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## Socio-Economic Rights and Welfare Policies: Addressing Structural Inequality in India and South Africa

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### ABSTRACT:

This article takes a close look at how social-economic rights and welfare plans tackle deep-rooted unevenness in India and South Africa two places where democracy rules and their constitutions give a big nod to social-economic rights. Both spots got bad history India with its caste mess and South Africa with its racial separation that left a mark of unfairness that's hard to fix. Even though their economies are getting bigger, being poor and unequal is still a thing, so getting these social-economic rights sorted is super important. This article digs into the promises of these countries' constitutions make stuff like the right to learn be healthy, have a place to live, and get some help when you're down on your luck and checks out if they're making a difference in both places. It goes through some pretty famous court decisions, like *Soobramoney v. Minister of Health* in South Africa and *Unni Krishnan v. State of Andhra Pradesh* in India, to see how the big judges are making sure these rights do their job and help people out. Plus, it judges how well stuff like India's NREGA and South Africa's money for folks who need it is doing at making things more equal and helping everyone move up together. Sure, both countries took some big steps, but the article not shy about calling out the tough spots, like not having enough money red tape slowing things down, and the tough choice between making rights something you can take to court and the government being free to do its thing. After comparing the two, it's clear as day that just saying "yeah social-economic rights!" isn't enough. You got to have strong groups in charge, leaders that want to make changes, and everyone pitching in if you want to shake things up. To get rid of this unfairness for good and give everyone the same shot in places that were once ruled by others, the paper says it's all about three things: making sure the laws bite, plans that care about rights, and letting the people have a say.

**KEYWORDS:** Socio-economic rights, structural inequality, welfare policy, constitutionalism, India, South Africa, inclusive development.

### INTRODUCTION:

Rights like education, health, housing, and social security matter a ton when talking about human dignity social justice, and everyone being equal. These rights help folks live good lives by making sure they have what they need, and when a country adds them to its constitution, it's like a pinky promise to fight unfairness and include everyone. Places like India and South Africa, which have their own unique pasts but both came out of colonial rule, find these socio-economic rights super important<sup>1</sup>. They've still got all these social and economic issues thanks to old injustices that just won't go away making some people less equal than others because of their class, caste, or skin color. So, in these spots, socio-economic rights aren't just nice ideas; they're like tools to change things up making up for past wrongs and getting everyone on the level<sup>2</sup>.

India and South Africa have set up advanced constitutions that either straight-up say or suggest they get socio-economic rights. India's Constitution came out in 1950 and it's got this part, Directive Principles of State Policy (Part IV), that tells the government how they should help improve people's lives. Now, you can't take these principles to court, but they've sparked a lot of court decisions and government plans that try to make sure people have access to education, health, and ways to make a living<sup>3</sup>. Then you've got South Africa's Constitution from 1996 that's like, "Here, you've got the legal right to stuff like houses, healthcare, grub, water, and not being left out in the cold with money things" (Sections 26–29). Putting these rights into law like this has turned South Africa into a big deal worldwide for mixing law and socio-economic rights<sup>4</sup>.

Both nations still fight tough battles with ongoing poverty, joblessness, and social divides, despite their constitutions promising improvement. In India, a bit more than one in ten people struggle below the national poverty threshold. Education and healthcare access varies a lot depending on where you live and who you are (NITI Aayog 2021). Tackling the same sort of stuff, South Africa has one of the fattest economic gaps in the world rocking a Gini index that doesn't dip below 0.60. Plus, you can still feel apartheid's touch when you look at how folks are spread out and the kind of services they get

<sup>1</sup> Baxi, U. (2002). *The Future of Human Rights*. Oxford University Press

<sup>2</sup> Liebenberg, S. (2010). *Socio-Economic Rights: Adjudication under a Transformative Constitution*. Juta & Co.

<sup>3</sup> Choudhry, S. (2005). "Social Rights Litigation in India: Developments and Challenges." *South African Journal on Human Rights*, 21(1), 1–20.

<sup>4</sup> Bilchitz, D. (2007). *Poverty and Fundamental Rights: The Justification and Enforcement of Socio-Economic Rights*. Oxford University Press.

