

Cambridge University Press

978-1-107-04325-1 - Economic and Social Rights After the Global Financial Crisis

Edited by Aoife Nolan

Index

[More information](#)

INDEX

- accountability, 29–30, 43–5, 48–55, 56,
110, 114, 118, 130
- action plans, 112–13
- actors, 10, 18, 101–2, 106, 109, 112–14,
117, 129
 - private, 18, 45, 129, 238, 243,
261–5, 288
- adequate food, 7, 40, 90–2, 110,
117, *see also* adequate
nutrition; hunger;
malnutrition
- adequate housing, 2, 6, 57–9, 62–6,
87–9, 153–4, 156, 316–17
 - impact of housing finance
policies, 67–85
- adequate nutrition, 43, 309, 314–16,
see also adequate food;
hunger; malnutrition
- adjustability, 328–9
- affluent, relatively, 280, 290, 297
- affordability, 60, 63, 65–6, 69, 83,
86–7, 214
- Africa, 31, 58, 59, 67, 68, 81, 82, 84,
see also South Africa
- African National Congress (ANC),
353
- agricultural commodities/markets,
93–7, 113
- agriculture, 31, 94–105, 108
- ANC, *see* African National Congress
- Argentina, 12, 15, 48, 126, 299–334
 - 2001 crisis
 - development, 301–4
 - public policies and judicial
review, 325–31
 - constitutional context, 304–7
- emergency
 - property rights and the judiciary,
321–31
- judiciary and ESR during economic
crisis, 307–21
- Ombudsman, 305, 313–16
- assistance, 27, 102, 133, 148–9, 240,
255–6, 356, 364
 - international, 25–7, 49, 53, 147–8
 - public, 254–6
- asylum seekers, 176–8, 191, 221
- austerity, 4–6, 11, 72, 206–9,
223–6, 231–5
 - alternatives to, 23–56
 - measures, 28–34, 138–42, 170,
184–6, 188–90, 192–5, 197–8,
219–25
 - permanent, 187–8
 - and social Europe, 10, 169–201
- Australia, 63, 67
- available resources, 25–7, 39–40,
122–4, 133–4, 138, 148,
352, 355
- backsliding, 140, 160, 205, 212–15, 225,
see also non-retrogression;
retrogressive measures
- empirical, 123–30
- bail-outs, 48, 72, 87, 187, 207
- bank deposits, *see* deposits
- banks, 18–9, 68, 81, 153, 157–9, 262,
339, 343
 - World Bank, 10, 31, 95–6, 107, 147–8,
152, 163
- basic education, 245, 248
- basic rights, 271, 308–9

- basic services, 42, 58, 88, 236, 307, 314, 362
- beggar-thy-neighbour policies, 90–1, 102, 106
- benefits, 32–3, 52, 56, 103–6, 143–4, 197, 251–4, 288–93, 295–8, 329
 - child, 34, 50
 - health, 251–3, 288
 - social security, 182–4, 198, 310, 328
- borrowers, 66–71, 73, 82, 260–2, 265
- borrowing costs, 129–30, 224
- budget deficits, *see* deficits
- budgets, 32–4, 131, 236–40, 244, 279–82, 284–7, 341–2, 357–8
- Buenos Aires, 302, 311, 313, 314, 317
- capacity, 37, 51, 84, 87, 102, 181, 239, 361–2
 - institutional, 53, 77, 102
- capital
 - financial, 57, 155
 - flows, 152–6, 161, 340
- capital-grant subsidies, 72–3, 75–9
- care services, 35–7, 45, 50
- CESCR, *see* Committee on Economic, Social and Cultural Rights
- CFS, *see* Committee on World Food Security
- children, 2, 23, 28, 34–5, 37, 217–18, 221–3, 314–15
- Chile, 45, 71, 76, 102, 308
- China, 62, 71, 73, 160, 172, 343
- civil servants, 37, 279
- civil society, 29, 51, 107–8, 118, 220, 287, 293, 353, *see also* civil society organisations
 - groups, 188, 278, 287
 - international, 17
- civil society organisations (CSOs), 106–7, 118, 220, 305, 344, 348
- classical liberal rights, 11, 235
- climate change, 42, 100, 111, 117
- co-payments, 216
- collective action, 49, 54, 90
- Colombia, 12, 15, 75, 267–97
 - Constitutional Court, 12, 16, 267, 268, 270, 296, 298
 - constitutional framework, 268–74
 - initial crisis response, 274–81
 - social state of law, 12, 268–74, 283–7, 291
 - tutelas*, 269–71, 276–8, 288–93, 276–97
 - vital minimum, 12, 268–82, 283–7, 290–1, 294, 297–8
- Committee on World Food Security (CFS), 91, 101, 117–18
 - reform, 106–11
- commodification of housing, 6, 57
- communicable diseases, 124, 218
- community funds, 84–5
- compensation, 44, 83, 143, 206
- competition, 57, 76, 94–6, 99, 100–18
- competitiveness, 104, 301–3
- complementarity, 7, 11, 90, 98, 235
- complex remedies/orders, 285–6, 291, 297
- conflicts, 13, 42, 103, 192, 232, 301, 305, 325
- Connecticut, 253, 254, 255, 256, 258
- consensus, 54, 106, 111, 188, 192, 224, 244, 304
- constitutional interpretation, 254, 306, 322, 331–2
- constitutional review, 305–6, 322, 327
- constitutionalisation, partial, 10, 178–80, 181, 188, 192, 200
- constitutions, 175, 244, 268–72, 291–4, 299–301, 310–12, 328–9, 332–4, 355
 - federal, 242–3, 253
 - state, 238–40, 244–6, 250, 253
- contagion, 149, 156–7
- convergence, 90–1, 98, 101, 109, 118
- cooperation, 7, 25, 49, 53, 133, 147–9, 230–1, 246
 - development, 98, 117, 152
 - global, 156, 161–5
 - international, 92–3, 115, 147–52, 156, 161–4, 165
- coordination, 91–3, 102, 106, 108–9, 118, 150, 162–4
 - international, 147, 152, 164–5

