




BUILDING A FIELD OF ECONOMICS AND HUMAN RIGHTS:

LESSONS FROM SOUTH AFRICA

This project was conducted in partnership with Center for Economic and Social Rights and SECTION27





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01

INTRODUCTION



Human rights enrich our vision of economic justice by providing a widely agreed framework of ethical values and legal obligations that should underpin our economies, informed by a holistic understanding of human wellbeing. They demand action to redistribute resources, remedy inequalities and rebalance power. They therefore challenge the logic of the currently dominant model and bolster the compelling alternative visions of a just economy advanced by feminist, indigenous and environmental movements, among others.¹ – CESR and Christian Aid



INTRODUCTION

This report sets out lessons learned from a year-long project led by the Institute for Economic Justice (IEJ) in partnership with SECTION27 and the Center for Economic and Social Rights (CESR) aimed at building a ‘community of practice’ in South Africa around the intersection of economics and human rights. While South Africa is the main focus of this project, the objective is for this work to serve as a broader exemplar in the Global South. This project incorporated four streams of work, namely: raising the issue; research and thought leadership; advocacy; and convening spaces for people to engage on the intersection between economics and human rights. Lessons that were learned from this project are a first step towards achieving a larger objective of further developing this field.

The key question tackled by the partners was how to generate ways in which the human rights framework can draw more deeply on economic policy analysis and proposals, and how economic analysis and policy prescriptions can in turn utilise human rights norms to shape approaches to creating just economies. As countless commentators have pointed out, the COVID-19 moment has laid bare deep problems with our current economic, social, and political systems. Within this context, a number of activists, researchers, and policymakers have proposed alternative visions for a post COVID-19 world². While they may have different focuses, all necessitate a new economics that can concretely address the challenges of the 21st century. This builds on calls that have been made more and more frequently since, at least, the 2008 global financial crisis³. At the IEJ, the Economics and Human Rights project falls under our New Economic Futures programme area, reflecting how we think bringing economics and human rights together may help to strengthen the calls to change economics as an academic discipline and a policy arena, and ultimately to bring about more just and equal economies that allow for human flourishing. This builds from the belief that both economics and human rights would benefit from a deeper engagement with each other and that this would be particularly fruitful in the South African context given that: its constitutional dispensational strongly enshrines rights, in particular socio-economic rights; there is a history of mass mobilisation and political contestation around these; and there are pressing economic development challenges.

This report outlines the process we undertook to start tackling these challenges. In the section below we outline why we think this is an important and necessary task, in general and in South Africa. We then detail how we went about doing so by sharing the process, what we learned, and our future plans. In essence, the report provides two different types of reflections:



The first is around the kinds of activities we used in order to begin to build out this field. This may be useful for organisations and individuals looking to achieve similar goals in their community. They are largely contained under the ‘what we did’ section of the report.



The second type of reflection is more substantive in that it distils some of the key findings regarding how economics and human rights may come together, what the challenges are for doing this, and ideas for how we may overcome them. This may be useful for people studying or trying to understand the links between economics and human rights, those interested in where some of the opportunities and challenges are, and those interested in thinking about ways to build this field further. These are contained under the ‘what we learnt’ and ‘what we’d like to do’ sections of the paper.

Depending on particular interests, level of familiarity with the topic, and degree of knowledge about the project, readers may find it useful to skim particular sections or skip others entirely, to jump straight to what is most useful and relevant. While the report builds on itself, for the most part, sections are largely understandable when read on their own. The table of contents at the start allows for a reader to get a sense of the structure of the report and to jump to whichever section they think will meet their own needs or interests.

1 CESR and Christian Aid, October 2020. A Rights-Based Economy: Putting People and Planet First. Available: <https://cesr.org/envisioning-rights-based-economy-new-report-cesr-and-christian-aid>

2 See for example: Osborne, C, Phalatse, S and Isaacs, G. 2020. No Going Back to Normal: Towards a Just Recovery for South Africa. 350Africa and IEJ report. Available: <https://350africa.org/just-recovery-report/>

3 For the IEJ’s work on Rethinking Economics see: <https://www.iej.org.za/projects/rethinking-economics/> and <https://sites.google.com/view/refafestival2020/home>. For information on the Rethinking Economics movement internationally see: <https://www.rethinkeconomics.org/>



02

BACKGROUND: ECONOMICS AND HUMAN RIGHTS



It is telling that, when economic and financial issues are raised in the Human Rights Council, someone invariably makes the argument that it is not the appropriate forum and these matters should be dealt with elsewhere. And when efforts are made to raise human rights in the economic forums, the same governments insist that these issues be addressed in the Human Rights Council. They seek, in other words, to silo off issues that are deeply intertwined.⁴ – Phillip Alston





BACKGROUND: ECONOMICS AND HUMAN RIGHTS

Many countries have ratified international treaties that uphold socioeconomic rights; signalled their importance by domesticating these treaties in law; affirming their importance in political rhetoric; or even reflected them in key planning or policy documents. Despite this, they almost never directly influence the macroeconomic economic policy decisions, which necessarily determine whether or not those rights will be fulfilled. In attempting to build a community of practice around the intersection of economics and human rights, we wish to both understand this limitation and develop strategies for overcoming it.

CHALLENGING ECONOMICS PRACTICE

Economics was originally grounded in questions about how an economy should work and what the moral, political, and societal implications of various economic decisions would be. This normative base has largely been lost. Mainstream economics is typically presented as being about abstract laws, purportedly more akin to a pure science like physics, a development linked to the discipline being dominated by assumptions associated with the neoclassical school. In this paradigm, the economy is comprised of rational individuals seeking to optimise their 'utility'. Individuals are 'socially-disembedded' with scant attention paid to their relationship to others or to society⁵. Questions around welfare maximisation become about individual utility. Optimal social outcomes occur best when self-regulating markets are allowed to determine the distribution of resources. Where rights appear, these are viewed as instrumental to achieving other ends, especially the maximisation of utility, and tend to be limited to a subset of civil and political rights, most often property rights. This leads to individualistic policy recommendations that favour businesses and existing elites.

Economists grappling with the intersection of economics and human rights, however, have argued that a greater focus on socio-economic rights has the potential to challenge how little attention is given to social objectives, such as improving standards of living and social security.⁶ Human rights, therefore, could provide economists and economic justice advocates a conceptual apparatus, vocabulary, set of established institutions, and codified domestic and international laws, through which to challenge economic orthodoxies and influence economic policy. Integrating human rights into economics can also challenge the notion that the field is a neutral science, "devoid of imprecise and inherently subjective ethical reasoning".⁷ While human rights may not dictate a particular kind of economic policy, they can challenge the notion that there are no alternatives to the status quo and indeed, help to shape how we think about such alternatives. This is because human rights are multi-dimensional, embodying moral claims, helping to shape political demands and enforcing legal obligations.