(Statistics South Africa, 2023). These issues make people scratch their heads about whether the fancy promises in the law books match up with what's happening on the streets. They ignite tough questions on the power of welfare plans and the rules that are supposed to bring everyone the same slice of the socio-economic pie.

Governments in both countries try hard to make rights real by using special programs. In India, laws like MGNREGA Right to Education, and National Food Security are all about turning big goals into real-life benefits. Jean Drèze and Reetika Khera showed us this back in 2017. Down in South Africa, they're doing stuff like building homes giving money to folks who need it, and making sure people get medical help. But, you know, it's not always smooth sailing. Sometimes these awesome plans hit a wall because of slow-moving red tape, folks taking shortcuts for their own good, or just not having enough money. Denniston Pillay wrote about these problems in 2016, and Ujjwal Sengupta had stuff to say in 2010 about it too<sup>5</sup>.

Furthermore how the judiciary interprets and applies socio-economic rights in India and South Africa shows a clear difference. In India, judges have broadened how they understand Article 21 the right to life to cover health, housing, and learning bypassing the Directive Principles that you can't rule on in court. On the flip side, South Africa's Constitutional Court has built up a solid bunch of legal decisions. It focuses on how reasonable government actions are when they make rights a reality especially seen in big court cases like *Government of the Republic of South Africa v. Grootboom* and *Minister of Health v. Treatment Action Campaign*.

The piece digs into the way India and South Africa use their constitutions, court rulings, and the crafting of welfare plans to tackle deep-rooted inequality. Peering through a comparative scope, the aim is to measure how far socio-economic rights are changing the game and to pinpoint the hurdles that keep staying in the way when folks try to put them into action<sup>6</sup>.

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## HISTORICAL CONTEXT OF STRUCTURAL INEQUALITY:

Structural inequality is about deep-rooted imbalances found in the institutions that run an economy, society, and governance. These uneven conditions aren't just by chance or scattered; they come from past events that favored some folks and pushed down others. Take India and South Africa: for a long time, India's caste system and South Africa's apartheid have had a lasting influence on creating ongoing deep divisions even after they became free from colonial rule and apartheid.

### *India: Caste, Colonialism, and Economic Policy*

India's deep-seated structural inequity intertwines with its societal norms sculpted by the caste hierarchy. Originating in old Hindu texts, this caste order sorts people into strict social categories from the moment they're born. At the rock bottom of this pyramid are the Dalits—once known as "Untouchables"—and the Adivasis, or native tribes, who've always faced harsh systemic bias, being shunned and left behind<sup>7</sup>. Although laws are in place to shield them and policies to level the playing field exist, the caste system still plays a huge role in who gets what, schooling, jobs, and chances to climb the social ladder for countless folks.

Under British control, they changed India's economy big time to help their empire. Stuff like the Permanent Settlement kicked farmers off their land and made the landlords who were tight with the British super rich. The Brits' rules also crushed old-school industries like cloth-making. This meant folks had to stick with farming, which didn't help towns and cities much<sup>8</sup>. Plus, the way the British managed things made the gaps between castes and classes even worse. They pretty much made those gaps official just to make running the place easier.

After India got its independence in 1947, its Constitution baked in the core ideas of equality, liberty, and brotherhood. Dr. B.R. Ambedkar, who came from the Dalit community and played the main role in drafting the Constitution, pushed hard to get rid of untouchability and to get rules in place for positive steps in schools and jobs. The source Jodhka<sup>9</sup>, tells us that even though these policies came into existence putting them into action didn't always go and the deep-rooted social pecking order has stayed tough.

In 1991, India witnessed a major change with its economic liberalization, which shifted how the country grew. This move was great for boosting the economy and reducing how many people were poor, but it wasn't all good news. A wider gap in earnings and different experiences in various regions became more noticeable. The perks of being connected with the world market helped city folks who were already doing well, which wasn't fair to the countryside folk, the ones often left out, and people working jobs that weren't formal<sup>10</sup>. Most workers in India still have jobs that aren't official, and that means they don't get much support or assurance in their work. On top of that, there's still unfair treatment in finding a job for Dalits and Adivasis. These groups get paid less and have a tough time landing well-paid types of work<sup>11</sup>.

