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978-1-108-41815-7 — Economic and Social Rights in a Neoliberal World

Edited by Gillian MacNaughton, Diane F. Frey

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ECONOMIC AND SOCIAL RIGHTS IN A NEOLIBERAL WORLD

The rise of neoliberal policy and practice simultaneously with the growing recognition of economic and social rights presents a puzzle. Can the rights to food, water, health, education, decent work, social security, and the benefits of science prevail against market fundamentalism? *Economic and Social Rights in a Neoliberal World* is about the potential of these rights to counter the adverse impacts of neoliberal policy and practice on human well-being. Cutting across several lines of human rights literature, the chapters address normal development, court decision-making, policymaking, advocacy, measurement, and social mobilization. The analyses reveal that neoliberalism infiltrates management practices, changes international policy goals, flattens public school curricula, and distorts the outputs of UN human rights treaty bodies. Are economic and social rights successful in challenging neoliberalism, are they simply marginalized, or are they co-opted and incorporated into neoliberal frameworks? This multidisciplinary work by a geographically diverse group of scholars and practitioners begins to address these questions.

Gillian MacNaughton is an Assistant Professor in the School for Global Inclusion and Social Development and a Senior Fellow with the Center for Peace, Democracy and Development at the University of Massachusetts, Boston. She works on economic and social rights, and human rights-based approaches to social justice. Her recent research is published in *Health and Human Rights Journal*, *International Journal of Human Rights*, and *Georgetown Journal of International Law*. MacNaughton has consulted for WHO, UNDP, UNICEF and the UN Special Rapporteur on the Right to Health. She received her doctorate in law from the University of Oxford.

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Economic and Social Rights in a Neoliberal World

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*Dedicated to the loving memory of
John H. Frey,
Penelope B. MacNaughton,
and
Margaret (Peg) Franzen*

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works on economic and social rights, and human rights-based approaches to social justice. Her recent research is published in journals such as the *Health and Human Rights Journal*, the *International Journal of Human Rights*, and the *Georgetown Journal of International Law*. MacNaughton has consulted on projects for WHO, UNDP, UNICEF, the UN Special Rapporteur on the right to health, governments, and nongovernmental organizations. She received her doctorate in law from the University of Oxford.

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As IRC 22 and this volume began in the LSA, the volume is interdisciplinary, including work from scholars and practitioners in economics, education, labor studies, geography, history, law, public health, public policy, and sociology. A key objective of the project was also to provide opportunities for junior scholars to publish, and we have. We include works by five PhD students (two who graduated since the IRC was established in 2015) as well as four junior faculty members. We are also pleased to have practitioners – in health, education, and human rights – who have grounded the volume in the experiences

of the people denied enjoyment of their economic and social rights. Finally, our authors come from eight countries and their chapters examine economic and social rights in the context of neoliberalism in eleven countries (Brazil, Colombia, Ecuador, Egypt, Israel, South Korea, Mexico, New Zealand, Peru, South Africa, and the United States), as well as at the international level at the International Labour Organization and at the Committee on Economic, Social and Cultural Rights. To all of the chapter authors, we are grateful for your participation in the IRC over the past three years and for your contributions to this volume. In preparing the volume for publication, Mariah McGill, a tireless researcher and advocate for health as a human right, provided tremendous support.

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