Cambridge University Press

978-1-107-04325-1 - Economic and Social Rights After the Global Financial Crisis

Edited by Aoife Nolan

Index

[More information](#)

368

INDEX

- core content, 137, 140
 - minimum, 26–7, 133, 137–45
- core obligations, 43, 134, 223
 - minimum, 8, 26, 294
- costs, 102, 153–4, 158–64, 215–18, 226–7, 244, 248, 310–13
 - borrowing, 129–30, 224
 - human, 56, 153
 - transaction, 78–9, 216
- countercyclical role of courts, 11, 235, 240
- Court of Justice of the EU (CJEU), 179, 188, 192–4, 199
- credit, 48, 64, 66, 68–9, 77–8, 84–7, 153, 158
 - meters, 350–2
- credit-rating agencies, 130, 232
- crises
 - ecological, 116
 - economic, 1–13, 121–30, 143–7, 157–62, 198–203, 206–9, 297–300, 334–9
 - financial, 38, 70–2, 137–9, 267–8, 335–8, 340–3, 345–9, 354
 - fiscal, 11, 235, 247, 250, 257–9, 298
 - food, 7, 23, 113, 316
 - price, 93, 100, 105–6, 116
 - as opportunity for transformative policies, 55–6
 - political, 12, 268, 299
 - as risk and opportunity for court legitimacy, 331–2
 - social, 170, 301, 333
 - social and ecological, 292
 - sub-prime mortgage, 57, 67, 70, 154
- CSM, *see* International Food Security and Nutrition Civil Society Mechanism
- CSOs, *see* civil society organisations
- data
 - collection, 53
 - disaggregated, 53, 128, 221
- debt, 19, 202, 209, 226, 302–3, 327–9, 336, 341
- debtors, 262–4, 278–9, 327–8
- decent work, 44–5, 210–12, 232
- deference, 241–3, 255, 331
- deficit financing, 225
- deficits, 207–8, 219, 224, 237, 257, 322, 337–42, 357–8
 - fiscal, 301, 308, 324
 - reduction, 56, 214, 223
- demand-side subsidies, 7, 58, 72–9, 86
- democratic legitimacy, 240, 279–80
- Denmark, 67, 73
- deposits, 302–3, 324–6, 332–3, 339
- depression-level unemployment, 210
- deprivation, 13, 32, 51–3, 56, 277, 323, 335–6, 363
- derivatives, 94, 153, 159
- devaluations, 154–5, 303, 325, 327
- developing countries, 31, 37–9, 54–60, 67–8, 78–81, 86, 95–6, 101–4, *see also* least developed countries
- development
 - agencies, 59, 86
 - cooperation, 98, 117, 152
 - sustainable, 49, 117
- dialogue, 107, 235, 245
 - inter-branch, 249, 254, 258
 - national, 29, 51, 220
- dignified housing, 316
- dignified life, 271, 283–4
- dignity, *see* human dignity
- disability, 2, 28, 34–6, 45, 171, 183, 313, 318–20
- disadvantaged groups, 6, 27–8, 30, 50, 88, 183
- disaggregated data, 53, 128, 221
- discretion, 41, 173, 190–1, 197, 248, 254, 334, 347
- discrimination, 44–5, 48, 66, 74, 204, 221, 231, 255–8, *see also* non-discrimination
- discriminatory effects, 69, 83, 87, 137, 140, 202, 221, 231–2
- displaced persons, 285–7, 293
 - internally, *see* internally displaced persons
- donors, 29, 80, 85, 96, 220
- downturn, *see* economic downturn

Cambridge University Press

978-1-107-04325-1 - Economic and Social Rights After the Global Financial Crisis

Edited by Aoife Nolan

Index

[More information](#)