4 Alston, P. "Extreme Inequalities as the antithesis of human rights" Open Democracy (27 October 2015). Available: <https://www.opendemocracy.net/en/openglobalrights-openpage/extreme-inequality-as-antithesis-of-human-rights/>

5 Corkery, A and Isaacs, G. 2020. "Human Rights Impact Assessments and the Politics of Evidence in Economic Policymaking", *International Journal of Human Rights* Vol. 24 No. 9. pp. 1268-1289

6 See, for example, Joshua Curtis *Merging Socio-Economic Rights and Heterodox Economics: Emancipatory and Transformative Potentials*, Series on Economics and Law in Conversation, Laboratory for Advanced Research on the Global Economy, Centre for the Study of Human Rights, LSE (October 2016) page 4. www.lse.ac.uk/humanrights/thelab; Balakrishnan, R., Heintz, J and Elson, D. *Rethinking Economic Policy for Social Justice: The radical potential of human rights* (New York: Routledge, 2016);

7 Corkery and Isaacs, 2020.

CHALLENGING HUMAN RIGHTS PRACTICE

The human rights framework provides principles which can be used to evaluate institutions and policies and set standards for political and socio-economic change. This is evident from successes, such as advocating for access to affordable medicines, quality education, and an advanced welfare system. However, structural inequalities, inadequate resource redistribution, and unemployment – which undermine the full realisation of socio-economic rights – have typically been neglected within human rights communities. While human rights activists may have integrated the notion of ‘social justice’ into their work, many do so from instead of ‘within the existing framework of power [assuming] that the human rights that underlie social justice can be achieved within the current structure of economic power’.⁸

The empirical evidence, however, shows that tackling questions of the economy is a pre-requisite for the effective realisation of human rights. Philip Alston writes that the fact that questions of resources and redistribution are insufficiently tackled by large parts of the human rights movement means that “[despite] all of their excellent work in exposing the magnitude of a specific range of civil and political rights violations, the deeper structures and systems that sustain extreme poverty and ignore extreme inequalities are effectively left in place. The status quo thus effectively remains untouched”.⁹ Where human rights practitioners do challenge economic policy, this is often in the important, but limited, realm of resource allocation within government budgets. There remains a lot of room to continue challenging budget cuts and the deprioritisation of socio-economic rights. This said, the primary focus on resource allocation has meant that broader economic questions – like the overall macroeconomic policy framework or industrial policies – have remained outside the purview of rights advocacy despite their immense bearing on the realisation of rights.

Progressive economists can challenge human rights practitioners to think more systemically about economic issues and in particular about economic policy. They could equip human rights practitioners with the skills and knowledge to be critical of the system which enables current economic policy decisions. In this way greater engagement with economics could support the human rights community to identify, more concretely, how the positive obligations that the human rights framework advances can be translated into specific policies.

THE SOUTH AFRICAN CONTEXT

South Africa is an ideal case study for understanding the limitations of the current ways of thinking in each field and the potential that can be untapped by challenging this. South Africa has a rich tradition of human rights activism, a constitution that guarantees socio-economic rights, and legal precedent that affirms their justiciability through an independent judiciary. This has led to the interpretation and development of human rights jurisprudence guaranteeing access to services and reinforcing the government’s obligations to fulfil its duties. South Africa also has a small, but strong, group of progressive economists whose work is directed towards improving the lives of all South Africans.

However, neither these normative aspirations nor binding obligations have been sufficiently expressed in economic policy. The annual Budget is one of the few economic policy documents that refers to rights, albeit often in passing and failing to give sufficient expression to these in budgetary allocations. Currently, public spending continues to be cut in a bid to stabilise debt. This is causing retrogression in the realisation of key socio-economic rights like health and education.¹¹ Other areas of economic policy seldom reference rights obligations. For example, monetary policy aims at price stability without any prescription to consider even employment, never mind other socio-economic rights. There is often a disjuncture between what the Constitution requires and what policymakers do. This has serious consequences, witnessed, for example, in the high concentrations of wealth with limited redistribution and racialised social insecurity remaining pervasive.¹²

Civil society has sought to challenge this gap, drawing on the constitutional protection of socioeconomic rights in various ways—ranging from confrontational to collaborative. However, the deployment of these tactics is often described as being reactive, and not as systemically focused as it could be. This strengthens the need to pursue discussions of how rights-based

8 Heywood, M. 2019. “South Africa’s Journey from Socialism to Human Rights: The True Confessions of an Errant Socialist.” *Journal of Human Rights Practice* No. 11. Pp. 305-323.

9 Alston, P. “Extreme Inequalities as the antithesis of human rights” *Open Democracy* (27 October 2015). Available: <https://www.opendemocracy.net/en/openglobalrights-openpage/extreme-inequality-as-antithesis-of-human-rights/>

10 The term “progressive” here is used to denote those economists working to bringing about fundamental change to our economic system so that it better meets the needs of people. This is necessarily a broad and contested term. For some it may be interchangeable with “heterodox” or even “leftist”. However, these are also contested terms that may not capture the identities of all the individuals involved. We use progressive here out of necessity for indicating those working, often outside of the mainstream, with a clear political purpose but acknowledge its imperfections.

discourses and norms can be more systematically leveraged, and how these can strengthen the power of those advocating for the fulfilment of rights, and/or social and economic justice. Human rights practitioners have also tended to focus their work on obligations related to individual rights guarantees, such as, social security, healthcare, education, and housing. The broader applicability of the Bill of Rights for tackling systemic inequality is given less consideration. It is thus critical to interrogate the extent to which human rights obligations have (or have not) been, and can (or cannot) be, leveraged to achieve systemic economic change. This is the case in many other countries too, necessitating the need for further intersection between the fields.



11 The IEJ and SECTION27 have undertaken research on this. See IEJ fact sheets on health and education accessible at <https://iej.org.za/publications/>.

12 For one account of the achievements and limitations of Human Rights in South Africa see: Heywood, M. 2019. South Africa's Journey from Socialism to Human Rights: The True Confessions of an Errant Socialist. *Journal of Human Rights Practice* 11. pp. 305-323.

A black and white photograph of a man sitting on a plastic chair in front of a small, open-sided stall. The stall is filled with various fruits and vegetables, including bananas, apples, and leafy greens. The stall is built with wooden poles and has a corrugated metal roof. Behind the stall is a brick building with a gabled roof. The sky is overcast and cloudy. The overall mood is somber and gritty.

03

WHAT WE DID

WHAT WE DID

Preliminary research identified gaps in both fields. We established that there is clearly a need for mutual learning between the economics and human rights communities, to encourage more systematic transfer of knowledge across the disciplinary divide. The partners undertook a number of approaches to narrowing this divide.

Given the limited time we had for this project - roughly a year, interrupted by the COVID-19 pandemic - our strategy was targeted at what would catalyse the development of a field of economics and human rights in South Africa. We focused on three interwoven but distinct pillars: thought leadership, advocacy, and building a community of practice. Each of these pillars tackles a key area that needs to be strengthened or developed. Within each, we used different tactics/produced different outputs.

THOUGHT LEADERSHIP

Purpose

- Contribute to the growing literature on the intersection of economics and human rights.

Activity

- Submission of academic journal article looking at a specific area of economics and human rights.

Overview

Underpinning the development of any field of study is a solid empirical and theoretical grounding. It was thus critical for us to contribute to, and help shape, the growing literature on the intersections of economics and human rights. The project's key contribution to this was a co-authored peer-reviewed journal article – by IEJ Director, Dr Gilad Isaacs, and CESR Director of Strategy and Learning, Allison Corkery – in the International Journal of Human Rights.¹³ This article was titled “Human Rights Impact Assessments and the Politics of Evidence in Economic Policymaking”.

The Guiding Principles on Human Rights Impact Assessments of Economic Reforms envision a policymaking process based on sound empirical evidence, so that the proportionality and legitimacy of reforms can be ‘properly’ assessed. Implicit in this vision is that methodological tools from economics should be drawn on, and adapted, to project or assess human rights impact. The article argued that biases inherent to these tools – expressed in part, in the critique of economics offered above – must be fully understood and addressed in order to meaningfully assess the human rights impacts of economic policy choices. By adopting a more ‘politically informed’ approach to understanding evidentiary bias, the article explored bias in neoclassical economics. It unpacked dominant styles of reasoning and policy devices, concluding that meaningful assessment of rights realisation does not easily fit within this cognitive infrastructure. This also helps to explain the, thus far largely ignored, gap between the “ideal type” of impact assessment and what is often the case in reality, and reasons this may occur. Finally, it outlined a number of strategies that would help advocates of human rights impact assessments to better navigate the politics of evidence and contest economic orthodoxies. The article therefore argues that while the Guiding Principles offer an opportunity for cross-disciplinary engagement, there is a danger in doing so uncritically.

