
Editorial

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The papers presented in this special issue of the *International Journal of Public Law and Policy* discuss the lessons that should be drawn from the Covid-19 crisis. At least since the post-World War II period, the model of growth that has been pursued in the global north has focused on the search for efficiency, the achievement of economies of scale, and a deepening of the international division of labour by lowering barriers to international trade and investment. Growth, measured as the increase of GDP, was seen as the pre-condition for everything else: only by increasing the size of pie, it seemed, we would be able to finance environmental policies and adopt bold social programs, redistributing wealth. Only through economic growth, moreover, would it be possible to create employment, and thus to compensate for the impacts of technologies that dramatically increased labour productivity. It should come as no surprise that elections are won, or lost, on that magic number. For the rate of increase of GDP has not become a sacred talisman by accident: since the mid-1970s in particular, it was presented as the only way out of the major societal challenges we face – from environmental degradation linked to unsustainable resource use and the production of waste, to structural underemployment and, starting in the 1980s, the dramatic rise of inequalities.

This crisis exposed in full light the fragility of this model. In order to return to the rates of growth that were characteristic of the period 1945–1975 (a highly unusual era of expansion by historical standards), governments have flexibilised labour markets; they have tolerated, indeed encouraged, the emergence of an extractive economy, that does not internalise the considerable damage it causes to natural capital; and they have studiously created an international system in which, in the name of comparative advantage, low-income countries with a poorly diversified economy are unable to industrialise, and are in fact discouraged to raise wages. In other terms, we have been so obsessed with growth that we have worsened the very problems that growth was intended to address.

The search for alternatives has begun. There is a growing consensus that we should turn away from the self-defeating strategies of the past, and that we should gradually shift our priorities entirely: from the quest for efficiency to a greater focus on resilience, from

specialisation and uniformity to diversification, and from globalisation to relocalisation. This special issue documents this *aggiornamento*. It provides both a global and a comparative perspective as to how this can be achieved. Two contributions adopt a global perspective, putting forward proposals as to how international economic relations can be redesigned in order to serve the Sustainable Development Goals – which remain the most widely accepted compass to guide reform. Three other contributions focus either on the USA or on Europe, showing what ‘building back better’ can mean in those regions.

In addition to the SDGs, human rights have a major role to play in guiding this reconstruction. Human rights should not be seen as encumbering constraints, no more than as a luxury we cannot afford in times of crisis: they are, rather, a way to stimulate imagination, and to ensure that reforms we adopt indeed improve people’s lives, and (as pledged in the Sustainable Development Agenda 2030) leave no one behind.

The measures adopted by States in the area of social protection since the pandemic was declared illustrate this role of human rights as a guide to action. The measures adopted so far in this area seem impressive in their numbers: by September 2020, more than 1,500 social protection measures had been adopted in 208 jurisdictions to cushion the impacts of the crisis, for a total amount of about 600 billion US dollars. While this may seem considerable, these investments in social protection represent just one 20th of the total amount, of approximately 12,000 billion US dollars, injected in the economy by September 2020 as part of various economic recovery plans adopted worldwide. Quite apart from the figures, however, it is even more significant that these social protection measures often have been in the form of short-term fixes: they consisted in temporary unemployment schemes limiting the number of workers laid off; improvised cash transfer schemes; or the removal of conditionalities imposed for the provision of social support. In many cases, important groups have been left out. Workers in the informal sector and in precarious forms of employment have sometimes been ignored, though they represent a total of two billion workers worldwide, among which women are overrepresented. Migrants, especially undocumented migrants, have sometimes been excluded. And people in poverty have not always benefited: people in poverty typically have weak internet access, making it difficult for them to fill in forms online; they may have insufficient information about the support measures adopted, or may find it difficult to provide the required documentation or to prove that they comply with the required conditionalities; in the end, they may fail to benefit from the very measures that are meant to support them.

A rights-based approach would allow to strengthen social protection both by transforming temporary fixes into permanent measures guaranteeing the human right to social security and by closing the gaps in existing social protection schemes. It would redefine the support measures as based not on charity but on a relationship based on rights and duties. This makes a considerable difference: in contrast with individuals and families being provided with some form of help from authorities based on improvised solutions adopted under the pressure of the crisis, rights-holders claiming benefits before independent bodies on the basis of entitlements stipulated in domestic legislation shall face less shame and stigma (major explanations for the high rates of non-take-up of rights in many jurisdictions); they will be less subject to discrimination; they should not face the obstacle of petty corruption; instead of their dependency increasing, they will be empowered and have incentives to hold public bodies accountable.

This special issue illustrates the power of human rights to guide action. Human rights encourage us to also see this crisis, beyond its enormous human cost, as an opportunity to pause, and to set out on a new pathway: one in which we prioritise well-being, sustainability and resilience, above the quest for economic growth alone.