Families who fail to achieve the goals in 12 months are taken out of social and psychological assistance and receive the same Protection Allowance.
 - Guaranteed Money Allowances. This includes the traditional *Subsidio Unico Familiar*, old age and mental disability pensions, as the case may be, and a Drinking Water Subsidy (up to 15 m³ monthly consumption).
 - Preferential access to promotional programs, labour and social security benefits.
37. In April 2004, the *Chile Solidario* law was enacted, defining the above benefits and procedures to identify other beneficiaries in the future.

Intervention Strategy

38. The Program is part of a plan known as “Integral Intervention Strategy in favour of Families Living in Extreme Poverty”, which aims at enabling families to “recover or achieve functional and resolatory capabilities, in the personal, family, community, and institutional environments”. On the one hand, it seeks to generate, “basic conditions to improve their standards of living, hence provides social and psychological assistance to create and/or restore the families’ basic

¹⁵ Families are identified on the basis of data collected by the municipalities through a Social Characterization Card CAS II. Families that do not reach a certain score in this card (that includes conditions of housing, facilities and services; income and basic needs fulfillment) are progressively integrated to the Puente Program.

¹⁶ Final Puente Paper, Fosis, 2002: 6

capacity to function”. Secondly, to bring families closer to the supply of public services and benefits, and, lastly, to “sensitize local institutional agents to focus action on such families.”¹⁷

39. Social and psychological assistance under the *Puente* Program is performed by a male or female trained professional known as Family Support, who acts on behalf of the state to sign a contract with the family (usually represented by the adult woman), after an initial work phase of one semester (14 working sessions). As the goal of the *Puente* Program is to guarantee certain “basic conditions” in seven main poverty areas, the contract is intended to maintain such basic conditions. The government guarantees the benefits and the families in turn engage to send the children to school, to take necessary administrative action, etc. In short, the beneficiary is empowered to some extent and begins to behave more like a citizen than a mere recipient of government welfare.
40. Basic living conditions are classified in 53 operational indicators (strictly speaking, only some can be operationalised), grouped in the seven “pillars of the Bridge”: identification, health, education, habitability, family dynamics, work, and income. The role of Family Support is to ascertain together with the family (the adult woman) whether basic living conditions are met, by means of a “card game”, and to determine the goals to be included in the contract. The next three phases involve a follow-up on the established goals and adjustment as necessary.

Institutional Framework

41. *Chile Solidario* is managed by Mideplan through an Executive Secretariat responsible for coordinating with the agencies in charge of providing benefits and subsidies. The *Puente* Program is implemented by FOSIS through Family Intervention Units located in each participating region and municipality. Family Supports are sometimes hired directly by FOSIS, sometimes they are municipal employees assigned to the Program on a part-time basis. The model includes Regional Consulting Committees with civil society participation, which should provide feedback to the Program.

Analysis of Puente / Chile Solidario

An innovative program

42. The combination *Puente* Program / *Chile Solidario* System is a significant innovation in the way social policies have been implemented in the past fifteen years, especially insofar as it involves intersectoral linking of government services and explicitly guarantees benefits for the population living in “extreme poverty”.
43. The program modifies both the traditional methods of providing specific public services (scholarships, food rations, health care) and those applied in the ‘90s to encourage social efforts through bids for micro-projects in productive areas, social activities, care for the environment, etc. The former supply particular goods or services from the offices of public agencies or by outsourcing to private agents. The latter are conducted by the community itself, and organised for this purpose.
44. In the case of *Puente*, the state agency “goes looking” for beneficiaries, families previously identified on the “*ficha* CAS” (Socio-economic Characterization card — which has been recently modified by a “family card” not yet in force). Once contact has been established, the situation diagnosed and the contract signed. Family Support is responsible for promoting overall

¹⁷ Final Puente Paper, Fosis 2002, p. 15.

government supply. From then on, the various public agencies are responsible for addressing the demands, both specific and differentiated, set by the Intervention Unit, i.e. the family in conversation with Family Support. This means co-ordinated action by the various sectors of public services, initially understood as a “one-window” approach, a feature that won approval from diverse interviewees of the civil society. Guaranteed attention on the part of the state is undoubtedly the most innovative aspect. It is consistent with an understanding of rights that concentrates rather on concepts of focalisation, social integration, and equity.

45. In fact, *Chile Solidario* appears on the local scene as the first long-term effort that openly addresses in its formulation the language of human rights, particularly economic, social, and cultural rights.¹⁸ The current administration, as will be discussed elsewhere in connection with other initiatives, adopts an innovative approach when it comes to implementing social policies.
46. Such explicit formulation of rights, however, as used by the Executive to submit *Chile Solidario* and explain its rationale, fades away as one “descends” from high officialdom to program beneficiaries. For example, in an interview held with Verónica Silva, one of the people behind the ideology — so to call it — of the program, we noticed the almost absolute absence of the language of human rights: the content of her statements referred to the idea of the dignity of individuals but was not stated as a matter of *rights* — as is the presentation of the bill quoted here. The closest she came to that was, “this is like the rights of children. Nobody can be against that; nobody can say that children don’t have rights, then, when we launched this program that is what we thought. And this allowed us to persuade other state agencies”. It is odd that the official explained to us the design of the *Puente-Chile Solidario* Program in terms of children’s rights and the notion of personal dignity, without mentioning progressive fulfilment of economic, social, and cultural rights. A possible explanation for this is that the language of rights may be alien to her, since she isn’t a lawyer. Nevertheless, it is curious that “official” discourse is indeed structured that way.
47. Another pioneering idea in this program is the social and psychological assistance provided by civil servants (FOSIS and local governments), comparable to the working tradition of development NGOs. The assistance is applied to women and family groups in their homes rather than in the framework of organisations or places, and community dynamics. This implies redefining the role of public officials: from a Weberian impersonal distance to emotional and professional closeness and commitment to a family with a face and a name. Family Supports speak of their beneficiaries as “our families” and are very directly committed to them.¹⁹ The program develops a methodology based on psychosocial restraint and joint definition of a strategy for facing family problems. Such actions sometimes collide with both the design and the FOSIS management control system, which sees Family Supports as a kind of “social executive” (each family is like an account, a client, who must receive the set of products that the program supplies within the specified time frame) and where goals are set by those responsible for the program with no part played by the field official.
48. Finally, the program also innovates in the notion of “discharging” the families once a certain period of time has elapsed and certain goals have been achieved. This gives it more flexibility and, above all, regulates dependence on assistance, a tendency that can easily appear in programs

¹⁸ The presentation of the bill introducing *Chile Solidario* declares that, “It is the government’s purpose that by 2005 a substantial improvement may be observed in the access to the various social programs by the extremely poor. This means working towards *the progressive accomplishment of the economic, social, and cultural rights of individuals*, so that they may meet their basic needs and requirements, and so rise above their present living conditions.” *Mensaje*, No. 21-348, October 7, 2002, p. 3 (our italics).

