

Deusto Journal of Human Rights

Revista Deusto de Derechos Humanos

No. 10/2022

DOI: <http://dx.doi.org/10.18543/djhr102022>

ARTICLES / ARTÍCULOS

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Exigir lo que justamente les corresponde. El vínculo entre las protestas por la justicia social y los derechos económicos, culturales y sociales

Mohamed Berrada

doi: <http://dx.doi.org/10.18543/djhr.2621>

Submission date: 20.07.2022 • Approval date: 30.11.2022 • E-published: December 2022

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Demanding what is rightfully theirs. The link between social justice protests and economic, cultural, and social rights

Exigir lo que justamente les corresponde.
El vínculo entre las protestas por la justicia social
y los derechos económicos, culturales y sociales

Mohamed Berrada¹
The New School for Social Research

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Citation/Cómo citar: Berrada, Mohamed. 2022. «Demanding what is rightfully theirs. The link between social justice protests and economic, cultural, and social rights.» *Deusto Journal of Human Rights*, No. 10: 55-75. doi: <http://dx.doi.org/10.18543/djhr.2621>.

Summary: Introduction. 1. Mapping social justice protests onto economic, social and cultural rights. 2. Social justice as human rights. 3. Human rights as social justice. Conclusion. References.

Abstract: The right to peaceful assembly and association have been central to the notion of human rights since their very first iterations. A selection of key peaceful protest movements in the 21st century shows that the movements themselves are expressing demands that are in line with the human rights approach (Ortiz *et al.* 2022). Among the main findings is that over half of protest movements incorporate some economic or social justice demand (higher wages, jobs, housing, healthcare, pensions...). This article looks at protest movements that have demands that are linked to rights expressed by the UN International Covenant on Economic, Social and Cultural Rights (United Nations 1966). Though protesters do not express their demands in the language of human rights, their demands for social justice are mostly already enshrined in the declaration. The author compares demands of economic justice to their counterpart in terms of rights, stressing the need for countries to reexamine their own policies considering these protests or potentially face escalating social unrest.

Keywords: Human rights, economic social and cultural rights, protest movements, redistribution, social justice.

¹ E-mail: mohamed.berrada@gmail.com. Orcid: 0000-0002-6932-4340

Resumen: El derecho a la reunión pacífica y la asociación han sido fundamentales para la noción de derechos humanos desde sus primeras iteraciones. Una selección de movimientos de protesta pacífica clave en el siglo XXI muestra que los propios movimientos expresan demandas que están en línea con el enfoque de derechos humanos (Ortiz *et al.* 2022). Entre los principales hallazgos de la citada investigación se encuentra que más de la mitad de los movimientos de protesta incorporan alguna reivindicación económica o de justicia social (mejores salarios, empleo, vivienda, sanidad, pensiones...). Este artículo analiza los movimientos de protesta que tienen demandas que están vinculadas a los derechos expresados por el Pacto Internacional de Derechos Económicos, Sociales y Culturales de la ONU (Naciones Unidas 1966). Aunque los manifestantes no expresan sus demandas en el lenguaje de los derechos humanos, sus exigencias de justicia social están en su mayoría consagradas en la Declaración. El autor compara las demandas de justicia económica con su contraparte en términos de derechos, enfatizando la necesidad de que los países reexaminen sus propias políticas considerando estas protestas o se enfrenten potencialmente a un malestar social cada vez mayor.

Palabras clave: Derechos humanos, derechos económicos, sociales y culturales, movimientos de protesta, redistribución, justicia social.

Introduction

The twenty first century, albeit being only a couple of decades old, has witnessed a global reuptake of mass protests. Estimates and databases vary, but all point to a rising phenomenon: the International Monetary Fund (IMF) calculated about 12.5% yearly average increase between 2016-2022² (Barett 2022); a report from the center for strategic and international studies estimates an 11.5% yearly increase between 2009 and 2019 (Brannen, Haig and Schmidt 2020); Ortiz *et al.* (2022) shows an increase of 10.5% yearly in the 2006-2020 period. The latter source brings the analysis deeper by dissecting and classifying demands made by these movements revealing a wide range of topics as varied as climate, democracy, gender, food and fuel prices, public services to cite but a very limited list. One category of grievances is of particular interest here: demands for economic and social justice. The paper starts from these demands and «translates» them into the economic, social and cultural rights. As it appears from there, the lack of realization of these rights can be presented as the rationale behind these protests. Two separate lines of questioning stem from this translation: (1) why is there seemingly little popular linking between the human rights framework and social justice demands if the two are so deeply linked? And (2) why would countries be reluctant to realize enshrined rights despite the mass demands of their populations? It is argued that both protesters and human rights organizations could benefit from using the human rights framework for economic and social justice goals. Furthermore, governments should take with more gravity the need for the realization of these rights as they risk increasing instability when these demands are not met and reevaluate certain policy decisions that may be harmful to human rights and society.