INDEX

369

- ECB, *see* European Central Bank
- economic crises, 1–10, 121–30, 143–7,
157–62, 198–203, 206–9,
297–300, 334–9
- economic downturn, 234, 236, 245,
251–2, 287, 294, 340–2, 355
- economic emergencies, 13,
299–301, 321–2
- economic growth, 42–4, 128, 172,
209–11, 336–7, 343
- economic insecurity, 69, 355, 364
- economic interdependence, 9, 151,
161
- economic policy, 9, 13, 129–31, 147,
150–2, 337, 341, 362
- economic recession, *see* recession
- economic rights, 6, 150, 161, 165,
323–8, 362
- economic shocks, 33, 48, 70, 157,
160, 209
- economic turmoil, 2–5, 7–10, 13,
17, 188
- ECSR, *see* European Committee of
Social Rights
- education, 24–6, 32, 34, 37, 47, 160,
243–50, 336
 basic, 245, 248
 primary, 26–7, 170, 339
- effective enjoyment of rights, 123,
205, 232
- effectiveness, 113, 158, 162,
272, 328
- emergency
 economic, 13, 299–301, 321–2
 measures, 326–7, 330
 norms, 321, 324
 powers, 322–3, 327
 social and ecological, 132
 state of, 292
 treatment, 217–18
- emerging markets, 57, 67, 73, 81
- employment, 36–7, 43–5, 76, 128, 138,
170, 182, 224
 full, 173, 181
 promotion, 44–5
 rights, 179, 182–4, 199
- empowerment, 29, 49, 56
- enforcement
 constitutional, 274
 of socio-economic rights, 234, 237–
 43, 249, 265–7, 270, 288, 294
- engagement
 meaningful, *see* meaningful
 engagement
 process, 345–7, 353
- entitlements, 26–8, 123–7, 191, 197
 subjective individual, 174–5,
 179, 192
- equality, 14, 35–8, 42, 45, 49, 55–6,
190, 348
 constitutional, 252–8
 gender, 24, 28, 36, 49
 substantive, 28
- equity, 204, 210, 227–8
- escape clause, 327–8
- essential medicines, 215–18
- ethnic minorities, 2, 28, 32, 183
- EU, *see* European Union
- European Central Bank (ECB), 18, 35,
130, 137, 187, 197, 226, 232
- European Commission, 18, 35, 104,
130, 137, 187, 197
- European Committee of Social Rights
(ECSR), 142, 180, 195–9
- European Court of Human Rights, 141,
178, 189–91, 194
- European legal systems, 173, 178
- European social model, 10, 170, 172,
184, 188, 200, *see also* social
Europe
 establishment, 170–3
- European Union (EU), 47, 169, 173,
179, 186–7, 192–3, 224–6,
213–32
 governance, 182–3
 institutions, 173, 180, 187–8,
 199, *see also* European
 Commission
 law, 15, 179–80, 182–4, 190, 192–4,
 198, 201
- European welfare states, 169–72,
181–94
- eviction, 70, 130, 189, 264, 345–8,
358–61, 363–4

Cambridge University Press

978-1-107-04325-1 - Economic and Social Rights After the Global Financial Crisis

Edited by Aoife Nolan

Index

[More information](#)

370

INDEX

- exchange rates, 153–5
- exclusion, 1, 28, 42, 218, 256, 313
 - immigrant, 252–3, 257, 260
 - social, 28, 56, 89, 187, 212
- executive branch, 12, 179, 220, 259, 299–300, 304–5, 324–5
- export bans/restrictions, 93, 100, 106
- extraterritorial obligations, 9, 115, 146–54, 225
 - global institutions and international cooperation, 161–4
 - monetary policy and capital flows, 152–6
- extreme poverty, 6, 61, 136, 178, 220, 307, 315, 362
- fair procedure, 177, 190, 350
- families, 32–4, 44–5, 52, 59–62, 72, 77, 97–8, 319–20
- farmers, 91, 95–6, 101–3
- federal constitutions, 242–3, 253
- federal courts, 238–40, 252–3, 261
- federal government, 175, 239, 251, 256
- federalism, 239, 251
- financial capital, 57, 155
- financial crises, 38, 70–2, 137–9, 267–8, 335–8, 340–3, 345–9, 354
 - global, 13, 146, 156–9, 165, 288, 335–9, 343, 361–4
- financial flows, 46, 146, 155, 158, 163
- financial globalisation, 18, 146–7, 156–8, 165
- financial governance, 152, 162, 165
- financial institutions, 17–18, 48, 72, 79–82, 87, 157–9, 220, 226
 - international, 18, 30, 40–1, 54–5, 59–60, 105, 137
- financial markets, 4–6, 9, 57, 63–4, 86–7, 153, 157–9, 209
- financial products, 1, 48, 57, 157, 159
- financial regulation, 9–10, 18, 162
 - enhancement, 47–8
- financial services, 49, 79, 83, 87, 260
- financial transaction tax (FTT), 47, 54, 230–1
- financialisation of housing, 7, 58, 65, 89
- fiscal contraction, 3, 31, 53, 210
- fiscal crisis, 11, 235, 247, 250, 257–9, 298
- fiscal discipline, 134, 182
- fiscal sustainability, 19, 273–4
- food, rights to, *see* rights, to food
- food aid, 7, 90, 117
- food crises, 7, 23, 113, 316
- food imports, 97–8, 105
- food prices, 39, 49, 109, 340
 - global crisis, 1, 7, 90–118
 - causes, 100
 - history, 93–8
 - need for improved consistency across policy areas, 98–105
- food security, 7, 39–42, 49, 91–3, 98, 101, 106–13, 118
 - global governance of, 7, 92, 114, 116
- food sovereignty, 101, 108, 148
- food subsidies, 39–40
- foreclosures, 70, 87, 153–4, 156, 212, 237, 278
 - common-law protection against, 260–5
 - non-judicial, 261–4
- formerly planned economies, 59–62
- fragmentation of global governance, 90–2, 102
- fragmentation of international law, 91, 232
- France, 73, 177, 185, 200
- fraud, 230, 261, 292
- free market, 64, 72, 172–5, 182
- free movement rights, 182, 192
- free trade, 59, 101
- FTT, *see* financial transaction tax
- full employment, 173, 181
- gender equality, 24, 28, 36, 49
- gender-sensitive policies, 50–1
- general welfare, 136, 316, 329–30
- Geneva Consensus, 102–3
- Germany, 61, 62, 73, 174, 175, 177, 185, 189, 200, 207, 226
- global cooperation, 156, 161–5
- global economic governance, 161–2
- global financial markets, 86–7
- global governance, 90–1, 102, 161–2