¹⁹ In this way they are clearly different from municipal officials, whom they perceive as accustomed to clientelist and assistance-based practices. Their high degree of commitment is what leads them to criticize the standardized methodology of the program and its pressure on management objectives that they perceive as inappropriate to the families in their care.

featuring bonuses in money, as in the present case. The fact that the bonus decreases over time and the time frame for participation is limited are features that, though they may not ensure family autonomy upon discharge — as the official discourse expects — they do control assistance-based and possibly a clientelist orientation of the program

49. Innovation is limited, however, by the almost non-existent institutional transformation of public policies and programs. Thus intersectoral connection relies mainly on the field agent and on more accessible communication with databases. What is lacking is developing a “one-window” approach for social benefits, and connection among the various levels of the administration: when a local agency applies to the municipality for information on “*Puente* families” to include them in their services, the municipality must apply to the main office because it neither has the information nor is entitled to make use of it. Another limitation, which stems from scant decentralisation and the technocratic nature of the underlying design, is the fact that psychosocial support work is standard for everyone, a feature that lays tremendous stress on the Family Supports faced with the diversity of poverty.
50. Some of the contradictions of the Program arise from its dual origin: on the one hand, it is an intervention strategy seeking to improve its focus (FOSIS), while, on the other, it is a means for allocating direct monetary resources to indigent families (Ministry of Finance). Such orientations are evidently stressing on execution.

A continuity program

51. The program under study does not innovate, however, in content or in how the benefits offered by the government are set. It neither innovates in the institutional pattern of social policy management. It preserves and expands the approach focusing on the “line of poverty” — restricting it even closer to the “line of indigence” — and relies more on “enabling” the poor to act in the market (and have access to social services) than on transforming the market to make it more socially inclusive.
52. This program follows and expands the strategy of focusing on poverty, as it was defined in the mid ‘80s. To this end, it relies on data from the CASEN Survey and the CAS Card, and also on the line of poverty established with data from the 1986 Family Budget Survey. Clearly, these tools underestimate the current extent of extreme poverty and hence, the requirements for Program coverage. If just the “line of indigence” were updated on the basis of the 1996 Family Budget Survey and using the current methodology, the universe would cover 12% of the population instead of the currently estimated 5%.²⁰ Similarly, if the methodology of the *Umbral de Satisfacción Mínimo* (that defines poverty but not indigence) is used, up to 80% of the population would be considered poor, because their income would not meet such *Umbral*. Worse yet, if the *Umbral* were applied retrospectively, the conclusion would be that 30 years ago, in 1970, only 30% of the population would be considered poor.²¹ Such conclusions lead significant sectors of the civil society to find policies limited to poverty and more so to “extreme poverty”, as is the case of *Chile Solidario*, as highly insufficient.
53. Some civil society organisations that share the focusing approach have also criticised the “hard-core poverty” diagnosis, which is based on a static definition of poverty. Mideplan called a panel survey to compare 1996 with 2001. It was found that individuals placed “below the line of

²⁰ Interview with Margarita Fernández, about data obtained for an unpublished study of *Fundación para la Superación de la Pobreza*.

²¹ Marcel Claude: Determinación del Nuevo Umbral de la Pobreza para Chile. Fundación Terram, June 2002. According to government methodology, a family of four people earning less than CLP 160,000 a month is considered poor; whereas for *Umbral* a family earning less than CLP480,000 is poor.

indigence” at some point during that period totalled 1.8 million people (8.8%), i.e. almost twice the estimated coverage of the *Puente* Program. Conversely, what may be considered “hard-core poverty”, i.e. persons considered indigent by both measurements, total only 1% of the population — around 200,000 people.²² The unreliable nature of such measuring is emphasised if we consider that of all the “indigent” people in 1996, 78% had risen above this condition by 2001, without the Program. In turn, 47% of the indigent persons in 2001 were not considered “poor” in the 1996 measurement.²³ This is reflected in the opinion of Family Supports, in that many of the family that joined the program already had access to the goods and services they were supposed to be unaware of. More importantly, however, the access to such services had not helped them to overcome extreme poverty.

54. In addition, the Program, with traditional orientation, acts on expressions or effects of poverty rather than on its causes. Its strategy is to strengthen the skills of the families to take advantage of possible opportunities but is not concerned with changes in the actual structure of such opportunities, which stem from the characteristics of the economic model, especially the labour market. Intervention is limited to what the state can provide. A small state, however, with limited resources and no intention of increasing them. In fact, *Chile Solidario* seeks to prioritise the families assisted by the public network, but with no extra resources allocated to the network. The *Chile Solidario* 2004 Act covers approval of funds exclusively for funding the protection bonus for two years; the *Subsidio Único Familiar* for three, and welfare pensions and the drinking water subsidy, but not to increase the coverage of the other services involved. Conceptually, as we have stated, *Chile Solidario* involves reducing focus of Social Management of Risk to “overcoming” the damage rather than the risk, with no attempt to alleviate or prevent.²⁴
55. This was the opinion of NGOs involved in implementing the Program, as well as Family Supports. The latter stated that, “they did not expect poverty to be overcome through the Program”, in spite of the great enthusiasm they put into their work.

A genderless program by and for women

56. We have mentioned the active part played by women both as program beneficiaries and as family supports. The latter are mostly young professionals trained in the social area. Notwithstanding, none of the program documents explicitly mentions women nor is their gender status taken into account in program design. The adult woman (spouse or head of household) is accepted as “representative” of the family — by what procedure, exactly, we are not told — as happens in many social programs. Testimonies by family supports point out that it is hard to get men to become involved in the program and that they leave this role to the women. At the meeting we held with beneficiaries in Cerro Navia, the only man present refused to speak at all times.
57. From the standpoint of program content, the gender angle is barely referred to in two ways: in connection with minimum conditions for children, the term “girls and boys” is used, and under “family dynamics” it is pointed out that equal roles should be established within the family regardless of sex, according to age of family members, without making the indicator operational. Otherwise, women are considered solely as health-care beneficiaries, with childcare, for instance,

²² Rodrigo Castro and Felipe Kast, Movilidad de la Pobreza en Chile. *Estudios* N° 88 September 2004, p. 7. www.lyd.cl. In an interview, Rodrigo Castro said that the *Chile Solidario* Program should only be applied to that 1% of “hard-core poverty”.

²³ Castro and Kast, *op. cit.*, p. 9.