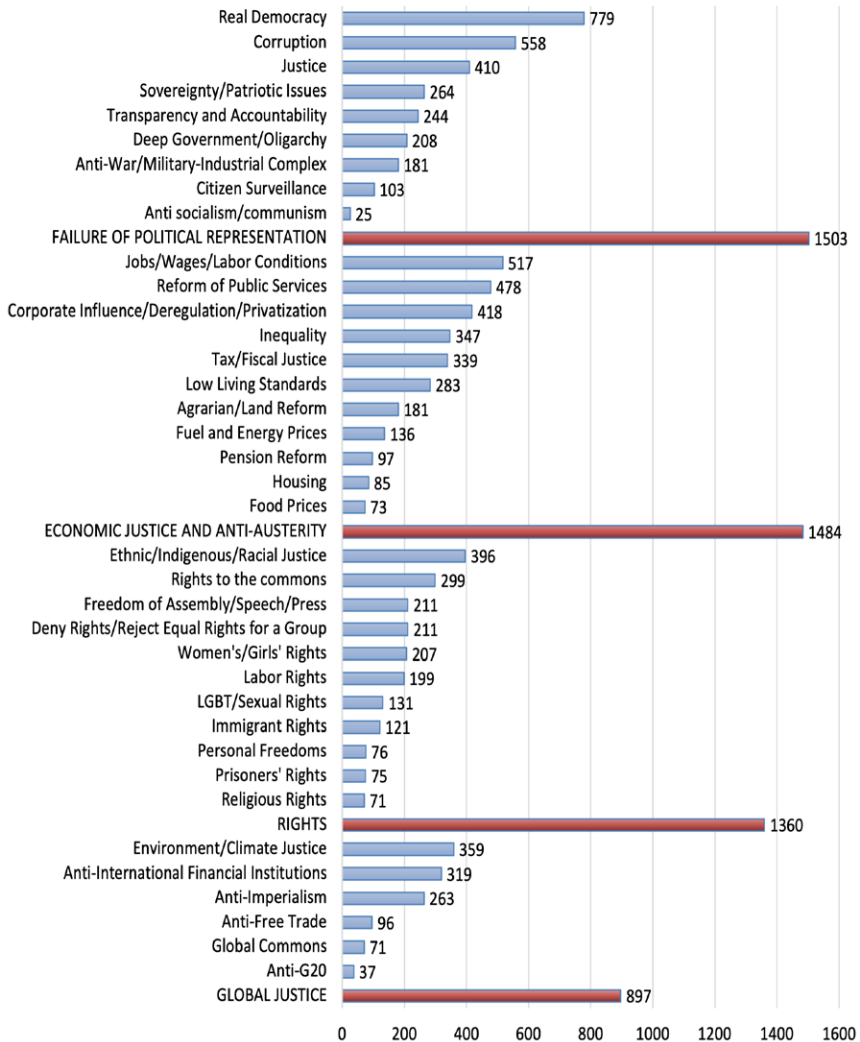
1. Mapping social justice protests onto economic, social and cultural rights

Ortiz *et al.* (2022) develop a research methodology that gathers demands or grievances of social movements directly as they are expressed by protesters. This allows them to create a complete taxonomy of what protesters are demanding and they categorize these demands into four clusters, failure of political representation, economic justice and anti-austerity, civil rights, and global justice. Mapping

² The estimate was originally expressed as a quarterly growth of 3%; the 12.5% per year is my calculation.

almost three thousand protests, the result is a representation of what people demand and gives a sense of the relative importance of each demand or cluster of demands (see Figure 1).

Figure 1
Number of protests by grievances or demands



Source: Ortiz et al. 2022, 17.

