



Law & Non-Communicable Diseases Unit



HARVARD LAW SCHOOL

When Misfortune Becomes Injustice: Moving From Exhortation to Action in Advancing Health Justice

Lecture by Dr Alicia Ely Yamin (Harvard Law School)

Chaired by Prof Fiona Beveridge (University of Liverpool)

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University of Liverpool (Liverpool, UK) and online



Law Centre for Health and Life
at the intersection of law, health and the living environment



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ABSTRACT:

Moving from exhortation to action in using human rights to advance health and social justice calls for understanding how we got here. On the one hand, normative and institutional evolution has been extraordinary in health rights and has advanced efforts to curb traditional forms of tyranny and discrimination, as well as create new discourses of equality, the purposes of the welfare state and the boundaries of inclusive democracies. Many advances have been forged in women's health rights and sexual and reproductive health and rights, which have expanded understandings of rights and the liberal state, the porousness of the border between the public and private spheres, and how societal power structures influence health for everyone. On the other hand, the global embrace of neoliberalism has encoded a series of market-oriented reforms designed to reduce the state influence in the economy. We see the effects of ever-deepening inequality within and between countries; the hollowing out of safety nets and social institutions, including health systems; the increasing gap in life chances and choices between waged laborers and the masters of capital markets; and the failures of public and multilateral institutions to address global crises such as conflict, forced displacement, and climate change—with ensuing effects on population health. Looking forward, unlocking the transformative potential of human rights in promoting health justice calls for changes to national laws that structure markets and international agreements that define sovereign governments' capacities to shape and regulate markets that relate to both health care and social determinants.

BIOGRAPHY

Dr Alicia Ely Yamin is Senior Fellow on Global Health and Rights at the Petrie-Flom Center for Health Law Policy, Biotechnology and Bioethics at Harvard Law School. She is known globally for her trans-disciplinary work on economic and social rights, sexual and reproductive health and rights, the right to health, and the intersections between development paradigms and human rights. Her career has bridged academia and activism. She has lived in Latin America and East Africa for much of her professional life where she worked with several local advocacy organisations. She has served on numerous UN, WHO and other global expert committees. In particular, she was appointed by the UN Secretary General as one of ten international experts to the Independent Accountability Panel for Women's, Children's and Adolescents' Health in the Sustainable Development Goals (2016-2021). She holds Juris Doctor and Master's in Public Health degrees from Harvard University, and a Doctorate in Law from the University of Buenos Aires in Argentina. A revised and substantially expanded edition of her latest monograph, *When Misfortune becomes Injustice: Evolving Human Rights Struggles for Health and Social Equality*, is due out from Stanford University Press in 2023.



*Chaired by Prof Fiona Beveridge (Executive Pro-Vice-Chancellor,
Faculty of Humanities and Social Sciences, University of
Liverpool)*

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