The deep-set caste systems past colonial money shuffling, and choices in policy that kinda missed the mark are what made India's unfair social setup. Even though there's rules in the constitution and the economy's getting better, folks on the edges still bump into the same old problems like their folks did—staying poor, not getting decent schooling, and having a say in the big decisions.

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<sup>5</sup> Sengupta, A. (2010). *The Right to Development and Human Rights in Development*. Sage Publications.

<sup>6</sup> Pillay, D. (2016). "Welfare State in South Africa: From Social Assistance to Social Development." *Transformation: Critical Perspectives on Southern Africa*, 90(1), 25–47.

<sup>7</sup> Deshpande, A. (2011). *The Grammar of Caste: Economic Discrimination in Contemporary India*. Oxford University Press.

<sup>8</sup> Roy, T. (2012). *India in the World Economy: From Antiquity to the Present*. Cambridge University Press.

<sup>9</sup> Jodhka, S. S. (2012). *Caste*. Oxford India Short Introductions.

<sup>10</sup> Pal, P., & Ghosh, J. (2007). Inequality in India: A survey of recent trends. *DESA Working Paper No. 45*, United Nations.

<sup>11</sup> Thorat, S., & Newman, K. (Eds.). (2010). *Blocked by Caste: Economic Discrimination and Social Exclusion in Modern India*. Oxford University Press.

### *South Africa: Apartheid and Its Aftermath*

South Africa's deep-seated inequality traces back to times of colonial rule and even more deep into history, to the apartheid system (1948–1994). Apartheid brought about a law-backed practice of racial split-up that made sure whites stayed on top and left out the Black majority. People got put into categories based on their race during apartheid, and this sorting pretty much controlled where you lived, went to school, worked, and even your role in politics<sup>12</sup>. The government during apartheid time piled up riches and control with the white folks. They booted out Black South Africans from where they lived and sent them to some under-made places or cramped living spaces. Good schools and jobs were super tough to get making a split economy: one side had a fancy capitalist market run by white people, and the other side was poor with Black folks getting by on just the basics.

In 1994, a huge shift happened when democracy took root and people adopted a super forward-thinking that promised everyone equal rights, pushed non-racialism, and aimed for fair economic and social conditions. The group in charge ANC, rolled out a bunch of plans to fix past wrongs. They put in place things like BEE messed around with who owns land, and tossed out cash help to folks who needed it. Even with these actions, South Africa still has some of the widest gaps between rich and poor in the world. Sure big political changes have happened, but the cash and control are still all up in the hands of just a few folks at the top. We've got this double-sided economy going on where lots of people Black youngsters, can't find jobs and climbing the ladder is just a dream. Jobs aren't just hard to get 'cause there aren't enough, but also 'cause the education in the old separated places stinks, and getting your hands on money or into the market game is super tough for most people<sup>13</sup>.

Land reform missteps, have sparked tension. Even though redistributing land was a key policy after apartheid, the process has been sluggish and often didn't work out sparking a lot of frustration and calls for tougher actions<sup>14</sup>. Plus, while BEE helped create a Black middle class, some folks say it just made a few rich instead of tackling the bigger issues of being left out.

Wrapping it up, the deep-seated inequality in South Africa comes from a history of racist systems and knocking people out of the economy. Sure, the government after apartheid has tried to fix past wrongs, but the hefty and complex economic leftovers from apartheid are super hard to take apart. India and South Africa might sit worlds apart on a map and have different cultures, but they both have histories of oppression—caste and apartheid—that still mess with how their societies and economies run today. Even with their constitutions saying everyone's equal, they can't seem to shake off the constant exclusion and sidelining of some folks. Just having laws on the books or a growing economy isn't cutting it to fix the unbalanced scales. What we need are game-changing strategies that go after the deep reasons why things aren't fair, shuffle the deck of resources, and lift up the people who've been held down for way too long.