This overall image of protest movements allows them to draw multiple conclusions, the most relevant for this paper being the almost equal number of protests relating to economic justice as to one's relating to failures of political representation and ahead of civil rights protests. These economic justice protests end up representing over 50% of the movements studied between 2006 and 2020³. They are divided in eleven separate grievances:

- Jobs wages and labor conditions
- Reform of public services
- Corporate influence, deregulation, and privatization
- Inequality
- Tax and fiscal justice
- Low living standards
- Agrarian and land reform
- Fuel and energy prices
- Pension reform
- Housing
- Food prices

The mainframe of Economic Social and Cultural Rights is embedded in the ten articles that constitute part III of the covenant, these are articles six to fifteen. They can be defined into nine rights for ease of understanding/reading (Ikawa 2020)⁴:

- The right to work (article 6)
- The right to just and favorable conditions of work (article 7)
- The right to form and join trade unions and the right to strike (article 9)
- The right to social security (article 9)
- The right for assistance and protection of the family and the prohibition of child labor (article 10)
- The right to an adequate standard of living for oneself and one's family, including adequate food, clothing, and housing and to the continuous improvement of living conditions (article 11)
- The right to the highest attainable standard of physical and mental health (article 12)

³ The research methodology recognizes the nature of protests as being about multiple issues thus the overlap of certain protests across categories, this does not lower the magnitude of economic justice demands.

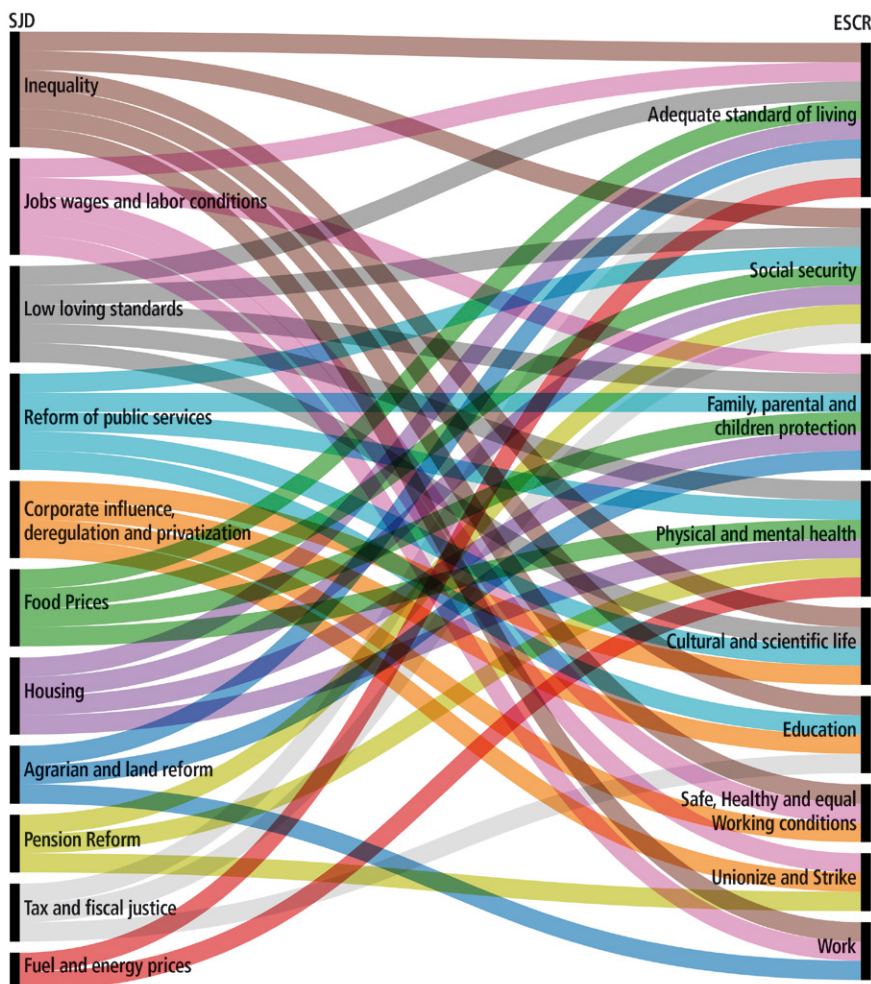
⁴ Though Ikawa separates article 15 into two distinct rights, it is here adapted into one overall right to education.

- The right to education (articles 13 and 14)
- The right to take part in cultural life and to benefit from scientific progress (article 15)

The similarities with the eleven social justice demands categorized by Ortiz *et al.* (2022) through the analysis of almost 3,000 protests between 2006 and 2020 may not be immediately evident, but the demands listed earlier each link to at least a few rights protected under the covenant. Taking these two lists of eleven Social Justice Demands (SJD) and nine Economic Social and Cultural Rights (ESCR) as a basis for representation of both protest issues on the one hand and economic, social and cultural rights on the other, we can draw a relational chart of linkages between the two taxonomies (see Figure 2).