In this way the article bridged the fields of economics and human rights. It provides thought leadership by taking a key area of intersection between the two fields and expanding critically on the possibilities and problems with their bridging in practice.

¹³ Corkery, A and Isaacs, G. 2020.

Reflections

The arguments advanced also have applicability well beyond the issue of impact assessments, exploring the potential synergies between progressive economic schools of thought and human rights. It argues that, in some respects, “heterodox economists and socioeconomic rights activists and scholars have fought similar battles”. For human rights scholars and activists, the challenge is “to articulate economic harms in human rights terms that can then be used to shape economic policy”. For heterodox economists a human rights framework “opens up space for contesting economic orthodoxies”. The orthodoxy of efficiency, in particular, has had devastating consequences – as COVID-19 has laid bare. The article concludes that: “Despite all its pretence, economics is not ethically neutral and the avowed absence of any normative foundation serves to reinforce the economic status quo. But human rights should not strive to be economically neutral either. While a range of economic policies may allow for rights fulfilment, this is not true of all possible policy choices.”

ADVOCACY

Purpose

- Show the extent of applicability of rights obligations across various social and economic issues.
- Show concretely how human rights standards and principles can help to address everyday social and economic issues in South Africa.
- Give tools to the public and civil society organisations to support campaigns to hold government accountable for its human rights commitments.

Activity

- Create popular materials that make the links between abstract legal frameworks and recommendations and on the ground struggles.¹⁴

Overview

In 2018, the Committee on Economic, Social and Cultural Rights (“the Committee”) reviewed South Africa’s compliance with the International Covenant on Economic, Cultural and Social Rights (ICESCR) which South Africa had ratified in 2015. The Concluding Observations to this review held many powerful and progressive findings and recommendations around how social and economic policy in South Africa could better improve the lives of ordinary South Africans. These were, in parts, influenced strongly by a submission that IEJ made together with CESR and SECTION27 to the Committee, as well as by other civil society contributions. Despite this, it was our belief, and the belief of many partners within civil society, that these recommendations had not been effectively leveraged and were not well known in the public domain. As a result, we planned an advocacy strategy that aimed to popularise these recommendations and make them more accessible to the public and useable by civil society organisations. This was done out of a belief that a critical pillar of bringing economics and human rights together is by showing the clear ways in which human rights requirements may interlink with, and support, advocacy by those advocating for different kinds of economic policy.

As the COVID-19 pandemic and the associated lockdowns began to have dire consequences in South Africa, both socially and economically, we realised that much of the material contained within the Concluding Observations was even more relevant. In conjunction with our partners, SECTION27 and CESR, we produced a number of factsheets which highlighted the Committee’s concerns, alongside information about how these may have been exacerbated by COVID-19, the limitations of the government’s response in light of this, and our recommendations for what should be done. The factsheets cover budgeting for human rights, using the principle of maximum available resources; the right to work and to decent and favourable conditions of work; the question of debt sustainability; and the right to social protection through social security and an adequate standard of living. These were then widely publicised through our newsletters, press materials, partner briefings, and on social media. We also produced a short video in response to the limitations of the government’s proposed COVID-19 rescue package, which highlighted its human rights obligations under the ICESCR.¹⁵

¹⁴ See our factsheet on budgeting for human rights here: <https://www.iej.org.za/budgeting-for-human-rights-during-covid-19/> and our factsheet on the Employment and Precarity during Covid-19 here: <https://www.iej.org.za/unemployment-and-precarity-during-covid-19/>.

¹⁵ You can view that video here: <https://www.iej.org.za/covid-19-and-human-rights/>



Reflections

One of the rationales for producing these factsheets was the team's observation that many of the recommendations of the Concluding Observations were underappreciated in certain parts of civil society, especially those organisations whose work is focused primarily on political economy. This is perhaps linked to a reflection noted elsewhere in this report: that many economists tend to view human rights instruments as being insufficiently progressive or radical when it comes to the economy. Given the emphasis on the dangers of austerity, the emphasis on workers' rights and the strongly redistributive nature of the recommendations, this is obviously not an accurate reflection on their progressivity. A key focus of the factsheets was thus to highlight the strength of these recommendations on economic issues and illustrate their potential to those already working in this area.

In a more general sense, popular materials like factsheets allowed us to distil what can be complex messages into easier-to-digest chunks. This can help make human rights more tangible and real, and show how the obligations rights trigger are linked to clear social and economic issues. Over the course of the project, the Committee's recommendations (and the broader question of rights realisation) became more prominent in South Africa. The Black Sash for example, referenced the ICESCR in their petition to the government on the expansion of the social grants,¹⁶ and the Budget Justice Coalition has taken a rights-based approach to their budget advocacy.¹⁷ The 2021 Budget has been widely criticised on a rights basis in the media and its constitutionality called into question, on the grounds that not only is it not progressively realising rights but amounts to a retrogression in rights enjoyment.¹⁸

In addition to helping advocacy by our partners and allies, these factsheets have made human rights concepts and approaches more accessible to IEJ's own staff working on budget, climate, gender, or workers' rights issues. This impact takes multiple forms. For example, the factsheets have been used as a research tool when tackling a particular problem (our budget researcher requested the factsheets ahead of 2021 budget advocacy work) or as a reference tool in other outputs (the debt sustainability factsheet was referenced in the final report for a project with Tax Justice Network Africa). They show how human rights and economic analysis, used in conjunction, has relevance to a number of other areas. The reactions we've had to this advocacy work reiterates the need for popular education and advocacy (a need clearly articulated in our research described in the section below). We found that working with partners across different areas of expertise (SECTION27 and CESR) is critical to producing materials that are reflective of the intersections of the two disciplines and which help different audiences understand these links – that is, outputs that can give human rights activists insights into the economic implications of certain rights and allow those focusing on social or economic issues to see where, and how, rights may give greater political impetus and moral or legal backing to their struggles.

¹⁶ This petition now has over 280,000 signatures. You can view it here: https://awethu.amandla.mobi/petitions/basic-income-support-for-aged-18-to-59-now?fbclid=IwAR0Zj25XhYvLxBkgAkz43s1Ju8wxCPtMw_bRCA6iQn_8Mqx2GRPxMltNUCo

¹⁷ See here: https://budgetjusticesa.org/assets/downloads/BJC-Imali_Yezizwe-22oct.pdf

¹⁸ See here <https://www.newframe.com/fiscal-responses-must-include-human-rights/> and here <https://www.businesslive.co.za/bd/national/2021-03-02-michael-sachs-questions-the-budgets-constitutionality/>

BUILDING A COMMUNITY OF PRACTICE

Purpose

- Forge links between people working on these issues in different fields who have shared purposes but may not otherwise work together.
- Develop an analytical and evidence-based grounding to assess where economics and human rights intersect in South Africa.
- Develop ways to take forward the work of bringing together economics and human rights.

Activity

- Conducted a number of interviews with local and international experts in both fields.
- Hosted a public webinar to raise this issue publicly.
- Hosted an interactive convening to bring these groups together.
- Produced a number of outputs from these activities.

Overview

This pillar of the project was the most extensive. It involved firstly a research effort to map the current state of play on key issues like the level of knowledge in this area, the types of work people were doing in relation to it, and what they wanted to know more about. This gave the partners insight on where we stand on the issues identified in our preliminary desktop research. This was followed by a webinar and workshops, which brought together different stakeholders who work on issues of economics, human rights, and related fields. The key themes from the interviews were explored further during the public-facing webinar and in the convening. Given COVID-19 restrictions these had to be redeveloped to predominately take place online.

