



The Justiciability of Economic, Social and Cultural Rights

La justiciabilité des droits économiques sociaux et culturels

Angelika Nussberger and David Landau (eds.)

Ius Comparatum

December 2023

ISBN 978-1-83970-395-9

xxxviii + 584 pp. | hardback | e-book

regular price:

229.00 euros | 275.00 US dollars |

218.00 GB pounds

series price:

194.65 euros | 233.58 US dollars |

184.91 GB pounds

Price includes VAT and excludes shipping costs.

This book includes a general report and a series of special national reports that discuss trends in the judicial enforcement of economic, social and cultural rights in jurisdictions from different regions around the world. The general and special rapporteurs demonstrate that there are clear trends towards the greater inclusion of economic, social and cultural rights within constitutions, as well as towards their greater justiciability. However, the book also highlights the significant variation in how these rights are interpreted, as well as in the approaches taken to issuing judgments and remedies. Moreover, the impact of economic, social and cultural rights is shown to be a very complex issue, dependent on a multitude of factors. Finally, whilst the rapporteurs note that an international law framework governs these rights, this framework has not led to a harmonisation of approaches. As the book discusses the divergent impact of these different approaches, it also suggests the need for a continued experimental—and creative—ethos regarding judicial enforcement of economic, social and cultural rights.

With a General Report by Angelika Nussberger (Cologne University, Germany) and David Landau (Florida State University, United States) and Special Reports by Katie Boyle (Stirling University, United Kingdom), Daniela-Anca Deteșeanu (University of Bucharest, Romania), Italo Roberto Fuhrmann (Pontifícia Universidade Católica do Rio Grande do Sul, Brazil), Susi Dwi Harijanti (Universitas Padjadjaran, Indonesia), Stefanus Hendrianto (Pontificia Università Gregoriana, Italy), Sára Hungler (Eötvös Loránd University, Hungary), Audrey Lebret (University of Copenhagen, Denmark), Tetsuji Matsumoto (Doshisha University, Japan), Jolita Miliuvienė (Mykolas Romeris University, Lithuania), Ved P. Nanda (University of Denver, United States), Cristina-Mihaela Nicolescu (University of Bucharest, Romania), Christos Papastylianos (University of Nicosia, Cyprus), Daiva Petrylaitė (Vilnius University, Lithuania), M. Zoltán Pozsár-Szentmiklósy (Eötvös Loránd University, Hungary), Graziella Romeo (Bocconi University, Italy), Géraldine Rosoux (University of Liège, Belgium), Sara Ross (Dalhousie University, Canada), Ingo Wolfgang Sarlet (Pontifícia Universidade Católica do Rio Grande do Sul, Brazil), Yannick Schoog (University of Cologne, Germany), Amal Sethi (University of Hamburg, Germany), Melda Sur (İzmir University of Economics, Turkey), Wouter Vandenhole (University of Antwerp, Belgium), Frédéric Vanneste (University of Antwerp, Belgium), Arta Vorpsi (University of Tirana, Albania) and Renata Zagradišnik (Constitutional Court of the Republic of Slovenia).

ORDER NOW

 **INTERSENTIA**



**To find out more or purchase online,
visit our website**

www.larcier-intersentia.com

TABLE OF CONTENTS

Preface

List of Cases

List of Rapporteurs

General Report: The Justiciability of Economic, Social and Cultural Rights - *Angelika Nussberger and David Landau*

PART I. EUROPE

Albania - *Arta Vorpsi*

Belgium - *Géraldine Rosoux, Wouter Vandenhole and Frédéric Vanneste*

Cyprus - *Christos Papastylianos*

Danemark - *Audrey Lebret*

Germany - *Yannick Schoog*

Hungary - *Sára Hungler and Zoltán Pozsár-Szentmiklósy*

Italy - *Graziella Romeo*

Lithuania - *Daiva Petrylaitė and Jolita Miliuvienė*

Romania - *Cristina-Mihaela Nicolescu and Daniela-Anca Deteșeanu*

Slovenia - *Renata Zagradišnik*

Turquie - *Melda Sur*

United Kingdom - *Katie Boyle*

PART II. AMERICAS

Brazil - *Ingo Wolfgang Sarlet and Italo Roberto Fuhrmann*

Canada - *Sara Ross*

United States - *Ved P. Nanda*

PART III. ASIA

India - *Amal Sethi*

Indonesia - *Susi Dwi Harijanti and Stefanus Hendrianto*

Japan - *Matsumoto Tetsuji*

Appendix: Questionnaire

Index

Please send this form to: Intersentia | 8 Wellington Street | Cambridge CB1 1HW | United Kingdom | T +44 1223 736170 | contact@larcier-intersentia.com

Please send me copy(ies) of *The Justiciability of Economic, Social and Cultural Rights* (978-1-83970-395-9) at 229 euros per copy.

Please charge my credit card.

Visa MasterCard Amex Index

Card no.:

Name of cardholder:

Expiry date:

CVC:

Date:

Signature:

Mr | Mrs | Ms.....

first name: surname:

company:

street: no.:

city: postal code:

country:

VAT:

Tel.:

e-mail:

Date Signature:

The data provided on this form are jointly registered and processed by LARCIER – INTERSENTIA - INDICATOR – BRUYLANT, brands of Lefebvre Sarrut Belgium for commercial and administrative purposes. Unless you object to this, you hereby give your permission for both parties to contact you about offers which may be of interest to you (direct marketing). You have the right to view and rectify this data by contacting us via privacy@lefebvre-sarrut.be or contact@larcier-intersentia.com. More information on the way in which we use and process this data is available on our website larcier-intersentia.com. For general questions or complaints, please contact the Data Protection Authority, Drukpersstraat 35, 1000 Brussels.