Cambridge University Press

978-1-107-04325-1 - Economic and Social Rights After the Global Financial Crisis

Edited by Aoife Nolan

Index

[More information](#)

INDEX

371

- of food security, 7, 92, 114, 116
 - fragmentation, 90–2, 102
 - and human rights, 90–118
 - reform, 7–8, 90, 105
- global institutions, 10, 147–50, 161–4, 165
- Global Strategic Framework on Food Security and Nutrition (GSF), 109–12
- globalisation, financial, 18, 146–7, 156–8, 165
- governance, 20, 55, 132, 148, 188
 - EU, 182–3
 - financial, 152, 162, 165
 - of food security, 7, 92, 114, 116
 - global, *see* global governance
 - international, 103, 118
 - macroeconomic, 146, 151–2, 156, 161
- government revenue, *see* revenue
- government spending, 3, 29–31, 126–9, 186, 209, 220, 224, *see also* public spending
- government workers, *see* public sector workers
- governmental action, 9, 345–8, 354, 363
- grants, 60–2, 75, 177, 358
 - capital, 72–3, 75–9
 - social, 337, 341
- Greece, 36, 72, 73, 170, 178, 185, 186, 197, 198, 200
- growth, 155, 171, 181, 288, 293, 303, 335–8, 342
 - economic, 42–4, 128, 172, 209–11, 336–7, 343
- GSF, *see* Global Strategic Framework on Food Security and Nutrition
- health
 - benefits, 251–3, 288
 - care, *see* health care
 - facilities, 76, 223
 - insurance, 239, 251, 311–12
 - legislation, 214–16
 - mental, 124, 204, 207, 218, 222, 310–13
 - outcomes, 206–13, 216–18, 225
 - public, *see* public health
 - right to, 11, 202–30, 276, 292, 312–16
 - social determinants of, 206, 210–13, 232
- health care, 26–7, 169–71, 178–9, 202–5, 214–19, 222–3, 227–8, 275–7
 - for immigrants, 250–60
- high-income countries, 31, 148, 163
- HIV/AIDS, 218–19
- homelessness, 2, 33–4, 66, 70–2, 87, 213, 345, 358
- homeownership, 11, 57–64, 66, 71, 73, 86, 234
- housing, 6–7, 57–8, 62–4, 70–4, 86–9, 275–80, 318–20, 356–62
 - adequate, 2, 6, 57–9, 62–7, 74–6, 83–9, 153–4, 316–17
 - affordability, 60, 65, 75, 83, 86–7
 - commodification of, 6, 57
 - cost of, 60–2
 - demand-side subsidies, 7, 58, 72–9, 86
 - finance, 2, 58–64, 66–70, 83, 86–8, 278, 297
 - market-based, 60–3, 67–8
 - policies, 7, 58, 64–5, 86–7
 - impact on right to adequate housing, 67–85
 - rise of, 58–64
- financialisation of, 7, 58, 65, 89
- markets, 60–3, 75–6, 87, 89
- micro-finance, 7, 58, 78–87
- policies, 7, 57–62, 64–6, 86, 88–9, 356, 358
 - demand-side, 60, 72
 - human-rights based approach, 86–9
- prices, 69–70, 75, 261
- public, 59–64, 89, 171, 189
- rental, 59–63, 74
- social, 34, 61–4, 65, 72–6, 87, 171
- subsidised, 74–9
- temporary, 356–61, 363–4
- human dignity, 16, 29, 174–6, 189–91, 197, 266, 270–1, 277

Cambridge University Press

978-1-107-04325-1 - Economic and Social Rights After the Global Financial Crisis

Edited by Aoife Nolan

Index

[More information](#)