- *Inequality*: Representing 12% of world protest movements, the demand for more equitable economic outcomes questions the political decisions that would favor the elite rather than the middle class or the masses, some mobilizations that emphasized inequality have gained international traction, such as the occupy movement, the *indignados*, the Arab Spring and the Latin American Spring. Inequality can be seen as the result of inadequate progress in terms of the right to an adequate standard of living; lack of expansion of social security as well as the elites capture of scientific and cultural rights; the latter two have been especially marked during the Covid-19 pandemic as a major source of unequal outcomes within and between countries. Inequality also results from limited progress in terms of the right to work and the right to safe, healthy and equal working conditions.
- *Jobs, wages and labor conditions*: the most important cause of economic and social justice protests, in 18% of reported protests, are partially a response to the 2008 financial meltdown and the jobs crisis that followed; they can be directly linked to the right to work and the right to safe healthy and equal working conditions, as well as the right to unionize and strike. They also reflect a lack in terms of the right to an adequate standard of living in such cases when minimum wages cannot cover a family's expenses.

Figure 2
Relational graph of ESCRs and SJDs



Source: Author's analysis of SJDs and ESCRs presented using <https://www.rawgraphs.io>

- *Low living standards*: this demand may be the closest in its expression to the spirit of the right to an adequate standard of living, and present in 10% of protests. Many in this category are an expression of peoples will against austerity policies following 2008, and the demand for higher social benefits following the Covid-19

pandemic. These demands point also towards violations of the rights to social security, family parental and children protection, physical and mental health, and cultural and scientific life.

- *Reform of public services*: a close second in terms of the most often cited factor, in 17% of protests, demanding reforms to education and healthcare systems, water treatment, or public transport among other demands. While they directly point at the rights to social security, the right to education and the right to physical and mental health, fulfilling these demands would also be significant in terms of advancements for the right to family, parental and children protection and the right to cultural and scientific life.
- *Corporate influence, deregulation and privatization*: in 15% of the cases protesters opposed the interest of corporations when these are being put ahead of the public interest. Such cases may be the result of structural adjustment programs in the case of developing countries, but also the consequences of wide austerity measures such as in Greece. Such policies would negatively impact the rights to unionize, public education, working conditions and equal access to scientific and cultural life.
- *Food prices*: representing about 1% of world protests⁵, high food prices are a direct threat to the right of physical and mental health, to the right to family parental and children protection, and the right to an adequate standard of living. Besides these, it must be pointed out that protests regarding food prices could be also be a consequence of lacking social security that ought to provide help for the poorest.
- *Agrarian and land reform*: 6% of the worlds protests contest changes to land laws and other reforms that may negatively impact farmers, thus impeding on the farmers right to an adequate standard of living directly, as well as their families and children right to protection, it also represents a denial of the right to freely chose one's work by forcing some farmers off their land.
- *Pension reform*: the austerity pressures that mounted after 2008 helped pushed the protests relating to pension reforms to 3.5% of world protests. Pension reforms that would limit the services offered to retirees would directly encroach on their right to social security and their right to mental and physical health.

⁵ The study referenced here was published before the war in Ukraine. It is most likely that protests relating to food prices would surge with the recent inflationary trends following both the pandemic and the war.

- *Tax and fiscal justice*: are cited in 12% of protests around the world, demands focus on inadequate taxation and tax evasion. They impact the possibility of expansion of social security and education directly, and more generally impact all government spending that would go towards the realization of an adequate standard of living for all.
- *Fuel and energy prices*: these protests often result from the removal of subsidies that were dismantled by austerity policies or structural adjustment programs. Their importance is not to be diminished as they represent 5% of the reason for protest worldwide. The brutal removal of a subsidy is an infringement on the right to adequate standard of living, especially when families relying on the subsidy are offered no alternative for transportation and heat, the latter potentially impacting their right to physical and mental health.

Presented this way one can see that every SJD links back to at least two ESCRs and every ESCR links towards at least three SJDs. In a sense, protesters are demanding what is already rightfully theirs, at least in countries that ratified the treaty, since those demands are already entirely in line with protected human rights. Similarly, it can be observed that the violation of a right⁶ thus linked to a SJD is a direct source for discontent of protesters. Put in another way, if the fulfilment of the ESCRs that relate back to a SJD is complete, or at least properly progressing, it would respond at least partially to the demand for social justice expressed by the protests and is likely to lower the number of protests in the future.

2. Social justice as human rights

With SJDs expressed by protesters «translated» into its ESCRs, it becomes clear that economic and social justice demands and economic, social and cultural rights are expressions of very similar, indeed almost identical, desires or goals in terms of social progress. Protesters demand outcomes that are clearly intelligible in terms of human rights, and yet somehow almost entirely expressed outside of that framework.

