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### Sandra Liebenberg

**Research Handbook on Economic, Social and Cultural Rights As Human Rights** Jackie Dugard,Bruce Porter,Daniela Ikawa,Lilian Chenwi,2020-10-15 This exciting Research Handbook combines practitioner and academic perspectives to provide a comprehensive, cutting edge analysis of economic, social and cultural rights (ESCR), as well as the connection between ESCR and other rights. Offering an authoritative analysis of standards and jurisprudence, it argues for an expansive and inclusive approach to ESCR as human rights. Expert contributors discuss ESCR-related structures and mechanisms in the international, regional and domestic spheres, and chapters explore the details, interpretations and current developments of each thematic right, illustrating the critical cross-cutting and fault line issues relating to global ESCR. Taking a far-sighted approach, contributors critically assess the failure of dominant human rights paradigms to address ESCR and/or create a framework for multilateral responses to emerging global threats, arguing that a robust, reinforced ESCR approach and practice is needed to meet the human rights challenges of the 2020s.This Research Handbook is a valuable contribution to the human rights field. Providing an overview of ESCR-related systems, cases and challenges around the world, it will be particularly beneficial for advocates, scholars and students interested in international human rights as well as to lawyers and judges considering ESCR in the context of domestic law. International and local NGOs and human rights organizations will also find this an essential guide on mechanisms to advance ESCR as human rights.

The South African Law of Persons and Family Law A. H. Barnard, D. S. P. Cronjé, 1990

The Right to Food Philips Alston, Katarina Tomaševski, 1984-11-12 Preface.

**The International Covenant on Economic, Social and Cultural Rights** Ben Saul, David Kinley, Jaqueline Mowbray, 2014-03-06 Economic, social and cultural rights are finally coming of age. This book brings together all essential documents, materials, and case law relating to the International Covenant on Economic, Social and Cultural Rights (ICESCR) - one of the most important human rights instruments in international law - and its Optional Protocol. This book presents extracts from primary materials alongside critical commentary and analysis, placing the documents in their wider context and situating economic, social, and cultural rights within the broader human rights framework. There is increasing interest internationally, regionally, and in domestic legal systems in the protection of economic, social, and cultural rights. The Optional Protocol of 2008 allows for individual communications to be made to the UN Committee on Economic, Social and Cultural Rights after its entry into force in 2013. At the regional level, socio-economic rights are well embedded in human rights systems in Europe, Africa and the Americas. At the national level, constitutions and courts have increasingly regarded socio-economic rights as justiciable, narrowing the traditional divide with civil and political rights. This book contextualises these developments in the context of the ICESCR. It provides detailed analysis of the ICESCR structured around its articles, drawing on national as well as international case law and materials, and containing all of the key primary materials in its extensive appendices. This book is indispensible for the judiciary, human rights practitioners, government legal advisers and agencies, national human rights institutions, international organisations, regional human rights bodies, NGOs and human rights activists, academics, and students alike.

Access to Justice as a Human Right Francesco Francioni,2007-10-25 In international law, as in any other legal system, respect and protection of human rights can be guaranteed only by the availability of effective judicial remedies. When a right is violated or damage is caused, access to justice is of fundamental importance for the injured individual and it is an essential component of the rule of law. Yet, access to justice as a human right remains problematic in international law. First, because individual access to international justice remains exceptional and based on specific treaty arrangements, rather than on general principles of international law; second, because even when such right is guaranteed as a matter of treaty obligation, other norms or doctrines of international law may effectively impede its exercise, as in the case of sovereign immunity or non reviewability of UN Security Council measures directly affecting individuals. Further, even access to domestic legal remedies is suffering because of the constraints put by security threats, such as terrorism, on the full protection of freedom and human rights. This collection of essays offers seven distinct perspectives on the present status of access to justice: its development in customary international law, the stress put on it in times of emergency, its problematic exercise in the case of violations of the law of war, its application to torture victims, its development in the case law of the UN Human Rights Committee and of the European Court of Human Rights, its application to the emerging field of environmental justice, and finally access to justice as part of fundamental rights in European law.

*Socio-economic Rights* Sandra Liebenberg,2010 Drawing on a wide range of interdisciplinary resources, this scholarly work provides an in-depth and thorough analysis of the socio-economic rights jurisprudence of the newly democratic South Africa. The book explores how the judicial interpretation and enforcement of socio-economic rights can be more responsive to the conditions of systemic poverty and inequality characterising South African society. Based on meticulous research, the work marries legal analysis with perspectives from political philosophy and democratic theory.

