

## **DEVELOPMENT AND FREEDOM ONLY POSSIBLE THROUGH PROVISION OF ESCR, ASSETS JCTR**

The development of the people of Zambia can only be facilitated and achieved through the government's observance of economic, social and cultural rights, says JCTR. This makes it an imperative for the NCC to include in the new constitution economic, social and cultural rights (ESCRs). "As an organization that advocates the full realization of justice in society, JCTR will continue the call for the constitutional recognition of these fundamental human rights, for without their realisation, we cannot talk of development, and without development, we cannot talk of freedom", says Mr. Anold Moyo, Programme Officer in the Church Social Teaching programme of JCTR.

There has been an outcry from citizens and civil society organizations over the exclusion of some economic, social and cultural rights in the Draft Constitution's Bill of Rights. Economic, social and cultural rights are those human rights which mandate that social conditions be adequate for meeting basic needs that are necessary for the enjoyment of a fully human life. These rights include the right to food, education, shelter, clean water, health and social protection. According to JCTR, development should be understood as the uplifting of people from less-human living conditions characterized by lack of material necessities essential for a dignified life, to more human conditions: "Development concerns the growth of the human person. It concerns his or her becoming more and fully human than he or she currently is through the actualization of the qualities that he or she has as a human being", says Mr. Moyo. "This actualization of the human qualities is as much a means to human development as it is constitutive of human development itself".

JCTR also notes that development and freedom are inextricable from each other, and that if the people remained undeveloped, the government cannot claim that Zambians are free: "We cannot talk of freedom solely in theoretical terms", argues Mr. Moyo, "freedom has to be concretized by the provision of social services and basic amenities such as food, shelter, health and education. Without these, people are incapacitated to even fully enjoy civil and political rights. Freedom without development is illusionary". JCTR advises that freedom should not just be thought of as 'freedom *from*', but also as 'freedom *to*', meaning that people should not just be free *from* political oppression or arbitrary arrest, but also free *to* engage in other activities essential for good livelihood. If freedom is seen in this way, it becomes meaningless for the government to say that people are free to seek medical attention when sick if there are no hospitals, or to say people are free to go to school yet they do not have the resources to do so. People cannot be free to do something that they have no capacity to do given the lack of resources. Development thus removes the source of "unfreedom" by uplifting people from poverty, says JCTR.

JCTR then advises the government against taking too much pride in the growth of the country's economy when this is not being reflected in the life of ordinary citizens who continue to be deprived of basic needs. It calls for the government to have a human-oriented understanding of the economy: "What people need is a progressive economy, not just economic progress. Economic progress is measured by indexes such as GDP, but a progressive economy is measured by the development it brings to people, who are the rightful agents of this progress", says Mr. Moyo.

JCTR therefore reiterates its call for the inclusion of economic, social and cultural rights in the new constitution. As the Catholic Bishops stated in a recent press statement, it is not late to consider this inclusion as failure to do so may see the nation "going through yet another expensive process of constitution-making on the legitimate grounds that the current process has failed to meet the aspirations of the Zambian people". The constitutional recognition of these rights will ensure legal obligation on the part of the government to provide basic amenities.

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