²⁴ “To some extent, the *Chile Solidario* system means returning to a policy focusing on welfare assistance [...]. Now, however, the State becomes responsible for the social integration of those excluded, placing at their service the tools available to the public sector.” Vicente Espinoza: “De la política social a la participación en un nuevo contrato de ciudadanía”, In *Política* N° 43, Spring 2004, p. 176.

being restricted to workingwomen. What we wish to emphasise is that the program takes account of women solely in their role of representatives of family dynamics, with no gender considerations included in the determination of program goals.²⁵

Citizen action and social participation in Chile Solidario

58. The attitude of this program in its approach to citizen action and social participation is paradoxical. No reference to citizen action is made either in program design or formulation; no mechanism for social participation is included in any of the various stages of the process, and its design is top-down. Nonetheless, its objectives include elements of “social citizen action”, emphasising certain aspects of what have been called “active citizen action” and actual exercise of the rights that are formally set forth in legislation. This may be due to the predominance of technocratic views within the Chilean government — even among its social advisers — over concepts favouring social deliberation and decentralisation.
59. To some extent, as we have seen, the system takes inspiration from a notion of human rights that it seeks to make extensive to families described as living in “extreme poverty” conditions, although *“this does not mean that the specific objectives of the system include strengthening citizen actions or that an explicit definition of citizen action is included in the design. In fact, neither of these things happens.”*²⁶ By associating the delivery of benefits in money to performance by the family of certain committed activities, the notion of “passive” citizen action is left behind and the parameters of “active” citizen action are approached.²⁷
60. Nonetheless, this newcomer to the above notion of citizen action shows a variety of limitations. On the one hand, its “implicit” nature; on the other, its focalised formulation, which makes access to rights depend on administrative/technical identification of beneficiaries and participation in a standardised form of care. In addition, it is curious that the determination of “minimum conditions” considered acceptable for a family to “qualify” was performed in the absence of any political or technical debate on such conditions. The definition resulted from negotiations among government agencies and was based on forms of implementation rather than on benefit content or “minimum conditions”. Neither beneficiaries nor providers (local governments and professionals) were consulted.
61. In this design, the agenda for “overcoming poverty” has become reduced to “access of the indigent to the public network” as well as disconnected from the agenda of “civic minded participation”, which is channelled through a bill on volunteer associations. What about the poor in this context? Why are they defined as citizens in the sense that they are assured of access to certain services, to the point of being able to require them by judicial action rather than by participation? We are back here to the elements of poverty conceptualisation, harking back to the sixties’ “theory of marginality”, according to which the poor were sectors incapable of defining for themselves ways to overcome poverty. Such a view is clearly in contrast with a rights-based approach to poverty that gives participation a critical role.

²⁵ The role of the World Bank is twofold: as advisor to the Ministry of Finance in the diagnosis and approach to resolve the issue of social policy inefficiency that they observed, and as supplier of a technical assistance program for Mideplan to implement and systematize *Chile Solidario*.

²⁶ Miguel Angel Ruz and Julieta Palma: “Análisis del Proceso de Elaboración e Implementación del Sistema Chile Solidario” (Preliminary Report). March 2005, p.97-

²⁷ “The greatest novelty that *Chile Solidario* presents, however, is the introduction of “contract rights”, a seemingly contradictory form, . . . This approach to the integration of the most underprivileged population dignifies and legitimizes the group receiving the support, because the group thus gives empirical proof of its will to be integrated. Solidarity is thus presented as a way to correct a form of inequality without victimizing the beneficiary group.” Espinoza, *op. cit.*, p.176.

62. Neither *Programa Puente* nor *Sistema Chile Solidario* take into account the actual existence of community and social networks, which can be — and in fact are — mobilised both for facing problems and for a more extensive exercise of citizen rights. In fact, no mention is made of civil society or its action as a factor in overcoming poverty, civic-minded participation, or sustainable social integration beyond the end of intervention under the program. This gives the program — unwittingly — a “state-centred” character to the extent that it does without links to the sphere of either labour market or civil society, and restricts itself to the link between “family” and “State”.
63. As a result, the poor become the subject of a technocratically defined, albeit more efficient, policy that gives them rights, while participation becomes a dubiously effective policy for them to the extent that it has no links with public policies. Again, if participation is to be considered as a central feature of a rights-based strategy to overcome poverty the previous sentence is an oxymoron. Without actual participation, it is hard to label an anti-poverty strategy as a rights-based one.
64. The top-down program formulation is also evident in the institutional field. Although it is channelled through local governments and requires them to improve the direction of their service networks towards poor families, it fails to provide for local government participation in other roles. As a result, intervention at local levels is rigid, program effectiveness is hampered and future program sustainability is left to depend not on construction of local structures and practices but on the maintenance of institutional incentives from the central government (in turn linked to political will rather than institutional redesign). We shall say more on the rights-perspective of the program later. Now it is time to turn to the second initiative discussed in this report.

The ORÍGENES Program

Background and Diagnosis

65. As we mentioned before, the *Orígenes* program addresses two main objectives: one is to improve relations between the government and government agencies, on the one hand, and indigenous communities²⁸ on the other; secondly, the program aims to “improve quality of life and overall development” among them.²⁹ It is an acknowledged fact that the relationship between the state and the indigenous peoples of Chile has been a difficult one. Historically, the Chilean nation was built up as contrary to the preservation of indigenous memory and tradition. Following the process of “forced assimilation” came what some scholars term “frustrated integration” of Indians into the Chilean social and political world. Thus, in mid-20th century, it was possible to find a few indigenous leaders sitting in the Congress or filling some major social post. Under the military dictatorship the process of distributing the land usurped from the indigenous³⁰ came to an abrupt halt, arousing high expectations as to what the return to democracy might bring with it.
66. The nineties were marked by intensification of the struggle for ancestral land against an ambivalent state in regard to relations with the indigenous world, particularly the *Mapuche* people. While initiating judicial proceedings charging indigenous leaders with terrorism, the state simultaneously seeks to lay the foundations of a new relationship. As with civic-mindedness in general, where civic-minded participation is being viewed as a core issue, especially regarding the

²⁸ The Ricardo Lagos administration shows a paradoxical attitude toward the indigenous peoples. For one thing, it organized a Commission on Historical Truth and New Treatment, which delivered an exhaustive report in October 2003 on the historic relations that the Chilean State has kept up vis-à-vis the original peoples, where government action in respect of certain peoples, now extinct, is termed “genocidal.”