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## CONSTITUTIONAL & LEGAL FRAMEWORK:

The foundation of a welfare state rests on socio-economic entitlements aiming to offer everyone a decent existence by securing basic needs such as nourishment medical care, shelter, and learning. These entitlements once seen as lofty ideals now gain official acknowledgement in constitutions and laws much due to court creativity and law-maker commands. , **India** and **South Africa** are standout nations for addressing socio-economic entitlements—each with unique tactics yet a combined pledge to social fairness.

### *India: Directive Principles and Judicial Innovation*

India's Constitution, which came into effect in 1950, presents a detailed setup for how the country should be run giving citizens rights and aiming for fairness in society. The country's approach to social and economic rights finds its place in Part IV of the Constitution referred to as the Directive Principles of State Policy (DPSPs). Sections like Article 38 (social order) Article 39 (enough money to live on and fair wages), Article 41 (opportunity to work, to learn, and to get help from the government), and Article 47 (proper food and living standards) showcase what the Constitution's creators had in mind, which was to point the State towards looking after its people's well-being<sup>15</sup>.

Though courts can't enforce the DPSPs, folks thought this would make them less effective at first. Yet, the Indian courts after the 1970s, got creative with how they read Article 21, which is all about people's right to life and freedom. In the big case, "Francis Coralie Mullin v. Union Territory of Delhi (1981)," the top judges said living isn't just breathing and eating; it's about living with respect. And yeah, that kind of means having a right to health, a roof over your head, and a way to earn your bread.

Later rulings set this wider understanding in stone. The Supreme Court stated in *Olga Tellis v. Bombay Municipal Corporation* (1985) that earning a living is core to living itself. Just like that, in *Paschim Banga Khet Mazdoor Samity v. State of West Bengal* (1996), the Court spotted how crucial good health is to life telling the State they've gotta up their game in healthcare<sup>16</sup>.

Moreover, the Right of Children to Free and Compulsory Education Act, 2009 established under Article 21A, turns the right to education for kids aged 6 to 14 into a firm legal commitment. This jump from a goal in policy to a must-do under the law shows how rights related to society and the economy are getting more serious in India.

Even with this progress when you look at how India does on giving people their socio-economic rights, it's pretty hit or miss. A lot depends on how judges see things and if folks bring up these issues in court. Sure, judges have been getting involved, but some say they're stepping on the toes of those who make laws bringing up all kinds of chat about whether that's fair in a democracy<sup>17</sup>.

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<sup>12</sup> Seekings, J., & Nattrass, N. (2005). *Class, Race, and Inequality in South Africa*. Yale University Press.

<sup>13</sup> Piketty, T. (2021). *Capital and Ideology*. Harvard University Press.

<sup>14</sup> Hall, R. (2010). Land grabbing in Southern Africa: The many faces of the investor rush. *Review of African Political Economy*, 37(128), 193–214.

<sup>15</sup> Basu, D.D. (2013). *Introduction to the Constitution of India*. LexisNexis.

<sup>16</sup> Sharma, A. (2017). *Right to Health in India: A Critical Legal Analysis*. *Journal of Legal Studies*, 24(1), 85–97.

### *South Africa: Constitutional Entrenchment and Justiciability*

South Africa stands out due to its special way of dealing with social and economic rights. They're spotted in their laws. The country's Constitution of South Africa (1996) ranks among the world's most forward-thinking bringing in a Bill of Rights that includes things like rights to housing, healthcare, food, water social security, and education. You'll see these rights in Sections 26 to 29, and, get this, people can take these to court (Currie & De Waal 2013).

In South Africa, unlike India, courts enforce these rights and often. The history is packed with examples. Take the famous court decision in "Government of the Republic of South Africa v. Grootboom"<sup>18</sup> (2001)." Here, the judges said the government didn't do its job—they didn't offer enough housing for people. The court was pretty clear telling the government that they've gotta make laws and take steps to make good on these rights.