⁶ Given the progressive nature of the implementation of ESCRs, a violation would only occur in those countries that regressed in the protections they offer their citizens; interestingly the World Protests study shows that protests decrease in countries where inequality decreases, and increase in countries where inequality is rising.

This dissonance is not accidental. ESCRs have been arguably neglected by the human rights community since their inception⁷. Human Rights Watch, for instance, did not even recognize them as human rights until 1993 (Alston 1997), with some resistance towards ESCRs being rights at all still present among vocal members of the community (Neier 2015). In the period 2005 to 2015, Amnesty international report emphasized Cultural and Political Rights (CPR) violations 80% of the time for global players and 86% for least developed countries, almost entirely ignoring ESCRs (Mchangama 2015). Furthermore, without being outright denied, ESCRs have been subject to forms of distortions due to a market-friendly economic views that would reduce them to formal guarantees rather than substantive material entitlements (O'Connell 2011). This has been especially true during the neoliberal era starting in the 1980s, with a generalizing belief of «the superiority of the market over any other form as means to solve social issues» (Crouch 2013).

It is true that two concepts of human rights, or two notions of freedom become at play, the first as associated with negative liberty and the second with positive liberty (Berlin 1969). The mutual coexistence of these two concepts is central to the development of society; the absence of psychological freedom (expressed by the first-generation of human rights, negative rights) could lead to fascism, and the absence of social freedom (expressed by ESCRs, positive rights) could lead to extreme poverty. On a purely theoretical level, these rights are indeed different. We must also recognize the historical divide regarding the promotion of each set of rights by each block of the cold war era, as pointed out by S. Burke (2015, 61) «the historical disagreement over the relationship between rights and justice is reflected today in contradictory perspectives [...] held by the activists [and] human rights bodies and organizations».

But the distinction is more of a philosophical, historical and legal nature than a practical one. For either set of rights would be a cost to society that would need to be financed, as mentioned by Philip Alston (1997, 189): «it is absurdly simplistic to assert, as advocates of civil and political rights do regularly, that resources are irrelevant to protecting civil and political rights.»

⁷ Though one must recognize that there has been significant advancement since the mid 1990s in terms of integrating the rights-based approach to global human rights practice (Clark 2022), the point here is to emphasize that the bulk of the work still centers around political rights.

In practice, financing different parts of government that ensure the continued realization of human rights are also costly, and are also progressively realized. To be all equal before the law means that there is a judiciary branch that would apply this law equally to all, a police system that ensures the safety of citizens, a legislative branch to enact the democratic will of the people, to cite but a few. Here are some numbers:

- The United Kingdom prison system costs a little over 4 billion dollars (UK Ministry of Justice 2020).
- The United States yearly judiciary budget hovers around 8 billion US dollars (Congressional Research Service 2022).
- The Canadian police force costs around 15 billion dollars per year (Canada Statistics 2020).
- The French ministry of interior has a 20-billion-dollar budget (Ministère de l'intérieur 2021)
- The European Union spends around 27 billion dollars on their prison system (Aebi and Tiago 2021)
- The United States spends 80 billion dollars annually on corrections (McLaughlin *et al.* 2016)

We contrast these numbers with some estimated costs for the full realization of ESCRs, as well as contrasting these costs with the possible private/exclusionary alternatives that already exist:

- Ending hunger in the USA is estimated at roughly 25 billion dollars (Berg 2016).
- Ending homelessness in France would cost in the whereabouts of 4.2 billion dollars⁸.

The main point here is to remind us that human rights of the first generation do cost society to be realized, despite their nature. They require some redistribution of resources to be enacted. Their costs are by no means insignificant being in the billions, but also not significantly different from the cost of realizing certain ESCRs.

Since neither the right to food nor the right to shelter are fully realized, the costs mentioned earlier are estimates and it is simply their order of magnitude that should be relevant. But the lack of realization of certain rights does create a cost on society, and not only in terms of possibly higher number of protests, but in monetary terms:

⁸ Based on 14,000 Euros per homeless person (Katchadourian and Leon 2013) and an estimated 300,000 homeless in the country.

- The healthcare costs incurred by the US due to food insecurity was estimated at 77 billion dollars (Berkowitz *et al.* 2018).
- The costs associated with homelessness in France are around 6.2 billion dollars⁹.