²⁹ Programa Orígenes, website, at www.origenes.cl

³⁰ See Martín Correa, Julio Molina, and Nancy Yáñez, *La Reforma Agraria y las tierras mapuches: 1962-1975* (2005)

indigenous population, the government has sought to encourage initiatives included in what is currently termed the “New Treatment or New Deal.”³¹

67. ‘Orígenes’ is described as a “contribution to the development of the indigenous peoples. “Through their capabilities” the program’s objectives state, “they will consolidate a development model not relying on paternalistic welfare, but on community potential — each being responsible to forge its own development and destiny.”³² The first novel item is the program’s focus on participation.³³ This is novel to the extent that *Orígenes* is primarily an anti-poverty strategy, and, as we have said, anti-poverty policies in Chile often lack the element of participation. They are rather conceived as “top-down” strategies. (Hence the emphasis on the program not relying on “paternalistic welfare.”) However, this new approach to participation as key component of anti-poverty programs also rules the large-scale anti-poverty strategy “*Chile Solidario*.” Both *Orígenes* and *Chile Solidario* thus stand as a new form of government action to eradicate poverty.

The program

68. The *Orígenes* program is divided in five components. According to the Inter-American Bank proposal, these components are the following:

- *Strengthening of indigenous communities and public institutions* (US\$ 6,3 million): through this component, training programs and workshops are to be implemented. Targets are both indigenous communities and public officials. The main purpose is to provide a different environment for the interaction between indigenous peoples and the state.
- *Profitable development* (US\$ 19,7 million): through this component *Orígenes* provides assistance to the submission of proposals; assistance to rural projects, and support of new projects. This is the most expensive components.
- *Education and culture* (US\$ 11,7 million): the ‘bilingual intercultural education’ project is the main feature of this component. Through the Ministry of Education *Orígenes* provides training to teachers as well as gives assistance to curricula modifications in public schools.
- *Intercultural health* (US\$ 6,7 million): through this component, the program seeks recognition of indigenous’ medicine. It aims at disseminating it as well as providing better access to health services to indigenous peoples.
- *Social dissemination* (US\$ 1,1 million): a key component of *Orígenes* is that both the general public and beneficiaries know what the program is.

69. We should note that the Bank’s description of the program lacks an explicit rights-based approach. Instead, it declares that the Bank’s main goal of intervention in Chile is, “to support the increase of concurrence, to reduce social and regional inequalities, as well as to deepen

³¹ As we pointed out before, at the beginning of the Lagos administration, the idea of going ahead with a new form of State treatment of the Indians spread within the administration itself. The notion of civil society participation in public affairs emerges in the various government agencies. See Martínez, “Nuevo Trato: Alcances Políticos y Conceptuales...”, *op. cit.* For the indigenous people, the new treatment policy had a remote origin in 2001, with the organization of the Commission on Historical Truth and New Treatment. In October 2003, the Commission submitted a report to the President of the Republic containing general and particular recommendations. In April 2004, it officially announced what the new policy was to contain. Some of its most significant points were that the Chilean State carried a historical debt to the original peoples, that granting them constitutional recognition was a long-delayed imperative, and that official action had even been, at times, “genocidal” and caused the extinction of at least two ethnic strains.

³² Information (in Spanish) available at <http://www.origenes.cl/quienessomos.htm>

³³ According to the information on the official website, “indigenous participation is the central axis of the program. Participation should be understood broadly, that is, not only to address political empowerment, but also as an opportunity to build a long-term development project guaranteeing a better future for all these peoples.”

democracy through the strengthening of a more participatory society and a modern state.” It finally states that the program is congruent with the Bank’s interest “to promoting economic growth with social equity and, therefore, to reduce social exclusion of ethnic groups.” As one reads the document, one notes the emphasis on the participation element. There isn’t an explicit rights-based approach, although one can easily deduce it from the general context.

70. Participation is a key component of *Orígenes*. The program conceives participation on several levels. First, rather than beneficiaries of government assistance, the indigenous communities are seen as people entitled to rights, who must approach the government in order to access program benefits. They are not supposed to approach the government *to ask* for help but to demand that the state do its duty as the outcome of community responsibilities. Like ‘beneficiaries’ of *Chile Solidario*, indigenous communities act like actual parties to a contract. It is not a question of the government coming down from the heights of its superior understanding, but of the two parties actually agreeing on a way to overcome poverty. This point should be emphasised for it is a major innovation in both anti-poverty strategies and indigenous-related policies.
71. In addition to this fundamental shift in development policy, *Orígenes* has other dimensions. As we noted, it intervenes in “strengthening,” “profitable development,” “intercultural education,” and “intercultural health” of indigenous communities. Intercultural health, for instance, gives special recognition to indigenous’ practices, such as lawful supply of Indians medicine. This is a salient achievement of the new indigenous policies, for it makes promises believable: e.g., a Mapuche *machi*³⁴ is as qualified as a medical doctor to treat the sick in a rural area. Program rhetoric also emphasises empowerment of indigenous leaders. Training programs and other informal activities are a core component of *Orígenes*. It can be observed that ‘capabilities’ has become a more familiar concept among bureaucrats and policy-makers than it was five or ten years ago.
72. The program is based on a network of public services that work together with indigenous communities on projects designed by the communities themselves. The Ministry of Planning coordinates the activities of various agencies including the Ministry of Education; Ministry of Health; National Commission on Indigenous Issues (CONADI); National Institute for Agrarian Development (INDAP), and National Forestry Corporation (CONAF). All these agencies have signed agreements with MIDEPLAN to develop projects *with* indigenous communities. “The core component of the *Orígenes* program” its official description declares “is indigenous participation.” Law enforcers and program beneficiaries, however, have the impression that the main focus of *Orígenes* is ‘profitable development’ rather than participation. ‘Profitable development’ primarily means infrastructure projects.
73. In a country that has grown accustomed to an ambivalent government when dealing with the indigenous peoples,³⁵ *Orígenes* may well be the stepping-stone to an actual new relationship between the state and the indigenous peoples. This program, and the entry of more than 11,000 indigenous families into the *Chile Solidario* program, stands as major governmental signals of this new form of relationship.³⁶ Policy-makers’ view of the program and the way in which beneficiaries perceive and implement it are discussed below.

³⁴ A *Machi* is an ancestral faith healer.

³⁵ See Human Rights Watch and the Observatorio de los Pueblos Indígenas, *Undue Process: Terrorism Trials, Military Courts, and the Mapuche in Southern Chile* (2004)

³⁶ In April 2005, the Undersecretary for Planning and Coordinator of Policies on Indigenous Affairs, Jaime Andrade, made a presentation before the United Nations Commission on Human Rights. There, he stated that, “the government will insist in a dialogue with, and participation-focused policy for, the indigenous world [...]” See Presentation of Jaime Andrade, Undersecretary for Planning and Coordinator of Policies on Indigenous Affairs, to the UN Commission on Human Rights, Geneva, April 2005, at http://ap.ohchr.org/documents/sdpage_e.aspx?b=1&se=59&t=9.

