



Exploring Social Rights

Between Theory and Practice

Edited by Daphne Barak-Erez and Aeyal M Gross

Exploring Social Rights Between Theory And Practice

Robert R. Redfield



Exploring Social Rights Between Theory And Practice:

Exploring Social Rights Daphne Barak-Erez, Aeyal Gross, 2007-12-19 *Exploring Social Rights* looks into the theoretical and practical implications of social rights. The book is organised in five parts. Part I considers theoretical aspects of social rights and looks into their place within political and legal theory and within the human rights tradition. Part II looks at the status of social rights in international law with reference to the challenge of globalisation and to the significance of specific regional regulation such as the European System. Part III includes discussions of various legal systems which are of special interest in this area: Canada, South Africa, India and Israel. Part IV looks at the content of a few central social rights such as the right to education and the right to health and Part V discusses the relevance of social rights to distinct social groups: women and people with disabilities. The articles in the book while using the category of social rights also challenge the separation of rights into distinct categories and question the division of rights to civil vs social rights from a perspective which considers all rights as social. This book will be of interest to anyone concerned with human rights, the legal protection of social rights and social policy. Social rights are the stepchildren of the human rights family. Are they really rights? Can courts enforce them? And does it make any difference when they try? This remarkable collection of essays by distinguished scholars offers important new responses to all the basic questions. Ranging across disciplinary and national boundaries and brimming with both theoretical and practical insights, the book is especially welcome in this moment of mounting inequalities and growing interest in the possibilities and perils of social rights. William E. Forbath, Lloyd M. Bentsen Chair in Law and Professor of History, University of Texas at Austin. At the auspicious moment of the sixtieth anniversary of the Universal Declaration of Human Rights and more than half a century since the beginning of the Human Rights Revolution, a time characterized by the end of the cold war, globalization and privatization comes this important compilation which critically revisits the international commitment to social rights and reconceives its core distinguishing principles from crosscutting comparative theoretical and practical perspectives illuminating our commitment to human security. Ruti Teitel, Ernst Stiefel Professor of Comparative Law, New York Law School. Author, *Transitional Justice*. OUP, 2002.

Feminist Pragmatism and Social Rights

Judy D. Whipps, 2024-12-16 In an exploration of the little told legacy of early feminist pragmatists who pioneered social rights in America, *Feminist Pragmatism and Social Rights* delves into the transformative efforts of trailblazing figures including Jane Addams, Julia Lathrop, Florence Kelley, Grace Abbott, Mary Church Terrell, Mary McLeod Bethune, Emily Greene Balch, Molly Dewson and Frances Perkins. As Judy D. Whipps reveals, these women created and led organizations that were prototypes for later federal programs. Their relentless advocacy reshaped U.S. politics and culture from grassroots organizations to federal legislation, paving the way for constitutional recognition of social rights decades before the United Nations' International Covenant on Economic, Social and Cultural Rights. This book is the first to cast the philosophy behind these women's political and judicial activism as feminist pragmatism. Each chapter illuminates their struggles and triumphs from combating child