Pre-convening interviews

Prior to the convening we conducted approximately 20 interviews with participants, in order to gauge their previous experience of the fields of economics and human rights, if any, and to understand what topics would be most valuable to them in taking their work forward. While each interview was open-ended, we had a number of prepared questions that covered abstract, conceptual questions (“What do you think are the links between economics and human rights?”); questions that allowed us to get to know the participants’ backgrounds better (How have you (as an economist) used human rights frameworks in your work before?/ How have you (as a human rights practitioner) engaged with economic policy questions before?); and questions to help us design the convening (“what do you want to get out of the convening?”).

These interviews explored current gaps in the bridging of economics and human rights and possible ways these could be overcome. While their primary focus was on the South African context, interviews with international participants highlighted which issues apply more broadly and which required a unique, South Africa specific approach. This allowed for a mapping of the current state of the discourse on the intersection of human rights and economics amongst the human rights and economics fields in South Africa, against a more international backdrop. This mapping was written up into a draft research brief,¹⁹ which gave a baseline account of the state of play and was shared with the participants beforehand. The programme for the convening was also designed with these findings in mind.



¹⁹ While a lot of the reflections have been incorporated into this document, you can see the original draft research brief here: https://drive.google.com/file/d/1YaqJ4y_hOCePKXMSk_iQ0ChFGP9ddmpZ/view?usp=sharing

Public webinar

In the week of the convening, we held a public webinar entitled “Defining a New Economics: What Role for Human Rights?”.²⁰ This convening was structured as a conversation with four panellists who work in one or the other fields (or overlaps between them): Dr Basani Baloyi, Professor Sandra Liebenberg, Professor Pundy Pillay, and Advocate Jason Brickhill. The conversation was based on the interviews we had conducted with the participants, covering key takeaways from the research. This format allowed us to expose the wider public to these issues, while also giving those who would be participating in the smaller convening sufficient grounding in the broad debates for the in-depth workshop. The panellists covered a range of issues including the broad contours of the development of socio-economic rights in post-apartheid South Africa, the status of rights within the economics profession, and the importance of taking seriously the intersections of economics and human rights, as well as strategic entry points for bringing this together. There was also a lively discussion amongst attendees, especially in the Zoom “chat”. A few of the issues raised there were:



1

A debate about the nature of rights was sparked by the question of whether rights were “inherently liberal”. Besides debates around what liberalism constitutes in this sense, the question sparked an interrogation about the emancipatory potential of rights. The consensus was that while there are instances where rights have been co-opted by neoliberal institutions, we can contest this. Many participants noted that rights have been embraced by radical movements both historically (the Haitian revolution) and currently (rights-based movements for equality, justice, or self-determination). In addition, it was noted that rights aren’t set in stone but are points of contestation which can be used to push for progressive economic policies. The question, in this sense, is not only what rights are but what they can be.

2

There were debates around specific rights in South Africa that are less developed or not codified in the constitution. One highlighted was the right to work (also covered by our factsheet mentioned above) which is not expressly enshrined in the South African Constitution, but is in international law. Participants raised the question of whether Section 23.4 of the Constitution, which creates the possibility to include such a right, or develop a charter of rights, should be used to develop a charter on the right to work. There was a debate around whether that would buttress more radical economic policies that attempt to resolve structural unemployment.

3

The role of rights in macroeconomic policy was also discussed. There was debate about whether framing economic policy demands in terms of rights was “defensive” or “offensive”. That is, in doing so, are you defending what we have, or articulating a vision for a new economy? The discussion tended to the view that using rights could allow for the “offensive” (or “pro-active”) rethinking of macroeconomic policy and its objectives (to move beyond economic growth or fiscal stability).

4

The importance of social goods/the public provisioning of goods was seen as a key issue and one on which human rights could provide important contributions. This was particularly important in South Africa where we don’t have socialised goods but rather segregated ones. The question of redistribution is key to this.

²⁰ See a recording of this webinar here: https://www.youtube.com/watch?v=PNkdt_V4e-A&t=4s

Two-day convening

Following on from the webinar, we held a closed (invite-only) convening over two days. The participants were carefully chosen to ensure balance across a range of factors. This included demographics (like race and gender), disciplinary (those who work in economics, in human rights, and in other social sciences) and sectoral representation (academia, NGOs, and government). While the majority of the participants were based in South Africa, we did also have international contributors which brought an important perspective.

The convening picked up on key issues raised during the pre-convening interviews and the public webinar. We had sessions on taking stock (“where are you at in your work?”), pushing boundaries (covering concepts and theory as well as strategies and tactics for activism and action), and practical tasks to chart the steps needed to build a field.²¹ While the convening was held via Zoom, we endeavoured to make it as interactive as possible. This involved careful design of the sessions in conjunction with a facilitation expert, Dirk Slater of FabRiders.²² We used a number of simple online virtual tools like Zoom breakout rooms, live google docs, and Jamboards,²³ to simulate the experience of being in in-person workshops. While the focus was on conversation and interactive activities, we had three short pre-planned inputs (by Allison Corkery, Mark Heywood and Gilad Isaacs) which helped to set the scene and provoke debate. The presentations and discussion covered the following:

1

The need to develop a shared language. This involves a number of areas including: recognizing that human rights are multi-dimensional embodying moral claims, political demands, and legal obligations; developing a deeper understanding of the political economy of human rights;²⁵ building up the confidence, especially outside of the economics discipline, to challenge economic orthodoxies; and centring socio-economic rights in our conceptualisations of human rights, which can reframe what the economy is for and allows for an inherently redistributive agenda especially by encouraging public services.

2

The importance of understanding the context in which we currently exist. In the last twenty-five years, the notion of socio-economic rights has become deeply rooted in national and international law. However, this progress in law is not matched by progress in economy or economics. The damage caused by a rights-less economy has become evident for all and the durability of our gains is threatened by what happens in the next period. We can't keep doing more of the same as social justice organisations; we may win some battles but will lose the war. There is thus an urgency to our task.

3

The potential difficulties of trying to get economists to incorporate human rights thinking into their work, because of how economic orthodoxies train them to think in a way that is at odds with the logic of human rights.

4

The promise of centring of human rights as the legitimate endpoint of what economic policy is for, despite this above. This would impact our policy and our theory by forcing us to think in new ways, highlight shortcomings of current system, and envisage alternative systems. It could allow us to audit economic policy choices and flesh out a new economic agenda. In this, we are not simply talking about the allocation of budgetary resources but about all facets of economic policy (explored further below).

5

Key areas where we can explore strategies and tactics for bringing economics and human rights together. These include research, advocacy, monitoring and the media, economic and budget literacy, and litigation over economic policy. These are discussed in more depth below.