Analysis of the program

74. We discuss the program through the lens of policy-makers, appraisers, and beneficiaries. By so doing, we attempt to provide a full panorama of how the program is both conceived and perceived. As it is the case of *Puente*, there is a significant breach between the impressions and understanding of public officials and beneficiaries.

Policy-makers

75. According to Enzo Pistacchio, Executive Secretary of *Programa Orígenes*, “one of the particular features of the program is its ‘strengthening’ element. Through it, *Orígenes* seeks to elicit capabilities and commitments in the communities, participatory planning and execution of the program. At the same time, its main task is to find a place for indigenous issues in the government scheme and set them up as a possible way to resolve difficulties.”³⁷ It will be observed that those behind this government initiative seek to emphasise its elements of participation and empowerment of program beneficiaries. The assistance-oriented logic, which speaks of “beneficiaries” rather than “legal persons”, is out, at least in the program rhetoric, giving way to a discourse adhering more closely to international trends governing how to conceive strategies for overcoming poverty. One clear example of this is *Voices of the Poor*, a study published by the World Bank in 2000 and 2002, containing a “participatory poverty assessment.”
76. The effect that such international efforts have on the concepts underlying the design of anti-poverty policies in Chile is unclear. Policy-makers, in general, omit to clarify their language but go on to explain in other terms the programs for which they are responsible. The notion of dignity, in the case of *Chile Solidario*, or “new deal”, in *Orígenes*, comes up often. The explicit language of human rights, however, is not heard. The impression remains that civil servants are not comfortable with the rhetoric of human rights to justify the choices made in regard to strategies for poverty eradication.
77. In our interviews, in order to avoid forced answers, we refrained from asking direct questions about the reasons for not employing human rights language. In spite of this, it seemed on occasion that the very idea of human rights is still linked in the collective unconscious to systematic mass violations of human rights associated with the military dictatorship. Thus, speaking of “rights” in Chile appeared to be a monopoly of a few (usually activists who have brought to court cases of serious human rights violations).³⁸ On the other hand, in the specific instance of the rights of the indigenous peoples, the growing tension between the government and sundry groups claiming their ancestral rights to the land also appears to affect the deliberate use of the notion of “human rights.” Again, it will be activists, some of whom are prosecuted on charges of anti-terrorist crimes,³⁹ who raise the banner of human rights to describe and improve government practices towards them. In this context, the discussion below is intended to suggest lines of action where the language of human rights can serve the purposes of development strategies.

³⁷ Enzo Pistacchio, “Hacia un nuevo trato entre Estado y pueblos indígenas”, *El Mostrador.cl*, May 9, 2005 at http://www.elmostrador.cl/modulos/noticias/constructor/detalle_noticia.asp?id_noticia=159287

³⁸ The same explanation is given in *Informe Anual sobre Derechos Humanos en Chile 2003 – Hechos de 2002*, Universidad Diego Portales, Santiago, 2003.

³⁹ The status of “criminalization of social protest” among the indigenous peoples of Chile was stressed by the UN Special Rapporteur for Indigenous Peoples, Rodolfo Stavenhagen, himself, who published a report on Chile in early 2004. In this context, see *Informe Anual sobre Derechos Humanos en Chile 2004 – Hechos de 2003*, Universidad Diego Portales, Santiago, 2004.

78. Regarding the participation element, all the public officials we had occasion to interview stressed that point. However, the level of participation that was usually mentioned was not part of policy or program design — it will be recalled that *Orígenes* is a strategy arising out of a loan from the Inter-American Development Bank — but rather of project execution and particular efforts made by the indigenous communities. There, at execution level, we noted that civil servants felt that much had been gained, even though to their minds program beneficiaries also had a say in program design. At this point, it is well to hear academics who hold that, “although some elements of participation were present in the initial design of program objectives, then in the general preparation, specifically through ‘community dialogues’ and *ad hoc* workshops, the process involved no appropriate analysis of players, so that major indigenous sectors — especially indigenous organisations — *felt* completely left out of the program design process, a feeling that spread to their support platforms in the community and their urban support networks.”⁴⁰

Implementers / Appraisers

79. The statement quoted above is most important when it comes to discussing how, not the policy-makers but the persons responsible for policy execution and appraisal view the benefits and the snags of the policy. One distinction that can be made after talking with the various major players on the subject relates to the emphasis that the “indigenous world” lays on the group element *vis-à-vis* the public officials. To the former, organisation in groups is consubstantial with their own development; their identity cannot be explained except in terms of the groups or communities within which they live and develop. Whereas to the latter, although they seem to be aware that in the indigenous world the importance of collective life is crucial, particularly given that individuals of indigenous descent work as civil servants, the explanation they have for the participation element does not seem to take proper account of the circumstances they are seeking to improve. That is why Millaleo and Valdés refer in particular to indigenous communities as being so critically absent from the design of *Orígenes*. In the end, indigenous individuals were consulted, but the indigenous communities, *as such*, do not appear to have played a determinant role. Later, we shall insist on the need for a human rights-based approach to development policies to take in the notion of participation of the *participant* sooner than that of the individual who permits or invites participation.
80. This impression seems to be stressed when we seek the opinion of public officials who have worked as indigenous leaders. Eugenio Ancamán, anthropologist, former *Mapuche* leader and currently on the *Orígenes* staff has a good general impression of the program. While acknowledging that government action in practice is not reflected as one would wish, he did feel that *Orígenes* contributed to the indigenous world. We shall explain how this opinion was affected by the visits we made to *Mapuche* communities in the proximity of Carahue. Before doing so, however, we must refer to certain statements that Ancamán made.
81. In the first place, the official (of indigenous descent) pointed out emphatically that although *Orígenes* had brought “new blood” to the uneasy relationship between the government and the indigenous peoples, it was having deleterious effects on the harmonious relations among *Mapuche* communities. In terms of economics, the program gives rise to a number of negative externalities, the most significant of which is the establishment of a “monetary” relationship between the government and the indigenous communities. In his view, in spite of the many benefits that *Orígenes* brings, the sole fact that it requires beneficiaries — rural indigenous

⁴⁰ Salvador Millaleo and Marcos Valdés, “El concepto de participación en el programa *Orígenes* (Desarrollo Integral de Comunidades Indígenas)”, 2003, p. 6, available at <http://www.mapuche.cl/documentos/> (our italics). We emphasize the fact that the commentators stress how beneficiaries receive (“feel”) the *Orígenes* program, because we will deal later from this perspective with the effects of *Orígenes* on indigenous individuals and communities.

communities — to seek (or, in fact, compete for) government funds is undermining indigenous daily life. Profit-based criteria are in truth alien to *Mapuche* (and indigenous in general) circumstances, where collective ownership has remained a constant from time immemorial, and the market has rather meant losses for them. Under *Orígenes*, as Ancamán explains, the communities are not perceiving that the government sees them in any special light, that is, as indigenous people. They do perceive that the government is closer to them than before, though not necessarily as a view based on rights would see it, that is, laying emphasis on legal persons rather than the state.