372

INDEX

- human rights-based approaches, 6, 30, 42, 46–51, 58, 86–9, 91
- human rights impact assessments, 49–50, 115
- human rights indicators, 88, 114
- Hungary, 59, 71, 73, 74, 126, 280
- hunger, 2, 39, 91, 98, 109–13, 171, 207, 341, *see also* adequate food and malnutrition
- ILO (International Labour Organization), 1, 103, 137, 169, 194, 199, 211
- image and reality, 181, 200
- IMF (International Monetary Fund), 31, 35, 130, 147, 152, 161, 163, 185–7
- immigrants, 11, 221, 234, 250
 - exclusion, 252–3, 257, 260
 - federally ineligible, 253, 255
 - health care, 250–60
 - irregular, 169, 183, 214–18, 222–3
 - lawful, 251–9
 - self-sufficiency, 256
- incentives, 37, 79, 97, 112, 208, 267
- inclusion, 30, 91, 287, 324
 - social, 49, 56, 316
- income, 38–40, 78–82, 84, 98, 308, 313, 338, 340
 - inequality, 184–5, 213, 228–9, 338
 - support, 238–9
 - tax, 283
- indebtedness, 69, 72, 83, 87, 156
- indicators, 88, 110–12, 114, 302, 307
- inequality, 13–5, 23, 28, 171, 213–35, 335–8, 362–3
 - income, 184–5, 213, 228–9, 338
- inflation, 153, 278–81, 303, 337, 342
- informal settlements, 58, 341, 346
- infrastructure, 49, 58, 65, 79, 83–5, 87–8, 208, 224
- injunctions, 242, 313–16, 319, 333
- institutional capacity, 53, 77, 102
- institutional frameworks, 43, 62, 88, 332
- institutions, 20, 41, 55, 59–60, 81, 116, 158–61, 163–4
 - financial, *see* financial institutions
 - global, 10, 147–50, 161–5
 - micro-finance, 81–2, 84
- integration, 75, 147, 157, 163–5, 182, 186
- inter-branch collaboration/dialogue, 249, 254, 258–9
- inter-generational justice, 18–19
- interdependence, 7–9, 11, 90, 151, 161, 235
- interest-rate subsidies, 73–4
- interest rates, 68–9, 73, 82–5, 153–7, 159–60, 275–9, 301, 324
- internally displaced persons, *see* IDPs
- international assistance, 25–7, 49, 53, 147–8
- international community, 4, 54, 106, 112–13, 116, 133
- international cooperation, 92–3, 115, 147–52, 156, 161–4, 165
- international coordination, 147, 152, 164–5
- international financial institutions, 18, 30, 40–1, 54–5, 59–60, 105, 137
- International Food Security and Nutrition Civil Society Mechanism (CSM), 107
- international governance, 103, 118
- International Labour Organization, *see* ILO
- international markets, 93, 97–8, 340
- International Monetary Fund, *see* IMF
- international organisations, 80, 114, 148–52
- investments, 7, 90, 95–9, 104, 117–18, 131, 152–4, 159
 - public, 50, 88, 183
- investors, 69, 80, 96, 117, 153, 157–62, 260
- Ireland, 3, 17, 41, 52, 63, 67, 72, 73, 186
- irregular immigrants, 169, 183, 214–18, 222–3
- Japan, 45, 67, 214
- judicial legitimacy, 11, 15, 235, 352
- jurisdiction, 13, 145, 148–51, 246–7, 264, 286, 301, 317–20
- Kazakhstan, 71

Cambridge University Press

978-1-107-04325-1 - Economic and Social Rights After the Global Financial Crisis

Edited by Aoife Nolan

Index

[More information](#)

INDEX

373

- labour markets, 1, 128, 182–4, 209
 - regulation, 45, 181, 187
- labour rights/protections, 18,
 - 92, 128–9, 138, 169, 199, 210–11
- land, 74–5, 83–4, 88, 99, 100, 359–60
- Latin America, 58–9, 73, 75, 81, 87,
 - 157, 280
- Latvia, 35, 143, 189
- lawful immigrants, 251–9
- lawsuits, *see* litigation
- least developed countries (LDCs),
 - 96, 102–4, *see also* developing countries
- legal aid, 16, 52
- legislatures, 129, 143, 190–1, 235,
 - 240–50, 253, 256, 258, 259, 263–5
- legitimacy, 108, 117–18, 181, 191, 225,
 - 258, 268, 331
 - democratic, 240, 279–80
 - judicial, 11, 15, 235, 352
- lenders, 68–9, 71, 81, 265
- liberal rights, classical, 11, 235
- liberalisation, 63, 95–6, 99, 146,
 - 159, 336
- LIBOR (London Inter-Bank Offered Rate), 159–60
- Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights, 123
- limited resources, 27, 133, 218,
 - 312, 354–5
- living conditions, 77, 85, 198, 218,
 - 315, 355
- living standards, 16, 55, 154
- loans, 18, 68–9, 72–4, 78, 80–5, 217,
 - 220, 264–5
 - sub-prime, 68–70
- local governments, 84, 353
- localism, 239, 251
- London Inter-Bank Offered Rate, *see* LIBOR
- low-income groups/households, 7,
 - 12, 58, 64, 65–8, 72–9, 86–8, 230
- Maastricht Guidelines on Violations of Economic, Social and Cultural Rights, 123–4, 134
- Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights, 115, 147–52,
 - 155–6, 161–5
- macroeconomic environment, 152,
 - 156, 282
- macroeconomic governance, 146,
 - 151–2, 156, 161
- macroeconomic management, 162–3
- macroeconomic stability, 182, 186–7
- malnutrition, 98, 107–10, 113,
 - 314–15, *see also* adequate food; adequate nutrition; hunger
- margin of discretion, *see* discretion
- marginalised groups/individuals, 34,
 - 137–40, 169, 186, 249, 297
- market-based housing finance,
 - 60–3, 67–8
- markets, 57, 62–3, 72, 75–6, 79–80,
 - 93–5, 98–102, 162
 - emerging, 57, 67, 73, 81
 - financial, *see* financial markets
 - free, 64, 72, 172–5, 182
 - housing, 60–3, 75–6, 87, 89
 - international, 93, 97–8, 340
 - labour, *see* labour markets
 - mortgage, 67–72, 146, 212, 340
 - transparency, 100, 101
- Massachusetts, 253, 254, 256, 258, 259,
 - 260, 261, 262, 263, 265
- maximum available resources, 8, 357
- meaningful engagement, 345–8,
 - 354–5, 362–4
- Medicaid, 251–2, 255, 260
- medicines, 215–18, 312
- mental health, 124, 204, 207, 218, 222,
 - 310–13
- Mexico, 73, 75, 76, 81–2, 126
- micro-finance, 7, 58–62, 78–85
- middle class, 235, 278–80, 302, 307
- migrants, 2, 28, 32, 71, 108, 227, 316,
 - see also* immigrants