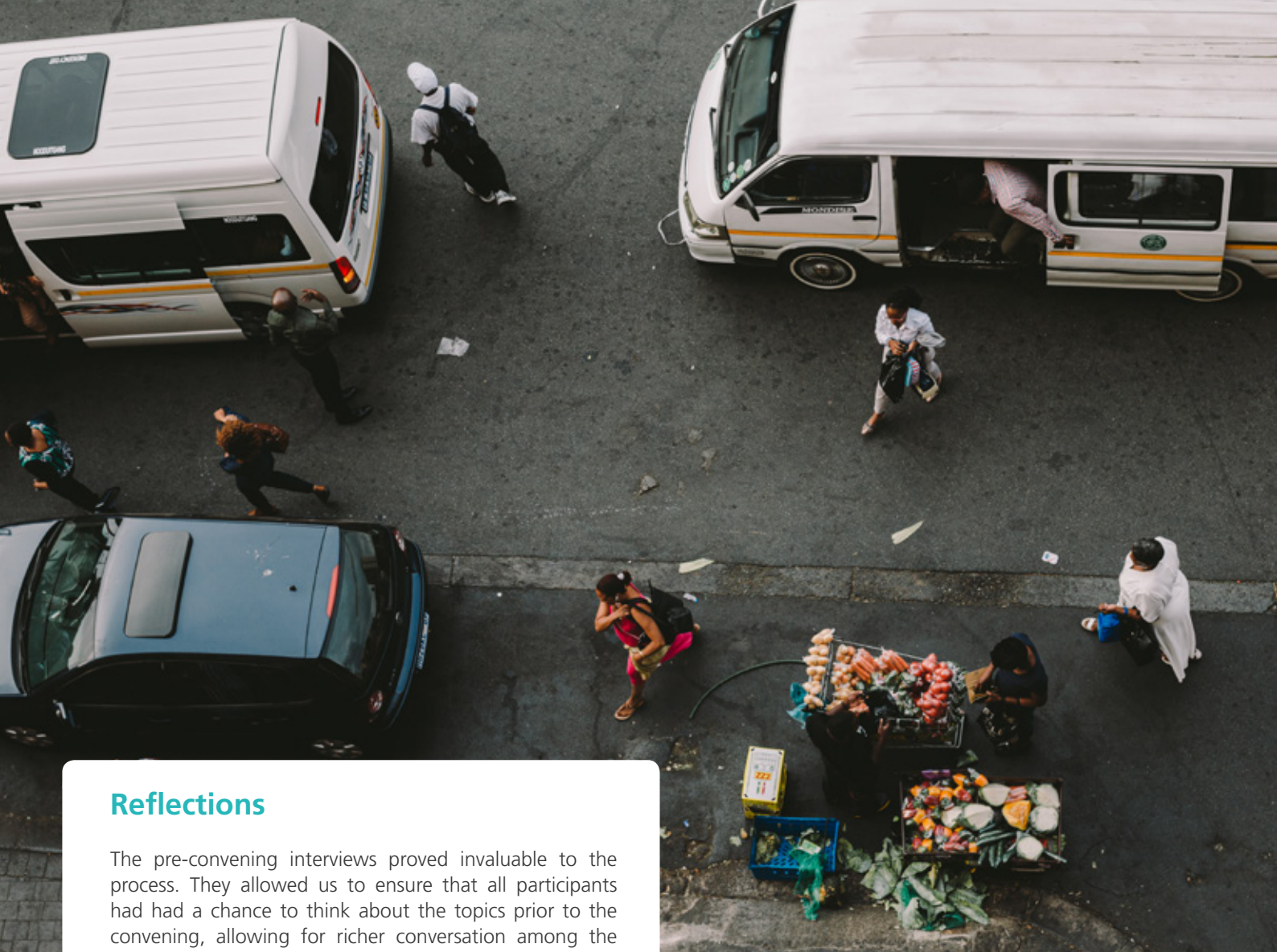
21 You can see the agenda in our programme booklet here: <https://drive.google.com/file/d/1iu-BSaUnYmKaep8rcfz4UjbllyNM-1H/view?usp=sharing>

22 See: <https://www.fabriders.net/dirk Slater/>

23 See those jamboards here: <https://jamboard.google.com/d/1C1DJDqVm420A0N4VL6Kxk5Y5-eoblewnQVDXTxtfZUG/edit?usp=sharing>

24 These can be found here: <https://www.youtube.com/watch?v=3fxytgi9e4&t=16s> and here: <https://www.youtube.com/watch?v=dSdEVdj083U&t=4s>

25 See for example: <https://lpeproject.org/>



Reflections

The pre-convening interviews proved invaluable to the process. They allowed us to ensure that all participants had had a chance to think about the topics prior to the convening, allowing for richer conversation among the group. They also allowed us to get to know those attending better, thereby planning the convening around the issues that they were most interested in. In building a new field, it is important to cater the event to multiple levels: those who need to be brought into the debates in the field (and made aware of the debates in each field), and those who have already been working in this and want to explore the cutting edge. This requires creative use of the time and space available. The interviews brought to light important points of debate within this field, which were written up in our background research brief²⁶ and are largely incorporated into the “what we learnt” section below. The background brief proved to be highly valuable both in terms of what the partners learnt about the participants in the process of creating it, as well as providing a basis to bring everyone at the convening “up to speed” with where the group was at. There was significant positive feedback regarding both the content and structure of the workshops. In particular, participants noted that the workshop allowed them to link with people working on, and concerned with, issues that they were also engaging on but with whom they had not previously been linked to. Many enjoyed the focus on strategic entry points and tactics rather than merely an identification of the problems.

While we were fortunate to have many experts in their field (and experts already working at the intersection of economics and human rights) in the room, an important reflection on the convening itself is that more work needs to be done on expanding the group of people working on this and extending this beyond academic spaces. While we had a number of NGO representatives, many of these were based more in research roles. There is an important need to get more community activists, labour unionists, and government officials involved in these conversations.



²⁶ See here: https://drive.google.com/file/d/1YaqJ4y_hOCePKXMsk_iQ0ChFGP9ddmpZ/view?usp=sharing

WHERE ARE WE AT?

FINANCIAL CRISES:
SOUTH AFRICA + GLOBALLY

DEEPENING CRISES OF
SOCIAL & ECONOMIC RIGHTS

RISE IN ECONOMIC
INEQUALITY

INTEGRATION OF HUMAN
RIGHTS PRACTICES WITH
POLICYMAKING/ACADEMIA

HELPS REFRAME WHAT +
WHO THE ECONOMY IS FOR

POLITICAL & MORAL
DIMENSIONS OF
HUMAN RIGHTS ARE
UNDEREXPLORED

UNDERSTANDING OF A
RIGHTS PARADIGM BY
ECONOMISTS & THE IMPACT
OF STRUCTURAL FACTORS
ON HUMAN RIGHTS BY
PRACTITIONERS

WHERE DO WE
WANT TO GO?

REDEFINING A
SUCCESSFUL ECONOMY

ECONOMY IS NOT SEPARATE
FROM HUMAN WELL BEING

SOCIAL + ECONOMIC RIGHTS
AS A USEFUL TOOL IN
ASSESSING WELL BEING

RECONCEPTUALIZE HOW
ECONOMICS THINKS ABOUT
WELFARE → DRAW ON RIGHTS

CONTEST NEOLIBERALISM

BUILD EVIDENCE OF HARM
ECONOMIC TOOLS CAN
HELP UNCOVER
COMPLEX CAUSAL
PATHS FOR RIGHTS
VIOLATIONS

IMAGINE A NEW
ECONOMIC PARADIGM

NARRATIVE POWER:
CREATIVE WAYS OF
THINKING ABOUT
OUR RELATIONSHIP
TO EACH OTHER & THE
ENVIRONMENT

MAKE CONNECTIONS:
THE GLOBAL FINANCIAL
SYSTEM SHAPES
MACROECONOMIC POLICY

DEFINING A NEW ECONOMICS:
WHAT ROLE FOR HUMAN RIGHTS?

This graphic record illustrates key takeaways from the Economic and Human Rights work: the context of the project; the work that needs to be done and the tools we use to achieve our aims. During the convening, actionable outputs that were gathered by the participants were very useful in charting the way forward in the Economics and Human Rights work. These are also incorporated in the graphic record. The graphic provides participants and other readers with an illustrated road map on what more needs to be done in this field of work.

Graphic Recording by Sonaksha Iyengar

GRAPHIC
RECORDING BY
SONAKSHA
IYENGAR

+ SECTION 27
catalysts for social justice
10 YEARS OF IMPACT



04

WHAT WE LEARNED



"The financial crisis revealed the problem of not integrating economic issues into human rights advocacy. It wasn't that we became naked at that point. It revealed that we were naked before. But we'd been able to get away with not having clothes on." – Convening participant in pre-interview



WHAT WE LEARNED

The following sections draw on conversations, interviews, and notes taken during our activities, reflecting an accumulation of the insights of a wide-range of different people. For some of the sections we have included particularly illustrative quotes, primarily from our pre-convening interviews. In each section, we have identified an area of focus going forward as we build this field. This is either a barrier that needs overcoming or an area of opportunity identified. In each we have tried to highlight possible concrete ways to take the issue forward.