82. The government plays its part through the funds that it may allocate in accordance with the projects approved under *Orígenes*. From what we gathered, the notion that appears to be extending across the *Mapuche* world is that the government, in addition to being a (poor) service provider, now enables the communities to fund projects and so rise above their poverty conditions.
83. It would appear that the approach that Riddell terms “monetary” has entered this government initiative aimed at breaking away from the traditional assistance-bred attitude that the government has always shown in its relations with poor individuals and groups.⁴¹ *Orígenes*, we have mentioned, is defined as a “contribution for indigenous peoples, through recognition and appreciation for them and through their own capabilities, to consolidate a development model not relying on paternalistic welfare but where the indigenous peoples themselves and their organisations will be responsible for forging their own development and contributing to the construction of a promising destiny.”⁴² In spite of this eloquent definition, between the discourse of those who are behind the program, its implementers and appraisers, on the one hand, and end beneficiaries — for whom the program was set up — there is a gap. A gap seemingly unperceived by the government but which becomes apparent as soon as the opinions of those who sit behind government desks are contrasted with the opinions of those who still live in hopes that “the cattle will be here next month.”⁴³ The disconnection between what is conceived in Santiago and Temuco and what actually happens in rural communities is so striking that the anthropologist who conducted us to the *Mapuche* communities was shocked to realise the adverse opinion that the indigenous had of *Orígenes*. As we noted above, he had given us a less than auspicious opinion of the program we were evaluating, but he was not prepared (nor were we) for such depth of disillusion.
84. The second problem issue or “externality” that *Orígenes* brings on indigenous families is the division it causes among the communities. To be able to share in the benefits of *Orígenes*, rural indigenous communities must be legally organised, that is, they must obtain a legal framework enabling them to “communicate” with the government apparatus. It so happens that such legal framework collides with the “sociological” constitution that governs the communities (that is the word indigenous use to describe their communities). The resulting asymmetry, Eugenio Ancamán assures, is bringing about an artificial reorganisation in the communities. If we adopt the human rights standards in force at this time, in particular those under indigenous law, it is clear that *Orígenes* fails to show due respect for the ancestral culture of the communities it aims to benefit. In other words, although the initiative seeks to “contribute to reduce discrimination and social exclusion of indigenous people [...] *with an integral approach and an ethnic cultural dimension*”⁴⁴

⁴¹ See above, note 6.

⁴² Programa *Orígenes*, website, at www.origenes.cl/quienessomos.htm

⁴³ When we visited the *Curiche* and *Collabue* communities (both *Orígenes* projects), in Araucanía, we were struck by the fact that the indigenous inhabitants, although complaining that the government failed to keep its promises, kept up the expectation that sooner or later the fodder for the cattle, the materials for building the meeting hall, or whatever resources were involved, would arrive the following month. “If you could give us some help,” they told us, “please make that it comes faster!” In spite of our explaining that we were only conducting research on the program, they thought that we were somehow better connected to the state than they are.

⁴⁴ *Orígenes* Program website, at www.origenes.cl/quienessomos.htm (our italics)

the fact remains that such approach is missing when the way that the program is actually carried out is examined. Were a human rights-oriented view of the indigenous peoples to be adopted, the form of legal constitution that governs the indigenous peoples should end by adhering more closely to indigenous than to government logic.

Beneficiaries

85. For the beneficiaries of the program, the rural indigenous communities, the problems described above are a daily occurrence. Together with their artificial reorganisation in legal versus sociological communities, *Orígenes* beneficiaries acknowledge that their communities seem to enjoy a special, different, status vis-à-vis other rural indigenous communities. “Now there are “*Orígenes*” communities and “non-*Orígenes*” communities”, a member of the Curiche community, near Entre Ríos, assured us. “At the former”, he explains, “we get, although after a long delay, cattle or cattle fodder. We also asked for money to build a meeting hall. But the communities that are not in *Orígenes*, well, they think we have a privilege or something like that. And it’s valid to think that.”
86. What this man said reflects a degree of complexity that any anti-poverty strategy that tends to select its beneficiaries can experience. In the case of *Puente-Chile Solidario* the problem is not so clear-cut,⁴⁵ but that is not to say that it is non-existent. It is worth noting that for the members of the community themselves it is understandable that other communities should resent the differences brought about by the *Orígenes* program. They have lived for centuries in a pattern that understands property as shared by the community. Thus the coming into effect of criteria alien to this cosmivision, such as those that *Orígenes* applies, can end by being profoundly and unexpectedly unsettling. The same thing applies to the required organisation as *legal* communities, as described above.
87. Beneficiaries see the program as a good initiative. No one opposes it, yet many individuals complain that it is just another same story. “Yes, it’s true that now we are part of a well-known program, but that doesn’t make any difference,” says Miguel, leader of the *Collabue* community. “It’s always the poor who are left behind. It’s always the same. The state promises us that we will get a different treatment, but we don’t really see that. What is the most acute problem of the *mapuche* people? Land! Everyone knows that that is what we are asking for. That is actually what we have been demanding for centuries; and *Orígenes* doesn’t deal with land. So, when you ask us about participation, I should say that true participation means that the state, through *Orígenes* or whatever social program, addresses *our* problems, *our* concerns; not what the state wants to be our grievances!”

Gender in Orígenes

88. The Inter-American Development Bank’s proposal explicitly states that gender is a component of its implementation. Under the ‘strengthening’ component, the document explains that primary concern will be given to “women’s leadership and gender issues.” This is consistent with the gender perspective that inspires most of the Government’s projects. Yet it is not sufficient. This is the only statement that the program’s description makes in regards to gender issues. Among indigenous communities, women’s role is dramatically changing: traditionally, women in rural indigenous communities have been relegated to a secondary role, with fine exceptions such as *machis*. *Machis* are ancestral faith healers — usually women. The non-

⁴⁵ Some beneficiary families in the *Puente* program told of a similar impression to that of the *mapuche* we interviewed. Notwithstanding, among the indigenous communities, possibly owing to their tradition of collective life, the difference between those that carry out an *Orígenes* program and those who do not is much more notable.

indigenous imaginary understands *machis* as *women* who have special powers to heal ill persons. In this vein, it is remarkable that the ‘inter-cultural health’ component of the program doesn’t make any reference to this condition — regardless it is an accurate perception of reality.