A more direct comparison of two opposing systems can also be used as a form of natural experiment to enquire about the possible superiority of generalized government support for some ESCRs. If we compare the US private healthcare system and the European public healthcare. The total US healthcare expenditure is around 4.1 trillion dollars (Center for Medicaid and Medicare Services 2020), in a privatized system for about 330 million people. The total health expenditure in Europe is just over 1 trillion dollars (Eurostat 2022), in a universal/public system for about 450 million people. Not only is the overall cost to society lower, but it is also more efficient: «American adults are less healthy than Europeans at all wealth levels» (Avendano *et al.* 2009).

The image here is one where it seems to be less costly to guarantee ESCRs and answer SJDs at the same time than leaving them to some market mechanisms. And in fact, many countries have already started enacting programs geared towards the realization of ESCRs as is clearly visible in the case of European healthcare, and perhaps more silently seen in the quasi-universality of free education (at least at primary levels). There is an understanding that these social goods are potentially positive for all society, and as seen just before solving them on a political rather than a market level may be less costly overall. The biggest caveat is that they are always expressed as policy programs and not as human rights. If there are efforts made around the world to mitigate the effects of hunger and homelessness, if social security gets expanded, it is not presented in the language of human rights but as some expansion of social programs; this categorization implies that it can be reduced or denied entirely from one government to the next, not unlike what happened in the neoliberal¹⁰ period with the Thatcher and Reagan governments in the UK and the US, and more largely around the world with growing within country inequality since the 1980s (Chancel *et al.* 2021). If we categorically switch

⁹ These are very hard to estimate, multiple efforts have been made throughout Europe, the 6 billion figure is a relatively low estimate based on costs estimated by the French Délégation interministérielle à l'hébergement et à l'accès au logement in 2018 (available at <https://www.gouvernement.fr/publications-documents-de-la-dihal>), some estimates could go as high as 10 billion. For more details see the European Observatory on Homelessness report (Pleace *et al.* 2013).

¹⁰ For a deeper view of the link between inequality neoliberalism and human rights see Heintz (2018).

the discourse towards a human right based one, we could not only achieve a new understanding of what our rights as human beings are, but we could potentially secure the idea of non-regression and protect against the impact of short- or medium-term political waves. This is not to argue that there is some fundamental contradiction between economic rights and the neoliberal market capitalism we are in today, they are rather entirely compatible¹¹. Going a bit further, if indeed the neoliberal turn influenced the political apparatus under the disguise of political neutrality (Gourcuff 2014), we could reclaim these tools. Since «all human rights are universal, indivisible and interdependent and interrelated» (The World Conference on Human Rights 1993), we could argue in favor of a mandatory application of ESCRs regardless of a political process in the name of a political neutrality that universally respects human rights.

The power of human rights lies specifically in their name; they are rights that we ought to enjoy by the simple virtue of being human, they are (or at least ought to be) entirely disconnected from the ongoing political discourse of the epoch and the economic system of the time. Social movements would benefit from framing their demands in terms of human rights to shift the discourse towards the necessity of the realization of ESCRs rather than a *de facto* political fight for social justice. A lot of resistance on the full realization of ESCRs from some governments that is (in)justified on economic grounds could no longer weigh on the debate in the same way: if expressed in terms of rights, the lack of realization of universal housing programs can no longer be justified on some economic agenda, since the data presented earlier tends to point towards more efficiency in economic terms when certain basic economic needs are socialized. It is no more acceptable than to silence the press in the name of a supposed greater good to come. Changing our understanding of social justice to one of human rights would also mean that acceptable thresholds of hunger, homelessness or restricted healthcare would radically change, in a social program view it suffices that the program does some level of good, in a human rights perspective the only acceptable limits would need valid reasons and reasoning, in the same way that limits to the right of free assembly can only be limited on grounds of threats to the public order¹². Similarly limits to the right to food would be only limited by a shortage, or some natural disaster, and could not be limited by some economic

¹¹ This should not be constructed as an argument in defense of a neoliberal economic order, but rather a way of pointing out that we are falling far short of the justiciable potential of even this highly unequal social arrangement.

¹² And since Covid-19 limit have also been placed around certain fundamental freedom to protect populations.

factors such as speculation on the price of grains (Kaufman 2010). The lack of action from some governments on ESCRs/SJDs is even the more alarming when presented with estimations of cost that could possibly reduce the economic cost on society, possibly drastically, when these are realized. The only plausible explanation we are left with for the slow or absent realization of ESCRs/SJDs is one of concentrated power, «the self-reinforcing ‘political economy’ effects of increased inequality [...] which can adversely impact individual and societal well-being as well as economic performance» (Stiglitz 2012).