labor to advancing women's rights and after their research gathered popular support for reform they continued that work by writing drafts of legislation and legal briefs This book not only chronicles a pivotal fifty year movement but also serves as a poignant reminder of their enduring impact [Borrowing Justification for Proportionality](#) João Andrade Neto, 2018-11-11 The proportionality test as proposed in Robert Alexy's principles theory is becoming commonplace in comparative constitutional studies And yet the question are courts justified in borrowing proportionality has not been expressly put in many countries where judicial borrowings are a reality This book sheds light on this question and examines the circumstances under which courts are authorized to borrow from alien legal sources to rule on constitutional cases Taking the Supreme Federal Court of Brazil and its enthusiastic recourse to proportionality when interpreting the Federal Constitution as a case study the book investigates the normative reasons that could justify the court's attitude and offers a comprehensive overview of its case law on controversial constitutional matters like abortion same sex union racial quotas and the right to public healthcare Providing a valuable resource for those interested in comparative constitutional law and legal theory or curious about Brazilian constitutional law this book questions the alleged universality of the proportionality test challenges the premises of Alexy's principles theory and discloses more than 68 Brazilian Supreme Court decisions delivered from 2003 to 2018 that would otherwise have remained unknown to an English speaking audience **Social Rights in the Welfare State** Toomas Kotkas, Kenneth Veitch, 2016-12-08 At a time when the future of the welfare state is the object of heated debate in many European countries this edited collection explores the relationship between this institution and social rights Structured around the themes of the politics of social rights questions of equality and social exclusion inclusion and the increasing impact of market imperatives on social policy the book explores the effect of transformations in the welfare state upon social rights and their underlying rationalities and logics Written by a group of international scholars many of the essays discuss a number of urgent and topical issues within social policy including the social rights of asylum seekers the increasing marketization and consumerization of public welfare services the care of the elderly and the obligation to work as a condition of access to welfare benefits International in its scope and interdisciplinary in its approach this collection of essays will appeal to scholars and students working in the fields of law and socio legal studies sociology social policy and politics It will also be of interest to policy makers and all those engaged in the debate over the future of the welfare state and social rights **The Right to Work** Virginia Mantouvalou, 2015-01-22 The value of work cannot be underestimated in today's world Work is valuable because productive labour generates goods needed for survival such as food and housing goods needed for self development such as education and culture and other material goods that people wish to have in order to live a fulfilling life A job also generally inspires a sense of achievement self esteem and the esteem of others People develop social relations at work which can be very important for them Work brings both material and non material benefits There is no doubt that work is a crucial good Do we have a human right to this good What is the content of the right Does it impose a

duty on governments to promote full employment Does it entail an obligation to protect decent work There is also a question about the right holders Do migrants have a right to work for example At the same time many people would rather not work What kind of right is this if many people do not want to have it The chapters of this book address the uncertainty and controversy that surround the right to work both in theoretical scholarship and in policymaking They discuss the philosophical underpinnings of the right to work and its development in human rights law at national level in jurisdictions such as the United Kingdom Australia Japan France and the United States and international level in the context of the United Nations the European Social Charter the International Labour Organization the European Convention on Human Rights and other legal orders **Journal of Ethiopian law** ,2009 *Human Rights for the 21st Century* Helen Stacy,2009-02-05 Considers the legal moral and pragmatic issues at stake when international standards of human rights are trumped by culture and politics and proposes new approaches to fill the gaps in current human rights theories and practice namely relational sovereignty reciprocal adjudication and regional human rights courts **Current Publications in Legal and Related Fields** ,2008 **International Labour Review** ,2007 Bibliographie Mensuelle United Nations Library (Geneva, Switzerland),2008 **University of Tasmania Law Review** ,2010 *Social Theory and Practice* ,2016-04 *Directory of Published Proceedings* ,2004 Linguistics and Language Behavior Abstracts ,2008 **Proceedings of the British Psychological Society** British Psychological Society,1998 Third World Resources ,1990 Ending Disability Discrimination Gary E. May,Martha B. Raske,2005 Ending Disability Discrimination defines disability as a social construction not as an immutable physical limitation and gives social work students and practitioners a model that can be used to transform how people with disabilities are treated Highlights Uses an innovative model for understanding disability that draws upon a concept familiar to social work students discrimination Chapter 5 Presents disability related impairment as a consequence of discrimination making the target system the social environment rather than the person with the disability a viewpoint that shows commitment to social justice and draws upon the systems perspective used for understanding other minority groups Provides a single source through which to explore the shifting history of scholarly thinking about disability issues by including chapters from respected disability scholars that chronicle and analyze the evolution of the conceptualization of disability Chapters 1 2 and 4 Don't Miss These Other Special Value Pack Options Research Navigator TM Research Navigator TM can be a student's best friend when they're facing a large research project Especially helpful with the toughest challenge getting started Research Navigator TM offers a comprehensive step by step walk through of the research process along with access to some of the most respected source databases available Access to Research Navigator TM a 15 value is FREE when packaged with a new Allyn Bacon Social Work textbook If this text did not come packaged with Research Navigator TM look for it in your bookstore or visit <http://www.researchnavigator.com> today to purchase immediate access The Career Center Do your students need help transitioning from being a student to becoming a professional With

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