89. We should note that in our visit to the *Curiche* community — a *mapuche* community located near Temuco, in the South of Chile — the first person who raised her voice was a woman. Gloria is the secretary of the community and, remarkably, she has the best knowledge of how the interaction with the state is to be carried out. One may think that *Orígenes* has played its role, yet she doesn’t feel like that. “I had the privilege to study in Santiago (secondary school),” she tells us. “I guess that’s the reason why I speak more than the other members of the community. And that’s okay. They are very respectful to me. I don’t really feel as a second member of this group.”
90. After two hours of conversation with the members of the *Curiche* community, we had to request the *lonko* to give us his impression.⁴⁶ He spoke after every single member of the community did. Perhaps he didn’t feel comfortable with us, foreigners, asking them again and again about their grievances. Perhaps he knew that the younger members of his community better voiced his opinion. We don’t know. What we do know is that among this *mapuche* community the tension between ancient traditions and the needs of modern life is well resolved. And, as they pointed out, *Orígenes* has done little on this.

HUMAN RIGHTS AND ECONOMIC DEVELOPMENT: MAKING HUMAN PROGRESS?

91. This paper is an attempt “to clarify the relationship between poverty alleviation and human rights at local level.”⁴⁷ To achieve this goal we have undertaken the discussion of two anti-poverty programs in Chile: *Puente* and *Orígenes*. As we have seen, these two programs incorporate to some extent a ‘rights-based approach.’ Though the official rhetoric usually makes it explicit (especially in the case of *Puente*), officials tend not to speak in such a way. In this part we shall present the strengths and weaknesses of the rights-based approach to development policies. Before we undertake the discussion, we must note that Chile is going through a process of changes in development policies. After a decade of traditional anti-poverty strategies — which emphasise macroeconomic equilibrium vis-à-vis human rights values — the Government has launched a series of novel initiatives. Among them, *Puente-Chile Solidario* and *Orígenes* are two critical ones.
92. *Puente-Chile Solidario* is an excellent case to study. Every person who was interviewed for this project agreed that *Chile Solidario* is a major shift in official strategies to overcome poverty. Of course, at the level of beneficiaries this assertion was less strong. Reviewing this program, Cristóbal Tello makes an interesting analysis of the ways human rights and development policies may converge. He demonstrates that the anti-poverty strategy can be read as a deliberate attempt to comply with international human rights norms.⁴⁸ Though his discussion focuses on children’s rights, we can make the analogy to more general principles and norms. *Puente-Chile Solidario* stands, according to him, as “the first step to the establishment of development policies with a human rights perspective.”⁴⁹
93. Indeed, the analogy was also used by one of the lead officials in this area when asked whether or not *Puente* incorporated a rights-based approach. Her impression was that *Puente* is a different anti-poverty strategy, since it aims at including a “dignity-approach.” In her words, the program

⁴⁶ *Lonko* is the chief of a *mapuche* community. All *lonko* are men.

⁴⁷ Framework for Researchers, drafted by Peter Rosenblum and Alta Folscher, December 2004

⁴⁸ Cristóbal Tello Escobar, “Niños, adolescentes y el sistema Chile Solidario: ¿una oportunidad para constituir un nuevo actor estratégico de las políticas públicas en Chile?”, in *Revista de Derechos del Niño*, Number 2, 9-51 (2003)

⁴⁹ Id. at 37

must be understood similarly to children’s rights — i.e., a critical dimension of human rights that “no one would oppose.”⁵⁰ It is worth noting that the official had a compelling way to explain the program, yet she hardly spoke in a human rights key. This feature of the language of public officials was seen throughout the process of interviews.

94. As we said before, the official language of the Government in regards to the *Puente-Chile Solidario* program is one of economic, social, and cultural rights. The actual full name of the program confirms this assertion: “*Puente: entre la familia y sus derechos*” (“*Puente: between the family and its rights*”). Verónica Silva explains that the first name of the program did not carry a rights approach — it was known as “*Puente: una oportunidad para la familia*” (“*Puente: an opportunity to the family*”). It was only after President Lagos’ speech to the nation in May 2002 that the title had to be amended.⁵¹ The influence and the impact of Lagos’s words should not be overlooked. Many deem his personal commitment to more robust social policies as a crucial cause of the enacting of *Puente* as a rights-based strategy. Some others think that the need to stand in line with the international community is a more significant incentive to the Government. In any case, it is a major shift in governmental policies — at least at a discursive level.
95. The rights-based approach was not in the agenda before 2000. When asked about Chile’s default in submitting reports on the compliance of the International Covenant on Economic, Social, and Cultural Rights to the Economic and Social Council of the United Nations (ECOSOC), a former official of the Planning Ministry in charge of social policies acknowledged that she didn’t even know it was her duty to do so!⁵² This may be an example of the relevance that international human rights norms have had for the bureaucratic machinery.
96. In 2003 the state submitted its third report to the ECOSOC. It should be noted that the official report establishes the importance of the international human rights norms as a framework for social programs: “the most significant contribution of this perspective to the current moment of social policies in Chile,” the report states, “is the steady incorporation of a new vision of development; a perspective in which economic, social, and cultural rights, are the ethic framework for all social and economic policies. Furthermore, this approach’s contribution is salient in the field of poverty eradication strategies [...]”⁵³ The Government’s official position also acknowledges the interdependence between human rights giving the impression that a rights-based approach to social programs is solidly installed in the Administration. Before turning to discuss in detail the way that economic, social, and cultural rights are protected, the report warns that, “a brief overview of the several social programs will shed light on its rights-perspective, particularly in strategies to overcome poverty.”⁵⁴ Notwithstanding, if one makes a careful reading of the 245-pages document one finds a detailed description of the social benefits and policies that the state has developed, yet the ‘rights-based approach’ is missing. The report explains state’s policies on housing, health, education, social security, and employment, among others, *without* a human rights perspective. It points out normative problems that have discriminatory effects, but the main narrative is one of economic subsidies. We believe that this lack of perspective shows that the Government’s understanding of international human rights norms is less strong than it appears to be. In the next section, we will maintain that the absence of judicial enforceability undermines the rights-perspective of social policies. This critique is also made by the ECOSOC.

⁵⁰ Interview with Verónica Silva, December 2004.

⁵¹ President Lagos said in his speech: “we shall build a bridge between families and their rights.”

⁵² Before 2003, Chile had only submitted two reports to the Economic and Social Council. See *Informe Annual sobre Derechos Humanos en Chile 2004. Hechos de 2003*, Facultad de Derecho, Univ. Diego Portales, Santiago, 2004, chapter 3.

