

Poverty, inequality and human rights

Findings
Informing change

September 2009

This research examines how human rights have been used internationally to shape new conceptions of poverty and new approaches to combating it, and assesses the lessons for the UK.

Key points

- In both wealthy and low-income countries, people working to combat poverty have used human rights to:
 - reframe conceptions of poverty and challenge stereotypes of people affected by it;
 - mobilise alliances between disparate groups around anti-poverty goals;
 - hold governments accountable for poverty inside and outside the courtroom.
- Communities affected by poverty that have asserted their right to participate in decision-making have generated practical and cost-effective policy solutions.
- Legal enforcement of socio-economic, civil and political rights has reduced poverty in some circumstances.
- Governmental use of human rights is episodic but has brought benefits. Some governments have used human rights to bring coherence to – and permit prioritisation within – anti-poverty strategies and to set transparent targets.
- Within the UK human rights and anti-poverty communities, some think that introducing socio-economic rights more visibly into UK public debate – and building the role of civil and political rights as an anti-poverty tool – may help shift negative perceptions of both human rights and poverty. However, some see human rights as politically ineffective.
- The authors conclude that now is the right time to explore ways of strengthening the integration of human rights and anti-poverty strategies in the UK, especially where there is evidence of positive impact internationally. There is also potential to explore how human rights could be used to challenge regressive welfare reform and notions of personal responsibility that underpin it, as activists have done in the United States.

The research

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Background

Human rights and anti-poverty work are rarely integrated, either in UK public policy or among communities experiencing poverty and their allies. Those working to promote human rights and combat poverty have expressed the need to analyse how human rights have been used in anti-poverty strategies in other countries and the potential for applying this in the UK.

How can human rights combat poverty?

Human rights encompass both fundamental values and specific rights; both can be effective in combating poverty. The Universal Declaration of Human Rights (UDHR) states: 'All human beings are born free and equal in dignity and rights.' These values of equality and dignity underlie rights such as the rights to take part in public affairs, to social security, to an adequate standard of living, and to not be discriminated against. Human rights provide a legal framework – internationally and domestically – that has been used to bring about change that has a direct impact on poverty. Human rights also promote equality and dignity through advocacy and social mobilisation.

The full package of human rights provides a lens through which poverty is seen as multi-dimensional, encompassing not only a low income, but also other forms of deprivation and loss of dignity.

Using human rights entails a shift in perspective from needs and charity to socially and legally guaranteed entitlements and duty: states have legal obligations for which they can be held accountable.

Using human rights to reframe poverty

'Normally in the US, rather than being seen as people with rights, the poor are vilified for their poverty, as though it was some sort of morbid lifestyle choice ... to define poverty and social inequity as human rights issues helps explain why [that] is so inherently reprehensible...'

National Economic and Social Rights Initiative, United States

Communities and their advocates have, in some contexts, found human rights a powerful antidote to the stigmatisation of people affected by poverty as lazy, fraudulent or the agents of their own downfall. Teachers and activists in the United States, for example, have used human rights to challenge degrading and discriminatory treatment of mainly low-income, black school students.

However, some poorer communities are (at least initially) wary of 'rights talk', seeing it as inaccessible or overly-adversarial – and not necessarily in favour of people experiencing poverty. Both official and public audiences sometimes associate human rights negatively with litigation or with what they perceive as 'undeserving' groups. Interviewees emphasised the need to 'translate' human rights so that they resonate with particular audiences. They suggested that words such as dignity and respect command the widest assent.

Using human rights to mobilise communities and build alliances

'None of us knew what human rights meant but we had one thing in common – we felt less than human beings. We began to use the UDHR ... to counter the denial and shame of being poor.'
Cheri Honkala, Poor People's Economic Human Rights Campaign, United States

Some communities and their allies said using human rights to mobilise against poverty offers advantages against more top-down and discretionary models. Interviewees in the United States said human rights have attracted new constituencies to anti-poverty work and helped build anti-poverty alliances between groups with different class, race, faith, identity, geography or single-issue affiliations. They described this as one of the most significant insights to emerge from their domestic human rights activism, especially at a time when the impact of economic recession might threaten community cohesion.

One US activist said human rights provided a 'tool of inspiration' to confront the demolition of public housing and measures to criminalise people sleeping rough in New Orleans after the 2005 hurricanes. In France, homeless people mobilised for an enforceable right to housing. In Quebec, Canada, people affected by poverty used human rights to draft a citizens' bill for the elimination of poverty.

Holding governments to account

‘We were doing it not just to have the record corrected ... but because it was an opportunity to make human rights real for people ... to show them how their issues could be reflected in the international sphere.’

Eric Tars, National Law Centre on Homelessness and Poverty, United States

Above, a US housing rights activist describes the process of ‘shadow reporting’ within the UN human rights system – a means of getting domestic poverty issues onto a global stage and galvanising communities affected by poverty. Flavio Valente, former civil society rapporteur on the right to food in Brazil, said shadow reporting and associated social mobilisation had ‘forced the state to look’ at communities that had hitherto been ‘invisible’.