- minimum
 - subsistence, 143
 - vital, *see* vital minimum
- minimum core
 - approach, 12, 267–98
 - content, 26–7, 133, 137–45
 - obligations, 8, 26, 294
 - value of, 293–8
- minimum wages, 43, 198, 210, 279–81
- minorities, 2, 28, 32, 183, 221, 257, 289–90, 315
- monetary policy, 10, 147, 152–8, 225–6, 336, 342
 - contractionary, 158
 - and extraterritorial obligations, 152–6
- monitoring, 77, 88, 108–12, 118, 203, 286, 316, 318
- morbidity, 219, 310
- mortality, 208–11, 219
- mortgage markets, 67–72, 146, 212, 340
- mortgages, 60–2, 67–75, 80, 87, 159–60, 260–4, 326–7, 332
 - sub-prime, 57, 67, 70, 86, 154, 260
- mothers, 223, 310, 315, 320
- national dialogue, 29, 51, 220
- negative obligations, 29, 123
- negative rights, 247, 257
- Netherlands, 61, 67, 71, 73
- neoliberalism, 3, 4
 - Europe, 181–2
 - housing policy, 57–89
 - late, 57–89
 - Spain, 310
- NGOs (non-governmental organisations), 78, 91, 101, 107, 196
- non-discrimination, 14, 28, 35, 36–8, 45, 49, 79, 88, *see also* discrimination
- non-governmental organisations, *see* NGOs
- non-judicial foreclosure, 261–4
- non-retrogression, 9, 121–2, 127, 131–2, 139–41, 330, 334, *see also* retrogression and backsliding
- Nordic States, 171, 173, 185, 200
- Norway, 71, 73
- nutrition, 39–40, 91, 106–12, 204
 - adequate, 43, 309, 314–16
- OECD (Organisation for Co-operation and Development), 62, 96, 214
- official development assistance (ODA), 25, 54, 96, 148
- oil prices, 94, 172, 181, 340
- omissions, 18, 25, 124, 127, 146, 150–2, 157, 165
- opaqueness, 231–2, *see also* transparency
- Operation Gcin’amanzi, 348–52, 364
- outcomes, 4, 87–8, 99, 108, 118, 128, 154, 164
 - health, 208–13
 - socio-economic, 11, 124, 203
- ownership, 12, 59–64, 78, 109, 300
- panic, 93, 102, 132
- partial constitutionalisation, 10, 178–80, 181, 188, 192, 200
- participation, 47, 55, 83, 88, 91, 107–9, 140, 149
 - action to increase, 51
- pensions/pensioners, 32, 43–4, 143–4, 189, 215–16, 221, 276–80, 328–9
- permanent austerity, 187–8
- persons with disabilities, *see also* disability
- Peru, 75, 82
- Philippines, 74, 81, 84
- Poland, 59, 71, 174
- policy convergence, 90–1, 98, 101, 109, 118
- policy space, 147, 151–3, 158–62, 165
- political pushback, 274, 284
- political rights, 16, 178, 191, 194
- Portugal, 17, 34, 36, 73, 132, 143, 176, 186, 189
- post-industrial society, 181–4
- poverty, 23–4, 31–56, 64, 67, 213, 307, 336–8, 355
 - extreme, 6, 61, 136, 178, 220, 307, 315, 362
 - reduction, 49–51, 56

Cambridge University Press

978-1-107-04325-1 - Economic and Social Rights After the Global Financial Crisis

Edited by Aoife Nolan

Index

[More information](#)

INDEX

375

- rural, 98, 105
- pre-paid meters, 350–1
- predatory lending, 69
- pregnant women, 35, 314
- prices, 93–7, 106, 153, 160, 243
 - food, *see* food prices
 - housing, 69–70, 75, 261
 - oil, 94, 172, 181, 340
- primary education, 26–7, 170, 339
- private actors/entities, 18, 45, 129, 238, 243, 261–5, 288
- private property, 60, 175, 265, 356
- private sector, 59, 75, 95–7, 107, 118, 144
- privatisation, 61, 308
- profitability, 80, 83
- progressive realisation of rights, 25, 32, 40, 66, 89, 105, 110, 122–9, 137, 141, 148, 161, 204, 205, 224, 231, 274, 319, 330
- property, 204, 212, 238, 242, 262–5, 331–2, 356
 - private, 60, 175, 265, 356
 - rights, 14, 175, 257, 262, 300, 321–3, 325–8, 330–1
- proportionality, 137–44, 189, 205, 225, 268, 296, 323, 327–8
 - and vital minimum, 281–5
- public action, 269, 285
- public assistance, 254–6
- public deficits, *see* deficits
- public employees, *see* public sector, workers
- public goods, 7, 90, 163, 266
- public health, 35, 103, 207, 214–18, 222–3
- public housing, 59–64, 89, 171, 189
- public schools, *see* schools
- public sector
 - salaries, 12, 143, 189, 268, 279–81, 322, 325, 328
 - workers, 32, 37, 189, 279–81, 297–300, 324, 330
- public services, 24–7, 40, 49–50, 83, 214–15, 227, 236–8, 266
 - spending cuts, 35–6
- public spending, 3, 29–31, 126–9, 156, 160, 186, 208–9, 341
- quality of life, 316, 318
- quality of services, 214, 257, 310
- quality public schooling, 11, 234, 244
- realisation of rights, 56, 122–3, 129, 140, 147, 150–2, 154–5, 160–5
 - full, 34, 86, 88, 91, 103, 122
 - progressive, 25, 32, 40, 66, 89, 105, 110, 122–9, 137, 141, 148, 161, 204, 205, 224, 231, 274, 319, 330
- reality and image, 181, 200
- reasonableness, 143–5, 313, 323, 330, 344, 348–53, 354, 362–4
- recession, 11–13, 202–9, 231–2, 335, 339–44, 345–8, 355, 362
- recovery, 23–6, 38, 42, 46, 55–6, 318, 335, 342
 - human rights-based, 6, 42, 51
 - measures, 30, 50, 72, 136
 - sustainable, 24, 53
- reforms, 47, 48, 91–6, 101, 106, 117–18, 185–6, 282
 - constitutional, 304, 324
 - structural, 121, 202, 207–9, 224, 308
 - welfare, 34, 139
- regressive taxation measures, 38–9
- relatively affluent, 280, 290, 297
- relocation, 318, 346–8, 360
- remittances, 79, 83
- rents/rental housing, 34, 59–63, 74, 319, 356
- resources, 25–8, 38, 46, 122–4, 131–4, 203–5, 225–7, 355–8
 - allocation, 63, 130, 174, 179, 196
 - available, 8, 19, 25, 26, 27, 38–9, 46–7, 66, 74, 87, 122, 124, 134, 136, 138, 148, 153, 294, 319, 329, 352, 355, 357
 - constraints/scarcity, 13–16, 25–7, 133–4, 294–300, 355–6, 358–9, 361, 364–5
 - financial, 54, 79, 128, 153, 237
 - limited, 27, 133, 218, 312, 354–5
- retirement funds, 322, 329
- retrenchment, 182–7, 288, 343
- retrogression, 26–7, 124, 131–7, 143–4, 161, 195, 198, 205, *see also* backsliding; non-retrogression