BRIDGING THE GAP: CREATING SHARED LANGUAGE, METHODOLOGIES AND OPPORTUNITIES FOR INTERDISCIPLINARY RESEARCH

One of the most significant barriers to greater cross-disciplinary engagement identified was the absence of a shared language with which to speak. Both the economics and human rights fields make use of jargon, which excludes those outside the fields and create “disciplinary arrogance”. Human rights terminology can often be very legalistic and “brittle” and so, despite offering up an emancipatory vision, can be off-putting to people, partly because the vision gets lost in the technicalities of the legal debate. Economists also use jargon and words that don’t always translate well across disciplines, because they treat key economic questions (like industrial policy or GDP growth) as if they were separated from their social impact. This is particularly evident when trying to discuss the climate or ecological crises.

This results in knowledge and translation gaps and can also create methodological challenges which act as a barrier to cross-disciplinary engagement. One example given was as to the desirability and feasibility of quantifying rights through, for example, deciding on what metrics we use to measure their realisation. From a legal standpoint, and with notable exceptions, South African courts have been reluctant to quantify rights — taking a more procedural approach instead. Quantifying a right was described as a way to give it more normative force, strengthening its application to economic policy. However, economists typically do not feel equipped to measure questions related to rights, which were seen as “less tangible”.

What was most clear from the activities conducted is that there is limited knowledge about the intricacies of the other discipline. While economists can see how their work relates broadly to the question of human rights, this is not done explicitly. In general, economists based in civil society had a better grasp of human rights norms and were more likely to have used them than those based at universities or in government, but a lack of familiarity remained. For example, one economist interviewed noted that they didn’t realise that they were using a human rights framework until it was pointed out to them by someone who works in that field. This indicates that they were using rights tacitly but were not necessarily getting the full benefit that would come from adopting the framework deliberately. Once exposed to international rights frameworks and their domestication in South Africa, this interviewee was able to integrate these effectively to campaign on economic issues.

Many progressive economists have been put off by human rights—either dismissing them as not “radical” enough, too legalistic and rigid, or not sufficiently engaged with real economic issues. This is one reason why bringing economists and human rights practitioners together more frequently, alongside those who already work at this intersection, is important. As indicated above, there are many ways in which rights can be radical when they are not taken as given, but are rather used to push for emancipatory change; this requires changing perceptions in a manner that this project aims to do.

Many people working within the human rights field had limited knowledge of economic theory and were poorly versed in economic terminology. This related to both political economy - which is often underemphasised even in economics programmes - as well as to the more technical aspects of economics which can be alienating because they appear to be ‘too complex’. Many felt that economics was separate from their work and should therefore be ‘left to economists’. This is possibly a manifestation of economists themselves wanting to present the field as different from, or separate to, other social sciences and a realm only for select ‘experts’.

27 See for example: Kate Raworth. 2017. *Doughnut Economics: Seven Ways to Think Like a 21st-Century Economist*. Penguin Books. London. Or Lorenzo Fioramonti. 2013. *Gross Domestic Problem: The Politics Behind the World’s Most Powerful Number*. Zed Book. London/New York.

28 See for example New Zealand’s first Wellbeing Budget: <https://www.treasury.govt.nz/sites/default/files/2019-05/b19-wellbeing-budget.pdf>



There are a number of ways in which this gap can be addressed. In general, there's a need to 'break down the walls' and capacitate both disciplines with better knowledge. In doing this we need to give greater thought to the sort of economic system we need in order to ensure the realisation of rights. To be persuasive to economists, it's important to show how human rights would make for better economic and better economies. For example, rights fulfilment should not be seen as a burden, but may spur forms of economic activity that both achieve traditional economic policy ends and ensure human flourishing.

In doing this, we can also develop interdisciplinary methodologies, for example by 'crunching the numbers' to demonstrate the systemic ways in which people are deprived of their socio-economic rights, and to quantify what we are calling for. This can involve working to incorporate various indicators and other tools for measurement into human rights analysis. Importantly, this can be linked to the push to develop alternative measures of progress within economics. For example, there has been pushback on the dominance of GDP growth as a measure for progress.²⁷ A number of countries and cities have started using, for example, human wellbeing as a measure.²⁸ Rights can be a useful tool in the development of these indicators and human rights practitioners should link up with economists who are working on developing these.

However, we need to be aware of the deeper methodological issues that may arise when trying to bridge these two disciplines, by being conscious of biases inherent within each. It is important, for example, for human rights advocates to understand what underpins certain methodologies linked to orthodox economics. As discussed by Corkery and Isaacs above, these may be systematically biased against rights. We need to ensure that in bringing the two together this doesn't happen. Radhika Balakrishnan argues that, when "translating between economics and human rights, it is first and foremost essential to be clear that not all economics, nor economists are the same. There is a very wide variety of economic theories and practitioners".²⁹ In her work she therefore draws on "heterodox economic principles... which entail an alternative ontological worldview that stresses a deeply ethical concern and moves decidedly away from the ideal of technocratic economic policy solutions".³⁰ This speaks to the need to be clear about particular ideological approaches within economics when bridging them with human rights.

29 Radhika Balakrishnan in Conversation with Joshua Curtis, 'Advancing Human Rights through Economics'. Laborarotory for Advanced Research on the Global Economy, Centre for the Study of Human Rights, LSE, March 2016. Available: <https://www.lse.ac.uk/sociology/assets/documents/human-rights/HR-SO-5.pdf>
30 Ibid.

Heterodox economists can also have their own methodologies strengthened. For example, in addition to the normative framework that human rights bring, human rights instruments also provide procedures for contesting unjust policies. They therefore provide us with a way to understand the state as both the bearer of the realisation of rights as well as place where various conflicting interests play out. In this vein, Balakrishnan states that “a human rights approach balances faith in the state with skepticism about the state, and ensures that there are procedures to continue to hold the state accountable. In recognising the paradoxes of the state, the human rights approach provides an important corrective to a conceptual and theoretical laziness with respect to the nature of the state that is implicit in much economic policy analysis.”

Breaking down the walls may also involve thinking through and articulating clearly the ‘value add’ of centring human rights in efforts to transform the economy. Interdisciplinary empirical research can help inform our assessment of what works with regard to particular types of campaigns and interventions—that is, to what extent have specific rights-based campaigns for better economic outcomes been successful? In what ways? What were the key elements to that success? How did economics or economic arguments feature in these, if at all? Where in the link between economics and human rights can similar lessons be applied? This will allow us to generate very clear examples and should inform and build upon a baseline of what exists in terms of international best practice and comparatives that map out what works.