Anti-poverty activists have also adopted (and sometimes adapted) existing ‘value-neutral’ tools, such as budget analysis and macro-economic policy audits, in order to pursue human rights goals. Citizen engagement in public budgeting has identified and promoted substantive measures to combat poverty. In Mexico, for example, civil society groups identified disproportionate maternal death rates among poorer, indigenous communities as a violation of the government’s obligations on the right to health, leading to a ten-fold increase in state funding for obstetric care.

Participation and practical solutions

‘... a rights based approach acknowledges the systematic and institutional exclusion of disadvantaged communities from participation in decisions ... It also implies that ... the processes of changing power relationships are as important as “getting the result”.’

Participation and Practice of Rights project, Belfast

Human rights place a premium on how rights are fulfilled, including meaningful opportunities for affected communities to influence decisions. Interviewees said anti-poverty work is strengthened when the experience of people living in poverty is brought directly and systematically to bear on advocacy, policy development and legal strategies. The Northern Ireland Housing Executive acknowledged that engaging with residents of the Seven Towers housing estate in north Belfast through the Participation and Practice of Rights (PPR) project had yielded low-cost solutions to previously intractable problems. PPR said the constructive and participatory work of residents had highlighted

that squalid conditions were not down to individual behaviour but chronic problems with the buildings themselves.

Legal enforcement

‘Successful cases are those where demands grow up from the people.’

Steve Kahanovitz, Legal Resources Centre, South Africa

Constitutional and other laws protecting civil, political and socio-economic rights have achieved results in tackling poverty in some contexts. Human rights gains in the courts might not change policy and practice without strategies to ensure monitoring and implementation, including sustained social mobilisation. Successful campaigns in South Africa, India and Nigeria have combined litigation with social action by affected communities and their allies outside the courtroom. However, interviewees cautioned that litigation is a strategy of last resort. Litigation can produce a defensive reaction on the part of governments and some judgments may not be generalisable in a way that tackles the systemic causes of poverty.

Implementing human rights

Where governments use human rights as an anti-poverty tool, they do so episodically. Rarely are human rights at the core of a government’s anti-poverty work. Some governments have used human rights to bring coherence to – and permit prioritisation within – policies and programmes to tackle poverty (as with Scotland’s homelessness law) and to set transparent targets to measure progress (as with the right to water in South Africa). In the UK, the use of human rights in anti-poverty strategies is rare – with some exceptions in the devolved administrations, including strategies to promote children’s rights in Wales.

Some NGOs, especially those working in international development, view themselves as having human rights responsibilities. Some have used human rights to analyse the root causes of poverty and, in some contexts, to transform their working processes and goals. Evaluation of this work indicates that it achieves more sustainable outcomes and gives more political power to those experiencing poverty.

Human rights and poverty in the UK

Informed by UK seminars with people active in human rights and/or anti-poverty work, the authors have identified several policy areas where international experience could be used to influence policy and public attitudes towards both poverty and human rights.

- Evidence that using human rights can counteract punitive attitudes towards communities affected by poverty suggests potential for using human rights to reframe public debate about poverty in the UK, notwithstanding negative public perceptions of the Human Rights Act as benefiting only certain groups deemed as undeserving. Polling and qualitative research shows that most people in the UK support the existence of human rights legislation and respond positively to the human rights values of dignity, respect and fairness and to the idea of legally-enforceable socio-economic rights.
- Evidence that human rights have been used to challenge the effects of regressive welfare reform and the language of personal responsibility that underpins it suggests potential to do the same in the UK.
- Evidence that human rights can mobilise and unite people affected by poverty confounds the view of some UK politicians that human rights create an infantilising or individualistic culture.
- Evidence that litigation on economic and social rights can help reduce poverty provides grounds for challenging the view of the UK Government that socio-economic rights should not be made directly legally enforceable.

Next steps

The authors propose action to develop understanding of the impact of integrating human rights and anti-poverty work in the UK, and to strengthen integration where positive impact has been identified outside the UK. These steps include:

- properly funded evaluative research to generate evidence on the impact of connecting human rights and poverty;
- developing understanding of – and capacity to use – human rights among affected communities and their advocates and those who design and implement policy;
- developing work to use human rights to advocate against and monitor public spending cuts to ensure that they do not disproportionately affect people on low incomes;
- using existing human rights tools of accountability such as shadow reporting to UN human rights treaty bodies;
- using human rights language and principles to open up new ways of talking about poverty in the UK;
- contributions by those working to promote human rights and combat poverty to the UK Government's consultation on its proposed Bill of Rights and Responsibilities.

About the project

This research comprised a comprehensive review of literature on the connection between human rights and poverty eradication; 28 interviews with people active in using human rights in anti-poverty work internationally; and seminars in London, Belfast, Edinburgh and Cardiff involving 77 people active in human rights and/or anti-poverty work.

For further information

The full report, **Poverty, inequality and human rights: do human rights make a difference?** by Alice Donald and Elizabeth Mottershaw of Global Partners and Associates is published by the Joseph Rowntree Foundation (JRF). It is available as a free download from www.jrf.org.uk.

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Published by the Joseph Rowntree Foundation, The Homestead, 40 Water End, York YO30 6WP. This project is part of the JRF's research and development programme. These findings, however, are those of the authors and not necessarily those of the Foundation. ISSN 0958-3084

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