

The Foundation for | Law, Justice and Society

Courts and the Social Contract

Adjudicating Socio-Economic Rights

Wednesday 11–Friday 13 June 2008
Rhodes House, South Parks Rd, Oxford

In association with the Centre for Socio-Legal Studies,
University of Oxford

Lecture & Workshop Programme

Wednesday 11th June

17.30 **Opening address by Chief Justice Pius Langa**, *Chief Justice of South Africa*

Transformative Constitutionalism and Socio-Economic Rights

Introduced by: John W. Adams, *Chairman of the Foundation for Law,
Justice and Society*

18.30–19.30 **Reception**

19.30 **Dinner**

Workshop: Adjudicating Socio-Economic Rights

Thursday 12th June

9.00 *Coffee & pastries*

9.15 *Introduction*

Denis Galligan, *Professor of Socio-Legal Studies, University of Oxford and Member of the Board, Foundation for Law, Justice & Society, Fellow of Wolfson College*

9.30–12.00 Session I: Wealthier Democracies and the Challenge of Socio-Economic Rights

Moderator: Denis Galligan, *Professor of Socio-Legal Studies, University of Oxford and Member of the Board, Foundation for Law, Justice & Society*

‘A Social Contract for the 21st Century — Socio-Economic Rights and Wealthier Democracies’

Geraldine Van Bueren, *Barrister and Professor, International Human Rights Law, Queen Mary, University of London and Visiting Fellow, Kellogg College, Oxford*

Discussant: Dr Daniel Butt, *Programme Director, Courts and the Making of Public Policy, Foundation for Law, Justice and Society and Fellow and Tutor in Politics, Oriel College*

10.45-11.00 *Coffee*

‘Constitutional Socio-Economic Rights: Lessons from Central Europe’

Wojciech Sadurski, *Professor of Legal Theory, European University Institute, Florence and Professor of Legal Philosophy, University of Sydney*

Discussant: Dr Cristina Parau, *British Academy Research Fellow, Centre for Socio-Legal Studies, Oxford University*

12.15–13.30 *Lunch*

Workshop: Adjudicating Socio-Economic Rights

Thursday 12th June (*continued*)

13.30–16.00 Session II: The Protection of Economic and Social Rights in Europe and Latin America and the Role of the Courts

Moderator: Matthew Diller, *Professor of Law, Fordham University*

‘The Inter-American Court and the Role of National Courts in Protecting Socio-Economic Rights’

Monica Feria Tinta, *Advocate and Recipient in 2007 Gruber Justice Prize, Peru*

Discussant: Daniel Slifkin, *Cravath Swaine & Moore, New York*

4:45-15:00 *Tea*

‘European Social Charter: On the Developments of the Supervisory Machinery and on its Judicial Enforcement on the National Level’

Polonca Koncar, *President of the European Committee of Social Rights and Professor of Labour Law, University of Ljubljana, Slovenia*

Discussant: Dr Amir Paz Fuchs, *Programme Director, The Social Contract Revisited, Foundation for Law, Justice & Society*

19.30-21:30 *Reception followed by Dinner at Wolfson College*

Friday 13th June

9.15 *Coffee & pastries*

9.30–12.00 Session III: Lessons Learnt from Courts in Africa and Asia

Moderator: Dr Daniel Butt, *Programme Director, Courts and the Making of Public Policy, Foundation for Law, Justice and Society and Fellow and Tutor in Politics, Oriel College*

‘The Role of Courts in the Implementation of Economic, Social and Cultural Rights: A Right to Health Case Study

Paul Hunt, *Professor and United Nations Special Rapporteur on Health, University of Essex*

Rajat Khosla, *University of Essex*

Discussant: tbc

10.45-11.00 *Coffee*

Workshop: Adjudicating Socio-Economic Rights

Friday 13th June (*continued*)

**‘The Role of the Courts in Enforcing Socio-Economic Rights —
The Indian Experience’**

Jayna Kothari, *Advocate, High Court of Karnatak, Bangalore, India*

Discussant: Sandra Fredman, *Professor of Law and Fellow of Exeter
College, Oxford University*

12.15–13.30 *Lunch*

**13.30–15.30 Session IV: Socio-Economic Rights from Theory to Practice
— A View from the Bench and the Bar**

Moderator: Dr Amir Paz Fuchs, *Programme Director, The Social
Contract Revisited, Foundation for Law, Justice & Society*

‘The Homeless Family Litigation’

Richard Clary, *Head of Litigation, Cravath, Swaine & Moore, New
York*

Discussant: Matthew Diller, *Professor of Law, Fordham University*

Discussion on Keynote Lecture

Chief Justice Pius Langa, *Chief Justice of the Constitutional Court of
South Africa*

‘The Politics of Socio-Economic Rights’

Daniel Smilov, *Programme Director at the Centre for Liberal
Strategies, University of Sofia*

Discussant: Jeff King, *Research Fellow and Tutor, Keble College,
University of Oxford*

15.30–16:00 *Tea*

16:00-17:00 Concluding Panel

Moderator: Professor Denis Galligan

Workshop Ends