In the big case, Minister of Health v. Treatment Action Campaign (2002), the Court tackled the issue of whether the State must give HIV-positive moms access to anti-retroviral meds. They ruled that the government's limits on Nevirapine use were not fair and broke the constitutional healthcare right. The ruling made it clear that even though social and economic rights depend on what can be achieved and the resources on hand, the State's strategies need to make sense welcome everyone, and pay attention to pressing needs<sup>19</sup>.

These rulings highlight something important about the rules in South Africa: courts can check if the government has to do certain things related to rights like having enough food or a place to live. They're not looking to see if the government's doing stuff, but also if it's doing it in a way that makes sense. It's like walking a tightrope making sure the government does what it should while not stepping on the toes of folks running the country.

Plus, the "South African Human Rights Commission (SAHRC)" is super crucial because it keeps an eye on how these rights are being handled. They're all about making sure people know what's happening and getting them involved.

### *Comparative Reflections*

India and South Africa use cool ways to deal with rights tied to social and economic issues. In India, judges have been super crafty and given some rights that aren't binding a sorta legal power. On the flip side, South Africa's got rights built right into its constitution that people can take to court, and it puts clear duties on the government.

So, both ways have their own ups and downs. In India, the system's super adaptable and can grow bit by bit with new court decisions, but it can be a bit all over the place and depends a lot on the judges taking charge. South Africa's plan is great 'cause it's super clear and you can hold it up in court, but it's tricky when they've got to figure out how to balance the judges checking in on the government's work without stepping on their toes when there's not a lot of money to go around.

The case of South Africa shows us that making socio-economic rights legal doesn't have to mess with democracy. , it can make it better by letting people join in on legal decisions and by requiring rights to be a part of how people are held responsible.

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## **WELFARE POLICIES & PROGRAMS:**

Governments use welfare plans as key instruments when they want to tackle poverty, guarantee fairness, and push for growth that includes everyone. Places like India and South Africa, with deep-rooted and wide-ranging social gaps, have set out welfare schemes to level the playing field and encourage people's progress. They've rolled out quite a few important efforts focusing on jobs, learning, health services, and safety nets for everyone. Yet even with these actions, they still face hurdles in making things work right, bumps in the system's design, and remaining disparities that slow the reshaping power these initiatives could have.

### *Welfare Schemes in India*

India's vast welfare scene has tons of plans to help folks with their basic needs if they're poor or not included much. The big standout is the **Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)**, which started in 2005. This law promises rural families who are up for doing simple manual work to get 100 days of paid work every year. MGNREGA isn't just about making sure people have money to live on; it also helps build stuff in the countryside<sup>20</sup>. People give props to MGNREGA for focusing on rights and for being a mega huge work program around the globe.

The **Public Distribution System (PDS)** stands out as a crucial support setup giving lower-cost food grains to households that don't earn much. A wide network of fair price shops runs the PDS with a goal to give tons of folks access to food. Still, problems like stuff getting lost, the wrong people getting benefits, and some shady dealings have made it not work as well as it should<sup>21</sup>.

In healthcare, the **National Health Mission (NHM)** has made a huge difference in the countryside. Since its start in 2005, the mission has worked hard to make health facilities better, get more medical folks on board, and make sure moms and kids get top-notch health care. But even with the better stuff, India's still struggling with not enough money, the gap between city and country health, and not having enough healthcare workers. This is what Berman and pals said in 2010.

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<sup>17</sup> Rajagopal, B. (2007). *Pro-Human Rights but Anti-Poor? A Critical Evaluation of the Indian Supreme Court from a Social Movement Perspective*. Human Rights Review, 8(3), 157–179

<sup>18</sup> Government of the Republic of South Africa v. Grootboom, 2001 (1) SA 46 (CC).

<sup>19</sup> Liebenberg, S. (2010). *Socio-Economic Rights: Adjudication under a Transformative Constitution*. Juta Law.

<sup>20</sup> Dreze, J., & Khera, R. (2017). *Recent Social Security Initiatives in India*. World Development.

<sup>21</sup> Khera, R. (2011). *Revival of the Public Distribution System: Evidence and Explanations*. Economic and Political Weekly.