⁵³ Economic and Social Council of the United Nations, Chile’s Report on the Application of the International Covenant on Economic, Social, and Cultural Rights, E/1994/104/Add.26, at 37.

⁵⁴ Id. at 44.

97. As to the case of the *Orígenes* program the relationship between poverty alleviation and human rights is less clear. Although some do speak in a language of rights, most of them do not use such a key to explain the program's features. It rather seems that it is indigenous rights activists who utilise the rights language in this context. Therefore, there is less willingness to explain *Orígenes* as a rights-based initiative. To the extent that it does incorporate human rights values pertinent to appraise economic development policies, such as participation, it falls under our general analysis. However, it is crucial that we make the distinction between the two programs. On the other hand, we have already pointed out that the Chilean state has an unfriendly relationship with the indigenous peoples. It has not granted them constitutional recognition as most Latin American countries have, and uses anti-terrorist statutes to prosecute some indigenous leaders. In this context, to speak about human rights when dealing with indigenous issues appears to be a delicate matter that few will undertake.
98. The main strength of the rights-based approach that we found at the level of public officials is its rhetoric. This may seem obvious, yet it has critical implications. Civil society organisations and individuals have now a different stage to dialogue with the state. In other words, since the Government explicitly espouses a rights-based perspective in development policies, human rights people may feel more comfortable to present their criticisms and claims over the Government's policies. Some human rights leaders had trouble when criticising anti-poverty policies in an economic development key. Nonetheless, this difficulty tended to disappear when speaking in the human rights key. *Chile Solidario* and (to a lesser extent) *Orígenes* allow these people at least to enter the conversation.
99. However, rhetoric is far from being the main issue. An example taken out of the *Orígenes* program will shed light on this. The IDB's proposal document states that, "public programs need to have be more coherent with indigenous' practices. That is to say, they must be culturally pertinent, so that action can effectively overcome the communities' problems and, consequently, have a real impact on the beneficiaries' lives."
100. Participation is not the only feature of a rights-based approach to economic development policies. Accountability stands next to participation as a mechanism to bring about efficiency to this approach. If beneficiaries feel that they are entitled to *rights* it is reasonable that they think they can claim or demand these rights. Throughout our research we were struck by the lack of accountability in these programs. In other words, when an individual was asked whether he or she felt that he or she had a *right* to whatever the benefits of the program, the answer was usually 'no.' For instance, at the meeting with *Puente* families in Cerro Navia, we asked women what they would do were the benefits of the program taken away. The fiercest woman in the room replied: "I would have to knock on authorities' doors; just as I have done it before. I don't care whether or not they pay attention to me. They would have to listen to me!" The other participants simply said they hoped that wouldn't happen. Remarkably, they didn't say they would *demand* that their rights be fulfilled, let alone they would go to court. They gave us the impression that the best-contacted person would have more chances to remedy a situation that few labelled as "unjust." This lack of enforceability's sense contrasts the rhetoric of the program, according to which *Chile Solidario* families *have* rights. If they are not fulfilled, they can even go to court and sue the Government. Once again, the breach between policy-makers and beneficiaries is present.
101. Lack of accountability in the case of *Puente* program is also seen in regards to the rotation of Family Supports. Women told us that Family Supports often changed without letting them know. "Once, I would come to the municipality and find that my Family Support had changed. No one would explain to me why; she was just gone. So I had to start working with a new one." This situation was not unusual. Indeed, Family Supports acknowledge that they often have to quit their job: "we give the best that we can, yet sometimes you feel so disappointed that you

understand why your colleagues have left. It's hard to support a family and tell them they will overcome indigence when you yourself have doubts on the program's efficacy.”

102. In sum, as one descends from policy-makers to beneficiaries both the rhetoric and the practice of these programs tend to become less clear. At the ‘highest’ level, so to speak, human rights norms are pervasive. Official documents and, to a lesser extent, public officials’ narrative carries out a rights-based language. ‘Dignity,’ children’s rights, and similar concepts are easily found in the conversations with public officials. Yet beneficiaries still feel as such: as recipients of state’s assistance. Few of them read these programs as rights-based strategies. In between, appraisers are aware of the tension and candidly acknowledge that the programs’ goals are dilute at the bottom level.
103. Nevertheless, the use of a rights-rhetoric is useful. Diego Carrasco, a lawyer who works on economic, social, and cultural rights who presented a shadow report to the state’s one, feels that today it’s easier for him to intervene in the debate. “If the discussion is framed in economic terms we, the human rights people, have a hard time trying to deploy arguments in favour or against a given policy. But if the state speaks in our language we are confident that we can contribute to the debate.”⁵⁵ This is a critical aspect of a human rights approach to development policies. If human rights norms can make policies more “efficient” — an alien word to the world of human rights, yet the core concept of economic development — it is by bringing participation, accountability, and civil society’s monitoring together.

CONCLUSION

104. This paper has presented two social programs implemented in Chile: *Puente* and *Orígenes*. The former is focused on the poorest families of the country, while the latter aims at rural indigenous communities. We have put them in the context of a shift in social policies that the state has carried out since 2000. We have described the main characters of the two programs, giving emphasis to the ‘rights-based approach’ that both of them carry. This human rights perspective, which we didn’t expect to find even at the level of discourse, tends to dilute as we go down from policy-makers, to civil society leaders, and finally programs’ beneficiaries.
105. Chile is a critical position to undertake social policies that reflect human rights values. Its economy is stronger than ever, as its political stability is. Yet, social inequality has increased forcing politicians to pay special attention to the conditions of too many people of the country. Economic, social, and cultural rights are not an alien concept for the Government. The Government, in fact, says that its policies on poverty are grounded on these values. However, this is not the impression of ordinary citizens; even less, the beneficiaries’ understanding of the programs.
106. It is indeed hard to understand that social programs are grounded on human rights when there is no way to demand their fulfilment. Judicial enforceability has been established for a full-scale reform of the public health system. Yet there is no news on how it has actually happened. In addition to the absence of judicial mechanisms to enforce the programs’ benefits, we find little participation in the programs’ design, evaluation, and feedback. This, we believe, makes strategies less efficient to achieve their stated goal. Finally, a lack of accountability culture that is pervasive in the Chilean legal culture plays its own part on these anti-poverty strategies. Beneficiaries don’t feel as individuals with rights. Instead, they see themselves as recipients of state welfare who are in a better position than their neighbours.

⁵⁵ Interview with Diego Carrasco, December 2004.

107. With these considerations in mind, we think that anti-poverty strategies can certainly be more effective if they take a human rights approach. It is necessary that policy-makers are aware of the difficulties of implementing their bona fide rhetoric, especially in countries that have grown accustomed to an economist view of social programs. We believe that Chile is such a country.