3. Human rights as social justice

The full realization of human rights cannot be done without both a set of negative and a set of positive rights. This dual mechanism is seen here as the two sides of the same coin, the spirit of human rights cannot be fulfilled without both psychological and social freedoms being enshrined as human rights. There is obviously the direct implication that a lack of shelter or food to the point of one’s life being at risk renders the right to free speech or freedom of assembly almost irrelevant at the extreme. But some higher level of economic redistribution has been used as a ruling strategy of certain types of autocratic regimes to help ensure their continued grasp on power (Pelke 2020). The absence of ESCRs opens the door to populists that would seek power in the name of redistributive justice all the while enacting programs that would endanger the rest of human rights. Protest movements against economic inequality that remained unanswered have somewhat been captured by various forms of right-wing populism (Ortiz *et al.* 2022). Rising inequality and economic insecurity in the US was one of the central factors in the successful campaign of Donald Trump to become president (Campbell 2018).

When Aryah Neier (2013) rejects the validity of social justice as human rights on the basis that they are about redistribution of resources rather than redistribution of power, he fails to recognize that redistributing of power requires that of resources, and redistributing resources implies that of power. The material conditions cannot be just ignored or brushed aside, despite the theoretical immediacy of first-generation human rights, all human rights have been progressively realized, and even more they have been progressively realized thanks to large mobilization of protesters and are being realized thanks to large mobilization of state resources. The ongoing fight for equal rights between genders cannot be suddenly resolved, it is a process, if most can

agree that gender equality has been advancing over the past century it is hard to argue that its realization has been either immediate or complete. We understand the goals of CPRs to be progressively realized even when we stress the absolute need for their total realization. It should go the same for ESCRs, they are to be progressively realized all the while we should be appalled by the slimness of their violations.

For ESCRs to become fully actionable, more work is still needed on the legal terrain for them to become fully justiciable, as argued earlier it would not suffice for ESCRs to remain solved only through social policy programs, as these are strongly influenced by ideology. The justiciability of ESCRs lacking is almost a self-fulfilling prophecy, if the argument is that there is no legal framework to apply these rights then we simply must create them, it is as much a political process as human rights themselves have been. Protest movements would benefit from shifting towards a human right based discourse. In fact «social change movements cannot avoid engagement on this terrain, and it is difficult to see how they can do this effectively without some type of 'higher law' discourse of the kind captured in the idiom of fundamental rights» (Klare 2015). Opening a dialogue between social movements and human right organizations could pave the way to advancing ESCRs and SJDs through national human rights institutions on multiple levels, including monitoring progress and government policy, examining complaints alleging infringements, identifying national benchmarks and indicators to measure their realization, even advise governments (Gomez 2020). Further engagement on the legal terrain would also lead to actionable results, ESCRs have already been incorporated in various ways in constitutions around the globe, in fact more than three quarter of world constitutions already enacted at least one justiciable ESCR (Rosevear, Hirshl and Jung 2019).

A rights-based approach to SJDs is necessary if we are to limit the worst outcomes of economic systems in a way that parallels the need for rights-based approaches to limit the worst outcomes of political systems. The 21st century is an epoch of accelerating concentration of economic power. The continued expansion of the global capitalist system around the world, and the reinterpretation of human rights to fit its expansion, will only further this concentration, since the beginnings of capitalism economists who analyzed the system concluded that it has a propensity to centralize or concentrate wealth, be it in the hands of landlords for David Ricardo (1817/2004), capitalists for Karl Marx (1887/2015), entrepreneurs for Joseph Schumpeter (1943/2003) or most recently «patrimonial capitalists» for Thomas Piketty (2013). In the very same way that there was and continues to

be a need for the redistribution of symbolic power, partially achieved through democratic separation of powers and enshrined through CPRs, so is there a need for the redistribution of material resources. Beyond the continued build-up of legal frameworks that is necessary, we need to start understanding human rights as a way to confront violence and injustice at both socio-economic and civil-political levels (Kurasawa 2007). If it remains true that this framework does not preclude extreme inequalities, such that «human rights, even perfectly realized human rights, are compatible with inequality, even radical inequality» (Moyn 2018), it is also true that full realization of political rights is not theoretically incompatible with a (benevolent) dictator. The whole point of insisting on political and economic rights as basic and non-negotiable is to create all the possible conditions where no dictator (however benevolent) could truly rise, similarly the full realization of economic rights would most likely protect us in effect from generalized extreme inequality (however generous the richest amongst us).