Similarly, by engaging with progressive economists and progressive economics, human rights activists can develop a wider range of tools (be that in research, advocacy, or other areas). They can also develop more nuanced understandings of opportunity costs and trade-offs. This was a major debate in one session of the convening with some present arguing that human rights can’t account for trade-offs and others strongly contesting this. Understanding how the economy works as a system from the perspective of many heterodox approaches may help to show that human rights can accommodate trade-offs, that the realisation of rights is not a zero-sum game where we have to pick which to focus on. This links to the fact that a better grasp of economics allows for a larger view of communities and systems which goes beyond individual rights. This can help to address some of the limitations of human rights activism outlined at the outset of this report.³¹



EXPANDING THE CONCEPTUAL INTERSECTIONS BETWEEN ECONOMICS AND HUMAN RIGHTS: GOING BEYOND BUDGETS

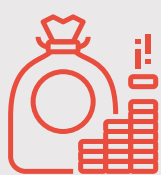
We can expand our work on budget advocacy, but also extend our activism to dig deeper into the political economy of resource generation and allocation. Budget advocacy is a sphere of economic policy in which human rights already has particular purchase, with human rights arguments being marshalled to challenge distributional policy decisions. However, this has not typically translated into deeper confrontations with the assumptions underpinning orthodox macroeconomic policy. Austerity is not just about politicians cutting spending because they are ‘bad’ or uncaring people, but rather austerity is justified and underpinned by particular economic theories which in turn have been presented as being an uncontested ‘truth’ and have become hegemonic. If we are to contest these policies, we need to tackle the underlying theoretical arguments that are used to defend them. This will allow us to better counter government claims that they can’t afford to invest more in policies and plans that advance human rights, especially in times of weak economic growth or a fiscal crunch, like that brought about by the COVID-19 pandemic.

At the same time, there is a need to ‘go beyond budgets’, that is, to think about human rights’ influence over economic policy beyond how resources are generated and allocated by government. In both our planning for the convening as well as during the actual discussions, people often fell back into talking purely about budgets when they talked about economics in relation to human rights. The reasons for this should be explored further, but one likely explanation is that budgets are a very concrete way we can assess government priorities and link these to specific rights. In some senses it is ‘easy’ to look at how government revenue and spending is changing over time, both in absolute terms (the amount being allocated to health or education for example), as well as in relative terms (which sectors get the highest allocations or how much social provisioning is allocated versus debt repayments). This is an important area of intersection between economics and human rights, but only one such area.

³¹ Ibid.

In going 'beyond budgets' we need to bring rights to bear on other areas of government policy. For example, we could provide rights-based assessments of economic policy documents, both overarching frameworks like the National Development Plan (NDP) as well as specific government policies and programmes related to industrial policy, trade, monetary policy etc. We could, for example, look at different trade agreements and assess how these affect women cross-border traders and their realisation of rights. We could look at how our monetary policy decisions shape who has access to credit and how that may impact on their rights realisation. The latter could also be integrated into how high rates of unemployment and poor social protections mean that people are unable to meet basic needs on the market but also do not have these met by the state. They are therefore forced into unsustainable debt traps. These should then be linked to the broader impact of fiscal policy so that people are aware of how the system as a whole works to either impede or encourage rights realisation.

The goal should be that, ultimately, all policies are crafted with a rights lens from the outset. But to achieve that goal, rights-based advocacy in economic policymaking should move from being reactive/defensive to proactive. This involves systematically including human rights in economics work on a day-to-day basis and not just when we talk conceptually or theoretically. As outlined above, this may require economists and human rights experts develop relevant interdisciplinary methods.



EXPANDING THE POLITICAL INTERSECTIONS BETWEEN ECONOMICS AND HUMAN RIGHTS: BUILD PROGRESSIVE JURISPRUDENCE ON HOW HUMAN RIGHTS OBLIGATIONS APPLY IN ECONOMIC POLICYMAKING



Public interest litigation has been widely used in post-apartheid South Africa and many believe it is one of the most powerful tools to bring about rights realisation because it can compel government to act. However, during the convening, a number of limitations to litigation as an effective rights-realisation tool were also raised. These largely fall into two types:

1

Limited scope of the legal challenges raised. Courts can only decide the cases that are brought before them. There have been important cases that have had systemic implications like the norms and standards case by Equal Education or the Treatment Action Campaign's litigation on access to antiretrovirals. However, not enough human rights cases have been systemic in nature. Legal scholars noted that there was a reluctance to bring cases related to economic policy because courts are perceived as reluctant to intervene in polycentric policy matters, that is, those that are impacted by, and in turn impact, multiple and complex areas of policy. The metaphor given for this was to imagine a spider's web: if you pull on one strand it affects the whole web in ways that the court can't understand or predict.

2

Limited force of the judgements made. Human rights activists can 'keep getting stuck' because wins in court don't always amount to changes on the ground. Because of the nature of the cases brought and, potentially the way they are argued, judgements have not necessarily made inroads into systemic issues. One participant, for example, noted that, "If you have a community saying that ambulances have been taken away or planned schools are not being built, then you can go to court to compel the government to restore ambulances or build schools, without having to think about the bigger picture and without having to address it."



Sometimes you can lose a court case but still win the battle – Convening participant

In some senses the limited force can be linked to the limited scope. We therefore need to explore litigation that addresses these limitations and bring cases that have systemic implications which force a change. One example that may be open to a challenge is Zero-Based Budgeting (ZBB) recently proposed by National Treasury. Because ZBB involves not taking the previous year's budget as your starting point, it arguably falls foul of the obligation to progressively realise (and to avoid retrogression in) people's rights. Both of these are key human rights standards.

Critical to the success of such litigation is bringing together more economists and public interest lawyers. While there are some instances of this shared, it was typically not seen as significant and sustained. At the convening there were important discussions regarding the likelihood of success of such court cases. This is obviously important, but activists pointed out that litigation is not only about winning. The advantages of going to court are much broader than the outcome of the case itself. A court case prompts a public debate and forces the government to justify itself or to even shift position. This lesson needs to be applied more broadly through for example, giving greater consideration to the applicability of the Bill of Rights in efforts to tackle systemic inequality. A campaign centred around an economic policy that violates rights and includes community mobilisation, literacy, and litigation could put a rights-based economy on the agenda. In short, we should embrace the lessons from our history of public interest litigation and push the boundaries of what can be achieved. Specifically, our aim should be to build jurisprudence that sets out key principles around the role of human rights in economic policy, identifies the obligations of government, and clarifies when courts will intervene.

Litigation should be supported by strong legal advocacy in linking economics and human rights. Law has power beyond the courtroom, in the sense of that we can mobilise the moral language of legally enshrined rights and extend this to the way in which we manage the economy. For example, the struggle for access to ARVs was much more powerful when the message was 'people have a right' and that 'law requires it'. We can apply a similar logic to questions of economic policy through campaigns against austerity or for expanded social protections that utilise the language of rights, applying both their moral, legal, and political dimensions. As one participant put it, "Using the law doesn't just mean narrowly litigation... It means using the law to demand accountability, it means correspondence with authorities, with private power, about their legal obligations. It means mobilizing in communities. It means fighting small and large battles, it means skirmishes using law and it means full blooded fights. Using, using, using law. So, it means always making law and rights an element of your advocacy."

³² See for example: <https://budgetjusticesa.org/>



POWER TO THE PEOPLE: SOCIAL MOVEMENT ACTIVISM, POPULAR MOBILIZATION AND EDUCATION

Underlying the success of the above strategies is the ability to make both human rights and economics understandable and inspiring to ordinary people. Popular mobilisation requires giving people a vision of a world worth fighting for. This means that activists must build tools to speak to the 'essence' of human rights beyond just legal requirements, so that they can have emancipatory power. One participant noted, "[We need to] push our understanding of what human rights realisation is away from the basic of not being shot on your way home on a random Wednesday, to you are flourishing in your space". Human wellbeing requires a particular economic system to be realised. Bringing together human rights and economics makes these links clearer, stretching human rights so that the positive and expansive obligations are emphasised, and pushing economics to ensure these can be provided for. This allows us to build power and thus disrupt the existing power relations at the heart of material inequality.

We have seen how rights-based protests can effectively challenge economic policy through things like the #PayTheGrants campaign, or protests by Equal Education and Cry of the Xcluded targeting the Budget. Similarly, the #FeesMustFall protests were seen as one of the few, and very powerful, examples of exclusively non-litigation rights advocacy that actually brought changes. The 'right to say no' to mining demanded by communities is another example of legal advocacy that support alternative visions of what sustainable development is. All of these cases show how a rights-based framework can be used to challenge economic policy through concrete material issues that can have systemic implications. We need to do more to take these instances of success and build on them with other social movements.