The "Right to Education Act (RTE) 2009" promises no-cost obligatory schooling to kids from 6 to 14. This law has triggered a big jump in the number of students signing up for school, including more girls and kids from communities that often don't get much. Yet, we're still seeing big problems like students not learning enough, schools not having the stuff they need, and teachers not showing up a lot.

India boasts a vast welfare system that aims to boost various parts of social progress. Yet, issues like corruption, slackness weak oversight, and flawed delivery strategies still block these efforts. Take MGNREGA, which promises jobs. Loads of folks who should get work and wages find themselves waiting or straight-up denied, all thanks to red tape<sup>22</sup>.

### ***Welfare Initiatives in South Africa***

South Africa focuses on welfare making it key to rebuilding and growing after apartheid. The **Social Grants System** stands as the main support block of the country's welfare setup. As the year 2024 rolls around, upwards of 18 million folks are getting state help. This includes money for kids, pensions for seniors, and funds for people with disabilities. Such widespread help has been super important for lessening poverty and making life better for those in a tough spot.

Launched in the mid-1990s, the **Reconstruction and Development Programme (RDP)** set out to tackle the deep-seated imbalances caused by apartheid. It did this by supplying homes fresh water clean-up systems, and power. Under the RDP, there are millions of homes now built, which changed the game in getting to basic home stuff. But still, there are folks who point out that the houses and services could be a lot better, and things haven't always rolled out as quick as people hoped<sup>23</sup>.

South Africa's aiming to get **National Health Insurance (NHI)** up and running so everyone gets fair health care coverage. The NHI wants to bridge the gap between public and private health services, which aren't treating folks from all walks of life the same. The plan's in place, but getting it out there to everyone's been sluggish, with lots of back and forth about money matters, the bones of the health system, and whether the care's any good.

In the education scene big changes are all about fixing past unfairness and making it easier to get into school. Even though more kids are signing up for basic classes, the problem is that not all schools are the same level of good—ones out in the country or in townships. Things like teachers not really knowing their stuff, schools falling apart, and the hard times folks go through at home still get in the way of kids doing well in class.

South Africa's efforts to spread wealth around are making a dent in poverty. The World Bank's 2022 report shows that if you count the government checks folks get, the gap between rich and poor gets smaller. But these same strategies don't quite hit the mark when it comes to narrowing the wealth divide or fixing the super high jobless rate, which is still north of 30%. Problems like not having the right skills and a slow-moving economy are doing a number on the chance to make those welfare plans last.

India and South Africa pour a lot of effort into helping their folks in need. India's got this strategy where making jobs, getting food to people, and teaching everyone is super important. On the other side, South Africa is all about giving people money, making sure they've got roofs over their heads, and shaking things up in healthcare. But yeah, India kind of struggles with too much red tape and not being super great at picking who needs help. And then, South Africa's got to figure out how to keep paying for all this without breaking the bank and deal with the fact that so many people need support.

Also, we got to admit that welfare depends a lot on the situation. In India most folks live in the countryside and work on farms so they need stuff like MGNREGA and PDS to get by. But over in South Africa where it's more city life and factories, people are better off with cash handouts and plans to help them get houses. Still, in both places, having good leaders, being smart with money, and politicians wanting to make things better is super important for these help programs to work out.

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## **COMPARATIVE INSIGHTS:**

India and South Africa, both key growing democracies, take different routes to social welfare, each molded by their own past events and social-political surroundings. Examining side by side their laws, court actions, plans for welfare things causing uneven wealth, and hurdles in putting plans into action gives deep understanding into their paths of development.