Cambridge University Press

978-1-107-04325-1 - Economic and Social Rights After the Global Financial Crisis

Edited by Aoife Nolan

Index

[More information](#)

376

INDEX

- retrogression (*cont.*)
 - empirical, *see* empirical backsliding/retrogression
 - impermissible, 136–44, 220
 - permissible, 145
 - prohibition of, 34, 121–45, 203, 205, 219
 - Art 2(1) of ICESCR, 122–5
 - giving meaning to, 133–9
- retrogressive measures, *see* retrogression
- revenue, 25, 202, 225–9, 243, 250–1, 266, 341, *see also* taxation/taxes
- rhetoric, 170, 173, 181, 187, 193–4
- right to health, 11, 202–30, 276, 287–92, 312–16
- rights-based approach, 7, 43, 58
- rights-based recovery,
 - recommendations for, 40–55
- risk, 69–70, 210–15, 218–19, 223, 228, 270, 275, 311–12
- Romania, 37, 39
- Rome Model, 92, 105–14
- rule of law, 49, 174, 189, 272
- rural areas, 38, 49, 84, 97–8, 105
- Russian Federation, 71, 73
- salaries, 12, 37, 144, 192, 281–2, 324, 329, 330
 - public sector, 12, 143, 189, 268, 279–81, 322, 325, 328
 - real value of, 37, 281, 297
- savers, 73, 300, 302, 326, 333
- savings, 12, 72–4, 77, 84, 134, 287–92, 300
- schools, 23, 35–6, 76, 128, 237
 - United States, 244–50
- scrutiny, 30, 114, 129, 177, 231, 254–6, 297
- sectoral policies, 7, 90, 101, 116
- security of tenure, 62, 65, 70, 78–9, 83–5, 87–9
- self-sufficiency, immigrants, 256
- services, 32, 83–5, 162–3, 215–18, 271–4, 282–4, 290–2, 310
 - basic, 42, 58, 88, 236, 307, 314, 362
 - essential, 26, 43
 - financial, 49, 79, 83, 87, 260
 - public, 24–7, 35, 36, 40, 49–50, 214–15, 227, 236–8
 - social, 28, 32–5, 36–7, 50–2, 183–5, 237–40, 341
- shadow economy, 47, 230–1
- shantytowns, 317–18
- shocks, 42, 48, 89, 93–5, 101, 157, 160, 172
- slum dwellers, 79, 83
- small-scale farmers, 91, 96, 101
- social citizenship, 10, 172, 182, 200
- social contract, 11, 202
- social crisis, 170, 301, 333
- social determinants of health, 206, 210–13, 232
- social Europe, 10, 169–201
 - establishment of European social model, 170–3
 - hollowness of political discourse, 184–8
 - legal dimension, 173–81
 - limited impact of international human rights standards in social sphere, 194–200
 - limits of European social rights law, 188–94
 - slow decay of European welfare states, 181–4
- social exclusion, 28, 56, 89, 187, 212
- social housing, 34, 61–4, 65, 72–6, 87, 171
- social inclusion, 49, 56, 316
- social model, European, 10, 170–2, 184, 188, 200
- social protection, 31–3, 36, 43, 169–72, 177–8, 182–6, 189, 198
 - floors, 42–4, 137, 198
 - systems, 33, 40, 43, 136, 143, 182, 185–6
 - comprehensive, 42, 208
 - erosion, 33–4
 - enjoyment, 2, 189, 195, 224
- social security, 34, 135, 139, 169–71, 182–4, 198, 208–11, 328–9
- social services, 28, 32–5, 36–7, 50–52, 183–5, 237–40, 341
- social spending, 161, 228, 281–3, 288, 337

