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It has sometimes been argued that it is precisely where the courts intervene with the greatest legitimacy, by preserving existing entitlements or by prohibiting steps backwards in the realization of economic and social rights, that they are least able to bring about the kind of social change that would truly benefit the disempowered and the marginalized.

If this thesis is correct, the implication would be that there is an inherent limit in the ability of the courts to make social rights a reality for all. According to David Landau:

'Empirically, courts are most likely to enforce social rights by negative means (such as striking down a law) or via individualized rights enforcement, since these tools are closest to the tools courts use for everyday judicial review. But both are bad ways to enforce social rights claims—they have perverse distributive effects [since they result in favoring the middle-class by protecting those who already have certain entitlements, rather than in redistributing benefits to the poorest segments of society] and do not appear to do anything to improve the performance of the bureaucracy' (D. Landau, 'The Reality of Social Rights Enforcement', *Harvard Journal of International Law*, vol. 53(1) (2012) 190, at 246).

Is the example of the right to food case before the Indian Supreme Court an exception to this rule? And is there such a rule in the first place?

**INSTRUCTIONS:** In responding to the above questions, **DO NOT click on 'New Post'**. Click on '**Show discussion**', and then, in the first discussion thread, called '**[7.2.5] Distributive consequences of court rulings on social rights**', click on '**View discussion**' and then on '**Add a response**' to propose your views to the community. If you want to comment on a peer's opinions in that thread then click on '**Add a comment**' in his response. You can also watch the tutorial (<http://youtu.be/SINSJKdez6g>) (see also, the updated (<http://youtu.be/TNoOB8q19kQ>) version) in order to make the best use of the interface.

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