In India, you can't take the government to court over socio-economic rights because of the Directive Principles of State Policy. But the courts have stretched their meaning by using Article 21 from the Constitution, which says everyone has the right to live. Big cases like "Olga Tellis v. Bombay Municipal Corporation"<sup>24</sup> in 1985 and "PUCL v. Union of India" in 2001 got the right to life to cover having a home, enough to eat, and a way to make money<sup>25</sup>. On the other side, South Africa has made it possible to challenge socio-economic rights issues in court with Sections 26 and 27 of their Constitution. These parts make sure people have housing, healthcare, grub, and clean water<sup>26</sup>. The Constitutional Court in South Africa has set some serious examples, like in the "Government of the Republic of South Africa v. Grootboom" case in 2000, which pushed the state to make sure people have decent places to live. I'm sorry, but you have not provided any text for me to paraphrase. Please provide the content you would like me to work on, and I'll be happy to help! India puts its attention on well-being with jobs plans like "MGNREGA" and makes sure folks get enough to eat via "NFSA." They also care a bunch about learning, with laws like the "Right to Education Act"<sup>27</sup>. On the other side, South Africa's big on giving out cash help, like money for kids and the elderly. Plus, they've got a place to live and doctor visits sorted with their own projects.

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<sup>22</sup> Dutta, P., et al. (2014). *Right to Work? Assessing India's Employment Guarantee Scheme in Bihar*. World Bank.

<sup>23</sup> Marais, H. (2011). *South Africa Pushed to the Limit: The Political Economy of Change*. Zed Books.

<sup>24</sup> Olga Tellis v. Bombay Municipal Corporation, 1985 SCR SUPL. (2) 51

<sup>25</sup> Baxi, U. (2007). *The Future of Human Rights*.

<sup>26</sup> Liebenberg, S. (2010). *Socio-Economic Rights: Adjudication under a Transformative Constitution*.

<sup>27</sup> Deaton, A., & Drèze, J. (2009). "Food and Nutrition in India: Facts and Interpretations," *Economic & Political Weekly*.

India and South Africa both fight tough inequalities, but what causes them isn't the same. In India, things like caste social status, and whether you're from the city or countryside play a big role. But down in South Africa, it's about the leftovers from apartheid, like differences in race and where people live. Not having jobs is a huge problem they both share though.

They've got their own sets of problems when it comes to making things better for people too. India's got issues with welfare programs stuff goes missing, they don't always get help to the right people, and it's super hard to do this in far-off places. South Africa's trying to keep their big welfare plans going without making people too reliant and also needs to speed up making everyone's lives better<sup>28</sup>. India leans on subtle court backing and pinpointed programs, whereas South Africa goes for a straightforward legal path to socio-economic rights. These countries show securing welfare targets in societies with big gaps in wealth needs not just strong laws but also solid ruling and real political dedication.

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## CONCLUSION:

Socio-economic rights aren't just wishful thinking; they're super important for human respect and fairness. These rights are like superhero gadgets for fixing old wrongs and changing messed-up societies with a lot of unfairness. Take a look at India and South Africa; they're prime examples of countries shaking off the nasty dust of colonial times and racism. They've put socio-economic rights smack-dab in the middle of their laws and constitutions to turn things around.

South Africa's post-apartheid constitution guarantees rights like housing, healthcare, education, and social security. The Constitutional Court's major decisions have backed up these rights and made sure the state gets them done stressing fairness and steady progress. India has also, with its courts being active and broadening how they see the "right to life" in Article 21 started to accept various social and economic benefits stuff like having enough food, getting to learn, and making a living.

Even with these advanced steps forward, hurdles are still around. Socio-economic gaps keep impacting loads of people in the two nations, and things often don't work out 'cause of sluggish office stuff crooked behavior, and not enough stuff to go around. Also making these rights a real deal hinges on folks staying involved knowing their legal rights, and being able to get fair treatment, which all still need a lot of work.

To tap into the game-changing power of socio-economic rights, the leaders gotta do more than talk the talk. They've got to take real steps, you know? Make things happen. Groups in power need to step up their game and respond to stuff, while folks in civil society have to keep their eyes peeled and stay on their toes. Checking out what's going down in India and South Africa, it's clear that yeah, making these rights legit in the law books is mega important. But hey, that's just kicking things off. The legit shift happens when you bake these rights into the rules of the game, keep them front and center in how you run the show, and make sure they're not just words but a reality for peeps in their day-to-day. Standing by socio-economic rights isn't just about ticking a box —it's about doing the right thing making sure our communities are fair, everyone's included, and treating people with the respect they deserve.

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<sup>28</sup> Patel, L. (2015). *Social Welfare and Social Development in South Africa*.