Cambridge University Press

978-1-107-04325-1 - Economic and Social Rights After the Global Financial Crisis

Edited by Aoife Nolan

Index

[More information](#)

INDEX

377

- social state, 10, 174–9, 190–3, 200, 272–3, 283–4, 291, 297
 - of law, 12, 268–74, 283–7, 291
- social welfare, 11, 235, 239, 251–5, 257–62, 272, 280, 294
- socially responsible taxation
 - policies, 46–7
- socio-economic outcomes, 11, 124, 203
- socio-economic policies/programmes, 11, 176, 187, 190–1, 196, 235, 239
- South Africa, 13, 75, 76, 81, 241, 249, 335–65
 - 1990–2007, 336–9
 - Constitutional Court, 294, 344
 - economic and social rights
 - adjudication in a recession, 344–55
 - and global financial crisis, 339–43
 - meaningful engagement
 - diluted, 346–8
 - Operation Gcin'amanzi, 348–52, 364
 - post-2009 developments in case law, 356–61
- sovereignty, 101, 108, 148
- Sozialstaat*, *see* social state
- Spain, 11, 32, 33, 35, 39, 47, 67, 69, 70, 71, 72, 74, 185, 186, 202–33
 - austerity-driven responses to economic crisis, 219, 231
 - impact of recession and austerity on right to health, 206–19
 - legal obligations to realise right to health, 203–6
 - remedying retrogression in right to health, 232–3
- spending, 31, 153, 156, 160, 282, 283–4, 338, 341–3
 - social, 161, 228, 281–3, 288, 337
- stability, 2, 48, 163, 182, 186–7, 192, 330, 339
- state constitutions, 238–40, 244–6, 250, 253
- state of unconstitutional conditions, 267, 286, 290, 297
- stimulus programmes, 31, 208, 237
- strong-form review, 241, 254, 257–9, 264
- structural reforms, 121, 202, 207–9, 224, 308
- sub-prime mortgage crisis, 57, 67–70, 86, 154, 260
- sub-Saharan Africa, 31, 67
- subsidies, 60–2, 72–8, 87, 95–7, 319
 - demand-side, 7, 58, 72–9, 86
 - food, 39–40
 - housing, 74–9
 - interest-rate, 73–4
- subsistence minimum, 143
- supervision orders, 345, 348, 363
- sustainability, 19, 85, 217, 273–4, 336, 341
- sustainable development, 49, 117
- sustainable recovery, 24, 53
- Sweden, 67, 71
- Switzerland, 62, 214
- taxation/taxes, 29, 38, 220, 228, 236–7, 242, 250, 282–4, *see also* revenue
 - efficiency of collection, 46
 - evasion, 46–7, 228–9, 231
 - exemptions, 60–2, 73, 87–9
 - socially responsible taxation
 - policies, 46–7
 - taxation of primary necessities, 283
- temporary accommodation, 356–61, 363–4
- tenure, security of, 62, 65, 70, 78–9, 83–5, 87–9
- Thailand, 84, 126
- third parties, 48, 152, 159–60
- trade, 7, 90, 98–105, 100–13, 147–8, 152, 156, 340
 - free, 59, 101
 - liberalisation, 95–6, 99, 336
- trade unions, 171, 181, 188, 192
- transaction costs, 78–9, 216
- transparency, 47–51, 55, 75, 100, 101, 149, 204, 220
- troika, 18, 35, 187, 197–8
- tutelas*, 269–71, 276–8, 288–93, 297–76
- UK, *see* United Kingdom
- unconstitutional conditions, state of, 267, 286, 290, 297
- unemployment, 34, 44, 68, 70, 124, 129, 207–11, 336–8

378	INDEX
United Kingdom, 32, 34, 36, 61–3, 171, 173, 177, 181, 185, 189, 190, 191	wage bill reduction, 36–8
United States, 11, 63, 64, 67, 69, 73, 301, 306, 340, 342	wages, 32, 37, 43, 182, 198, 209–10, 279–81, 328–9
and 2008 meltdown, 235–7	Washington, 245, 246, 248, 249
common-law protection against	Washington Consensus, 59, 102
contractual foreclosure, 260–5	water supply, 350–3
health care for immigrants, 250–60	weak-form review, 234–66
judicial enforcement of socio-	wealth, 47, 156, 171, 230, 302
economic rights, 234–66	welfare, 33–4, 65, 251
Medicaid, 251–2, 255, 260	benefits, 51, 197, 254
public schools, 244–50	general, 136, 316, 329–30
sub-national enforcement of socio-	reforms, 34, 139
economic rights, 237–40	social, <i>see</i> social welfare
post-meltdown, 243–65	states, 10, 169–73, 181–5, 188, 195, 200
universal health care, 253, 259	European, <i>see</i> European welfare states
universality, 30, 214, 218	women, 2, 28, 32–7, 44–5, 49–50, 171, 211, 218, 221
VAT (Value Added Tax), 38, 46, 282–3	workers, 1, 44, 129, 138, 171–3, 192, 211, 279–81, 340–3
Via Campesina, 101, 108	public sector, 37, 279, 297, 330
vital minimum, 12, 268–82, 283–5, 290–1, 294, 297–8	World Bank, 10, 31, 95–6, 107, 147–8, 152, 163
and proportionality, 281–5	WTO (World Trade Organization), 102, 107, 152, 163
and structural interventions for the poor, 285–93	