**The Role of the Supreme Court in the Development of Constitutional Law in Ghana** S. Y. Bimpong-Buta,2007 *The Protection of Economic, Social and Cultural Rights in Africa* Danwood Mzikenge Chirwa,Lilian Chenwi,2018-06-21 The Protection of Economic, Social and Cultural Rights in Africa critiques the three main models of constitutionally protecting economic, social and cultural rights in Africa - direct, indirect and hybrid models. It examines the choices that states have made, how the models have worked, whether they have been tested in litigation and the jurisprudence that has arisen. The book analyses the protection of the economic, social and cultural rights in a range of African countries: Angola, Cameroon, Ethiopia, Ghana, Kenya, Mozambique, Nigeria, Senegal, South Africa and Uganda. Leading legal academics explore how these rights feature at the regional and sub-regional levels, as well as the link between domestic and international mechanisms of enforcement.

**International Human Rights Law in Africa** Frans Viljoen,2012-03-29 This book provides a comprehensive and analytical overview of human rights law in Africa. It examines the institutions, norms, and processes for human rights realization provided for under the United Nations system, the African Union, and sub-regional economic communities in Africa, and explores their relationship with the national legal systems of African states. Since the establishment of the African Union in 2001, there has been a proliferation of regional institutions that are relevant to human rights in Africa. These include the Pan African Parliament, the Peace and Security Council, the Economic, Social and Cultural Council and the African Peer Review Mechanism of the New Partnership for Africa's Development. This book discusses the links between these institutions. It further examines the case law stemming from Africa' most important human rights instrument, the African Charter on Human and Peoples Rights, which entered into force on 21 October 1986. This new edition contains a new chapter on the African Children's Rights Committee as well as full coverage of new developments and instruments, such as the Convention on the Rights of Persons with Disabilities, the Convention on Enforced Disappearances, and the African Charter on Democracy, Elections and Governance. Three cross-cutting themes are explored throughout the book: national implementation and enforcement of international human rights law; legal and other forms of integration; and the role of human rights in the eradication of poverty. The book also provides an introduction to the relevant human rights concepts.

<u>The Law of International Human Rights Protection</u> Walter Kälin, Jörg Künzli, 2019 The second edition of Kalin and Kunzli's authoritative book provides a concise but comprehensive legal analysis of international human rights protection at the global and regional levels. It shows that human rights are real rights creating legal entitlements for those who are protected by them and imposing legal obligations on those bound by them.

#### **Controlling Phony Disease of Peaches**, 1964

<u>All Rise</u> Dikgang Moseneke,2021-08-02 At the young age of fifteen, Dikgang Moseneke was imprisoned for participating in anti-apartheid activities. During his ten years of incarceration, he completed his schooling by correspondence and earned two university degrees. Afterwards he studied law at the University of South Africa. After some years in general legal practice and at the Bar, and a brief segue into business, Moseneke was persuaded that he would best serve the country's young democracy by taking judicial office. All Rise covers his years on the bench, with particular focus on his fifteen-year

term as a judge at South Africa's apex court, the Constitutional Court, including as the deputy chief justice. His insights into the Constitutional Court's structures, the personalities peopling it, the values it embodies, the human dramas that shook it and the cases that were brought to it make for fascinating reading. From the Constitutional Court of Arthur Chaskalson to the Mogoeng Mogoeng era, Moseneke's understated but astute commentary is a reflection on the country's ongoing but not altogether comfortable journey to a better life for all.

**The African Charter on Human and Peoples' Rights** Rachel Murray,2019-02-07 The African Charter on Human and Peoples' Rights (ACHPR) is the principle regional human rights treaty for the African continent. Adopted in 1981, there is now a significant body of jurisprudence and interpretation by its African Commission on Human and Peoples' Rights and the recently established African Court. This volume provides a comprehensive article-by-article legal analysis of the provisions of the Charter as it draws upon the documents adopted by the African Court on Human and Peoples' Rights, and that of other sub-regional courts and tribunals and domestic courts in Africa, are also incorporated. The book examines not only the substantive rights in the African Charter but also the work of the African Commission on Human and Peoples' Rights and provides a full examination of its mandate. A critical analysis of each of the provisions of the ACHPR is led principally by the jurisprudence and documentation of the African Commission and African Court. The text also identifies the overall development of the ACHPR within the broader regional and international human rights legal arena.

*Tax, Inequality, and Human Rights* Philip Alston,Nikki Reisch,2019-04-11 In Tax, Inequality, and Human Rights, experts in human rights law and in tax law debate the linkages between the two fields and highlight how each can help to tackle rapidly growing inequality in the economic, social, and political realms. Against a backdrop of systemic corporate tax avoidance, widespread use of tax havens, persistent pressures to embrace austerity policies, and growing gaps between the rich and poor, this book encourages readers to understand fiscal policy as human rights policy, and thus as having profound consequences for the well-being of citizens around the world. Prominent scholars and practitioners examine how the foundational principles of tax law and human rights law intersect and diverge; discuss the cross-border nature and human rights impacts of abusive practices like tax avoidance and evasion; question the reluctance of states to bring transparency and accountability to tax policies and practices; highlight the responsibility of private sector actors for shaping and misshaping tax laws; and critically evaluate domestic tax rules through the lens of equality and nondiscrimination. The contributing authors also explore how international human rights obligations should influence the framework for both domestic and international tax reforms. They address what human rights law requires of state tax policies and how tax laws and loopholes affect the enjoyment of human rights by people outside a state's borders. Because tax and human rights both turn on the relationship between the individual and the state, neo-liberalism's erosion of the social contract threatens to

undermine them both.

