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Economic rights are human rights

It's only when inequality will be understood as injustice that we can counteract the neoliberal take on human rights

Perhaps one of the most systemic crises that our time and age will be remembered for is inequality. The ugliness perpetrated by the neoliberal paradigm encompasses the roots of escalating inequality in the last few decades – erosion of labour rights; stagnation of wages and decline of collective bargaining; undermined public services and social protection systems; biased legal frameworks that facilitate astronomically high returns to private capital; regressive fiscal policy skewed towards the rich; economic policies that feminise poverty; and an anti-democratic capture of decision-making by the global elite.

Rising inequalities are both a cause and consequence of human rights violations. Systemic human rights violations drive inequality in as much as unequal societies cause further human rights deprivations. Voices championing human rights have long argued that inequality (and by extension the neoliberal model) is the antithesis of human rights.

The human rights framework has recognised horizontal inequality and has strongly incorporated issues of non-discrimination and equality of opportunity between culturally or socially constructed groups based on gender, race, ethnicity, caste, religion, sexuality etc. However, the framework has thus far been hesitant on matters of vertical inequality, such as income and wealth distribution, the need for redistribution and the increasing polarisation of our societies.

The distinction between horizontal and vertical inequality, to begin with, is highly misleading – in reality, income and wealth inequality produce inequalities in distribution of power. Skewed distribution of income and wealth results in a disproportionate accumulation of power by elites, in effect compromising a range of human rights. For instance, the rich are more likely to resist progressive tax systems, exploit tax avoidance schemes and mechanisms, and support inequity in the global financial system – robbing countries across the world from financing the full realisation of human rights.

Socio-economic rights are human rights

The Universal Declaration of Human Rights envisaged no distinction between civil and political rights on one hand, and economic, social and cultural rights on the other by recognising 'the inherent dignity and of the equal and inalienable rights of all members of the human family'. Civil and political rights protect individuals' freedom from infringement by the government and private individuals, all the while ensuring people's entitlement to participate in the civil and political life of state and society without discrimination and repression. Economic, social and cultural rights are socio-economic rights, including rights to adequate food, housing, education, health, social security, work, and a right to a cultural life.

Perhaps the most perverse form that the marginalisation of economic, social and cultural rights takes, is how often such rights go unacknowledged as human rights – and are instead included in jingoistic narratives on development.

However, escalating Cold War tensions between the market economies of the West which placed a higher value on civil and political rights, and the planned economies of the Eastern bloc which emphasised economic, social and cultural rights, led to two separate Covenants being negotiated and adopted – the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Most countries have gone on to accord constitutional or legal status to civil and political rights, while economic, social and cultural rights have been systemically marginalised, constitutionally and legally unrecognised and are inadequately funded.

The jingoism of development

While the aspiration and approach behind the actualisation of human rights assumed the indivisibility of all rights, the international human rights system perceptibly marginalises economic, social and cultural rights by tolerating a situation where a majority of states avoid any recognition of such rights, actively reject legal and constitutional proposals to recognise such rights, and even vote against proposals calling for a democratic and equitable international order that would foster the realisation of human rights for all.

Most national and multilateral negotiations, efforts and indicators of success are themselves founded in the neoliberal ideology – 'lifting' people out of extreme poverty and putting in place threadbare socio-

economic provision and protection measures that carry no guarantee of the liberty, equality and dignity enshrined in human rights treatises.

Perhaps the most perverse form that the marginalisation of economic, social and cultural rights takes, is how often such rights go unacknowledged as human rights – and are instead included in jingoistic narratives on development. States and policymakers speak of development and welfare schemes as if they are synonymous with economic, social and cultural rights, whereas diverse models and experiences of development have amply clarified that development need not necessarily protect or help realise human rights, and can even benefit only a certain group of people.

Inequality is injustice

Even the Sustainable Development Goals (SDGs) – the globe's 2030 development agenda meant to realise human rights for all – lack ambition in their endeavour to tackle inequality. Goal 10 of the SDGs, despite committing to reducing inequality within and among countries, does not mandate a thematic body or institution at the national or international level responsible and accountable for funding, driving action and monitoring progress on the issue. Further, Goal 10 ignores the top of the distribution ladder – the rich – by not measuring the income of the poorest 40 per cent of the population against the income of the richest 10 per cent. The SDGs therefore take the position that the wealth of those at the top is unimportant as long as the people at the bottom rungs of income distribution see improvement.

There is a lot to be done on part of states and the international community at large to meaningfully address inequality.

By having an inequality target that does not take the rich into account, the SDGs allow for greater concentration of income at the top despite substantial research to prove that top incomes and concentration of wealth in the hands of a few drive inequality. The SDGs also do not specify the targeted level of growth in the incomes of the poor (rather, simply any growth above the national average), thus rendering it extremely weak.

There is a lot to be done on part of states and the international community at large to meaningfully address inequality. Establishing higher taxes for higher levels of income, taxes on wealth and inheritance, rationalising harmful tax incentives, recognising the abrasive impacts of tax abuse and meaningful international cooperation on tax are some of the key fiscal policy measures that can drive redistribution. Legislating in

favour of strong labour laws and environmental impact assessments will also aid in addressing inequality. Furthermore, there is a need to accord legal recognition and justiciable status to economic, social and cultural rights, with legally binding commitments from states regarding their national budgetary allocations towards these rights.

Inequality does not simply threaten the realisation of human rights for *instrumental* reasons. It is only with the recognition of inequality as injustice and the consideration of equality as *intrinsic* to the human rights movement can we hope to realise human rights as a countervailing force against a hitherto unfair, undemocratic socio-economic system that has perpetuated the intersecting, multidimensional, self-reinforcing and cumulative inequality we witness today.



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