This is precisely why policy and program-based responses to SJDs cannot replace their enactment as rights, just as political rights are enshrined in constitutions that are hard to change. Societies are in permanent evolution, and ESCRs include a level of relative well-being, programs and policies can be left behind towards a slow death, even the most progressive ones can be rendered entirely ineffective and irrelevant regarding new advancements. Social Security in the US used to provide excellent pensions until the 1960s, but the program has been slowly gutted and silently repegged from inflation up to a point where the pension it offers is almost never sufficient (Massey 2007). When presented with certain facts of the abundance of material well-being of the 21st century: we produce about 1&½ times the necessary food to feed 10 billion people¹³ (Holt-Giménez *et al.* 2012); the estimates for homeless people in the US approximate 650 thousand in comparison to roughly 16 million empty housing units (Kolomatsky 2022); the ten richest men in the world have more wealth than the bottom 3 billion (Ahmed *et al.* 2022), it becomes clear that we can certainly do much more in terms of redistribution and further the realization of ESCRs as well as respond to SJDs. Of course, the existence of these material conditions cannot immediately be used to solve all social problems, but it is a proof that the limitations towards the realization of ESCRs are not born out of natural disasters but

¹³ If we prioritize human consumption instead of biofuels and animal feedlots, that would entail changes in peoples nourishment habits, but remains more than feasible.

are consequences of a human made economic system that could be mitigated, in the words of Keynes (1934, 374): «there is no reason not to lower the stakes of the game».

We can only wonder why there has been historically such resistance to enacting social justice as human rights in a legally binding way, perhaps there is a lingering belief that if all humans are given by right the necessary means of a decent life, they would no longer have any incentive to participate in the economic system. This kind of reflection seems to be outdated when faced with the success of countries with very high social redistribution, in fact even the IMF conceded after studying a panel of countries that «there is surprisingly little evidence for the growth destroying effects of fiscal redistribution»¹⁴ adding afterwards that «narrowing of inequality helped support faster and durable growth, apart from ethical, political or broader social considerations» (Ostry, Berg and Tsangarides 2014, 26). Allison Corkery's insight brought forward by working with mining affected communities in South Africa that movements dominantly use a political economy frame while human rights are deployed in a liberal injustice one is of prime relevance here (Corkery 2022). Without questioning the political economy of market capitalism that most of the world lives in today, ESCRs remain the best tool we currently have in order to push forward a progressive agenda. One can even speculate that the full realization of human rights, by allowing true independent and free thinking unburdened by fears of one's physical integrity (be it from torture or hunger), may bring about a renewed imagination as to what our political economy could be.

Conclusion

This article has pointed towards the necessity of realizing ESCRs on multiple grounds. Each of them separately ought to be sufficient to push towards the full implementation of strong policies to realize these rights as soon as possible. It is the will of the people as expressed in massive protest movements. It is probable that is a cheaper cost to society to put in place mechanisms that completely support ESCRs rather than the sometimes-meagre policies that are in place today. It could avoid costly revolts and revolutions whose outcomes are

¹⁴ The word «surprisingly» reveals the bias within international financial institutions specifically and economic profession at large, the default assumption is usually «redistribution is bad for growth», despite mounting evidence to the contrary.

unknown¹⁵. Inequality levels that rhyme with lack of ESCRs impede on the democratic process. Even the possibility of the realizing first generation human rights without ESCRs is questionable.

Peoples demands are but a reflection of the conclusions reached by the international community before the onset of the neoliberal era. The mass mobilizations in favor of economic justice in an era of wealth concentration rhymes with the mass mobilizations in eras of massively concentrated political powers. People rose against monarchs in Europe in the 18th and 19th century to gain political and civil freedom. The colonized nations of Africa and Asia rose against their masters to regain autonomy and mastery over their own lives in the 20th Century. Perhaps are we witnessing the rise of the poor and the disadvantaged by the system to renegotiate their place in the world. The absence of response by governments to peoples economic and social justice demands would eventually lead to riots, revolts, and revolutions on the longer run, as they have South of the Sahara (food riots of 2008); in West Asia and North Africa (the Arab Spring of 2011) and most recently South America (the Latin American Spring). The heavy toll that they take in terms of disrupting the economy and worse the potential loss of multiple lives. The absence of recognition of economic and social rights as basic human rights that need to be prioritized can only further alienate the least well off from the rest of this planet, eventually to a point they would no longer be seen as equal participants, having effectively shaken the very foundation of the idea of human rights, that we are indeed all equal.

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¹⁵ Perhaps the events in North Africa and West Asia between 2010 and now are the best example of unpredictable outcomes, some countries have seen improvements in the political arena, some in the economic one, virtually none in both and some have plunged into war and chaos. The long-term impact of these revolts is still very much unknown.

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