



Contexto y diferencias de la experiencia sudafricana de derechos sociales para el proceso constitucional chileno [

2021

text (article)

Analítica

This article intends to present to a local audience how the adjudication of social and economic rights works in the South African Constitution and what lessons could be applied in writing the new Chilean Constitution. We identify and give an overview of the two main factors that underlie the entire system: noticeable deference to the political authorities regarding implementing policies that operationalize these rights and the so-called reasonableness test. Given the differences in legal culture, political system, and expectations people have of the new constitution, it would be hard to copy these institutions and transplant them to Chile.

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