My Own Liberator Dikgang Moseneke, 2016-10-01 A powerful memoir of activism, dedication, and a life committed to justice and equality in apartheid-era South Africa. 'My Own Liberator spans some eight decades and sheds light on a remarkable and distinguished life as well as on of the history of South Africa and leading figures in changing times to paint a compelling double portrait of the author's personal life and the history of South Africa's journey from apartheid to democracy.' — SALA citation 'The first of a two-part memoir, the former deputy chief justice writes movingly of the many people who influenced him on the road to becoming one of the most respected legal minds in South Africa.' — Tymon Smith, The Times 'Justice Dikgang Moseneke's biography, My Own Liberator, is a welcome instalment in the increasing body of African literature and biographies ... Through this book he has allowed us a sneak preview of his still-incomplete life, and this book is recommended for its wit, depth and lucidity.' — Thami Ka Plaatjie, Sunday Independent Dispatches '... a beautiful memoir that is simultaneously poignant and enthralling \*My Own Liberator charts a life from Pretoria's version of Sophiatown, Lady Selborne, to Atteridgeville, Robben Island as South Africa's youngest political prisoner, lawyer, silk and finally after becoming acclaimed one of our most revered jurists ever.' — Kevin Ritchie, Weekend Argus In My Own Liberator, Dikgang Moseneke pays homage to the many people and places that have helped to define and shape him. Tracing his ancestry, the influence on both his maternal and paternal sides is evident in the values they imbued in their children - the importance of family, the value of hard work and education, an uncompromising moral code, compassion for those less fortunate and unflinching refusal to accept an unjust political regime or acknowledge its oppressive laws. As a young activist in the Pan-Africanist Congress, at the tender age of fifteen, Moseneke was arrested, detained and, in 1963, sentenced to ten years on Robben Island for participating in anti-apartheid activities. Physical incarceration, harsh conditions and inhumane treatment could not imprison the political prisoners' minds, however, and for many the Island became a school not only in politics but an opportunity for dedicated study, formal and informal. It set the young Moseneke on a path towards a law degree that would provide the bedrock for a long and fruitful legal career and see him serve his country in the highest court. My Own Liberator charts Moseneke's rise as one of the country's top legal minds, who not only helped to draft the interim constitution, but for fifteen years acted as a guardian of that constitution for all South Africans, helping to make it a living document for the country and its people. Winner of the Creative Non-Fiction Award at the 2017 South African Literary Awards (SALA), shortlisted for the 2017 Sunday Times Alan Paton Award, and shortlisted for the 2018 Humanities and Social Sciences Award for Best Non-Fiction: Monograph, this memoir is a testament to the power of perseverance, principle, and the pursuit of justice.

**Socio-Economic Rights in South Africa** Malcolm Langford, Ben Cousins, Jackie Dugard, Tshepo Madlingozi, 2014 This book sets out to assess the role and impact of socio-economic strategies used by civil society actors in South Africa. Focusing

on a range of socio-economic rights and national trends in law and political economy, the book's authors show how socioeconomic rights have influenced the development of civil society discourse and action.

<u>Public Interest Litigation in South Africa</u> Jason Brickhill,2018-08-31 Public Interest Litigation in South Africa offers grounded accounts - by leaders in the field - of the campaigns, cases, and causes that have defined key areas of public interest litigation in the country since the constitutional transition. The authors share their perspectives on the struggles led by people, communities, activists, and civil society organisations to realise the vision of the Constitution. The book shares the legal narratives of those particular struggles in the hope that this will contribute to the broader continuous struggle for social justice. Part One of the book considers the history of public interest litigation, the public interest sector today, public interest litigation in the context of international law, the ethics and politics of public interest litigation, and procedure. Part Two addresses public interest litigation in key areas of law: property rights, gender, basic services, health care, LGBTI equality, children's rights, basic education, freedom of expression, access to information, and prisoners' rights. Public Interest Litigation in South Africa seeks to share more of the stories of what has been achieved in the courts, beyond the welltrodden, landmark appellate decisions, as a contribution to informed and critical engagement.

Report on Maryland United States Commission on Civil Rights. Maryland Advisory Committee, 1964

*Boberg's Law of Persons and the Family* Belinda Van Heerden,Alfred Cockrell,Raylene Keightley,1999 This edition aims to satisfy the different demands of students and practitioners by situating itself on two levels, that is, a summary of relevant principles in the text with legal authorities and policy issues in the footnotes.

Aging of Farm-cured Hams as Affected by Method of Cutting, Curing, and Smoking ,1964

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