By adding force to 'commonly-held values', human rights gives us a moral language with which to contest economic policy. The way in which economics is presented as an objective science obscures the fact that policymakers are actually making a set of choices and that these can be different. This makes it feel like it is out of the reach of activists. Further, mainstream economic assumptions often presented as 'common sense' – for example, that higher wages would increase unemployment. Framing the objective of economic policy choices as rights realisation, empowers (in fact demands) us to question if these 'common sense' assumptions are in fact accurate.

One way forward may be to expand rights education to trade unions which typically challenge economic policy that may affect workers' rights, but not human rights more broadly. The power of trade unions to influence economic policy can be strengthened by a broader socio-economic rights framing. This can be the case for workplace-related struggle, for example, employment legislation, which often has a lot of loopholes that companies are able to get around. It can also, however, be expanded to provide impetus to a campaign on a wider range of economic issues. Workers are not a disembodied 'labour force,' as often presented by economics. Rather they are human beings with families, communities, and needs of their own, and their ability to realise these are shaped by the economic policies being pursued. While unions have a long history of being engaged on economic policy, it is sometimes limited to questions directly about the workplace or with a direct bearing on employment narrowly construed. Bringing human rights and economics together allows us to break the binary between workers' rights, as they exist in the workplace, and as they exist in society. When this link is made by unions, it can empower them to fight for greater protections.

More broadly, leveraging the indivisibility of human rights can help highlight the interrelated nature of our crises. The climate crisis, for example, has been forcing policymakers to think more about the question of rights. One participant noted that central bankers have now been forced to take seriously the impacts of the climate crisis. Because climate breakdown will impact so many aspects of our lives (food and water provisioning, housing, transport, jobs etc), they have been forced to confront social issues and that this has made them more open to questions about rights.³³ Given that rights are multi-dimensional and have cross-cutting implications, they are well-suited to address the multi-dimensional, cross-cutting nature of our crises. However, in order to do that they need to be targeted at the economic policies underpinning those crises as argued throughout this project.



THINKING STRATEGICALLY: LEVERAGING POLITICAL OPPORTUNITIES

Building power also requires thinking more broadly and developing strategic alliances across all sectors of society. This requires the development of a clear strategy around alliances and expanding the network having these conversations. We need an analysis of who should be involved, how, why, and in what sequence. Implicit in this is the need to actively engage those in power who may be sympathetic to our cause, including in parliament, political parties (especially the governing party), and in government more broadly. Throughout this work, we need to ensure we develop better links with communities and actively build meaningful and inclusive spaces. This is true of all political struggle but has particular dimensions in each field. In this instance, the strategic alliances will be informed by the detailed discussion above vis-à-vis economics and human rights.

One example of the specificity of this thinking arose from within the field of economics. It was felt that we need to develop a strategy to overcome the disjuncture between ‘progressive’ economists and ‘mainstream’ economists, and ensures the latter are not alienated by the framing of the project. In our convening, for example, we found that there were some economists who attended the convening webinar but did not then attend the workshops despite having previously signed up. While we tried to ascertain the reason for this through an evaluation form, this had a low response rate. However, we hypothesise that some may have felt put off by framing at the webinar that distinguished between mainstream and progressive economists, with the latter being cast as ‘part of the problem’.

33 This argument is developed further here: https://www.up.ac.za/faculty-of-law/news/post_2824737-why-central-banks-need-to-take-human-rights-more-seriously and here: <https://www.opendemocracy.net/en/oureconomy/why-central-banks-need-take-human-rights-more-seriously/>

A black and white photograph of a woman standing in front of a brick wall and a metal gate. She is wearing a light-colored top, a dark cardigan, and a patterned skirt. She is holding a bag and a small object in her hands. The background shows a brick wall and a metal gate with a decorative pattern. The ground is paved with cobblestones.

05

WHAT WE WOULD LIKE TO DO NEXT

Ultimately, this project aims to contribute to the goal of achieving a just economy that works for all people. It does so on the premise that bridging progressive economic thinking and the human rights framework can play a vital role, because of the potential that fighting for a rights-based economy can have. As indicated above, this project has highlighted a number of important lessons for what we need to focus on in order to take this work forward. In summary, the reflections above reiterate the importance of the following:

1 Cross-disciplinary work as an emerging field of study: There is considerable thinking that still needs to be done to develop this field. During our convening, there was a lot of discussion regarding the need to work with movements and capacitate civil society, but most of the commitments made by individuals were related to academic or research work. While there is a recognition that this, in and of itself, is not enough, it is still an important aspect of bridging the two disciplines and creating a strong theoretical base upon which to build. This can play to the strengths of those already engaged and serve as an important base for other initiatives.

2 Capacitating civil society and being more responsive to social movements: Exploring the intellectual questions posed by cross-disciplinary work should be geared towards developing strategies that build power: by equipping civil society with a different paradigm with which to approach activism; by helping them to explore new and creative tactics; and, ultimately, by expanding the base of support for emancipatory politics. Strategies for doing this include bolder strategic litigation and better legal activism and advocacy, as well as the development of more engaging tools for popular education and mass mobilisation.

3 Influencing national and international policy: Both of the above actions should, in turn, be focused on achieving concrete changes to policy to reflect the work done by academics and the demands made by civil society in order to move towards more just economies. This applies to national policy dialogues as well as on international efforts. The latter can be done through multilateral agencies, especially the United Nations. A number of UN special rapporteurs have done work directly or indirectly related to this area and should be engaged to amplify this work.

4 Deepen and broaden the networks of people working on this issue: This can help to deepen the network of people that were brought together through this project. This can be achieved through more coordinated efforts.

5 Deepen and broaden the existing advocacy work done by IEJ and partners. This can be expanded through the creation of more popular materials akin to the economics and human rights factsheets. Such work can be deepened through updating these materials based on new developments and feedback received from community organisations working in these areas.

6 Solidify and strengthen the institutional base for this work in South Africa and the Global South in general by securing consistent and adequate funding for work on economics and human rights. This will involve advocating for existing human rights funders to extend their support to projects in this area by demonstrating how important questions of the economy are to the realization of human rights. Funding for the IEJ and its existing partners to continue this work will also be important.

7 In the short- to medium-term, we can give expression to the above through activities like the following:

- A shared calendar for the year of when parliamentary committees are meeting/when development plans/policies are due to be published for comment.
- Regular (for example, six-monthly) strategic conversations with short synthesis documents.
- Building an easy-to-access repository for rights-based proposals for economic alternatives.
- Providing support for research endeavours, for example through small grants for thought leadership work, focusing on developing interdisciplinary methods and methodologies and to generate interdisciplinary empirical research.
- Linked to the above, we could develop a repository of key research questions which have been identified by our social movement partners which are at the intersection of economics and human rights and then take those to economist and human rights academics to take up.
- Engaging in more public facing conversations – including through multimedia material – on these topics, importantly to broaden the network of people engaged. This can also include developing more popular materials like infographics, booklets and podcasts. These should make use of vernacular, for example, an Oxfam report on inequality used the term “Mashonisa economy” to describe financialisation.
- Developing reading lists on both introductory materials and on cutting edge literature. This can also include reading lists or explanatory briefs to capacitate economists on key human rights debates, concepts etc. and vice versa (an example would be “neoclassical economics for human rights practitioners).
- Hosting tech-savvy low-cost online courses and workshops.
- Concrete actions to take these lessons from South Africa and explore how they may be relevant in other contexts and geographies. This could be through research, workshops and the development of other networking opportunities.



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