Review of Social Economy

Publication details, including instructions for authors and subscription information:
http://www.informaworld.com/smpp/title~content=t713708792

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Online publication date: 02 December 2010

To link to this Article DOI: 10.1080/00346760802621674
URL: http://dx.doi.org/10.1080/00346760802621674

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Book Reviews


This book collects a selection of papers presented at the Conference on Economic Rights held at the University of Connecticut in October 2005. A comprehensive, detailed introduction presents the main issues and proposes an interpretative framework. This is followed sequentially by a first section in which theoretical arguments are discussed from different positions, a second section concerning the issue of the measurement of rights, a third section discussing policy issues, and a final appendix containing the two main international codifications on this issue: the Universal Declaration of Human Rights (1946) and the International Covenant on Economic, Social, and Cultural Rights (1966–1976). Although the volume contains specialist papers that presuppose some knowledge of political economy, politics and philosophy of law, it can be accessible and is worth reading by graduate students, scholars in social sciences and policy makers.

The issue of rights is particularly relevant for social economists but, at the same time, quite demanding as the scholarship involves an interdisciplinary perspective. In response to this challenge, the editors and most of the contributors tend to employ a pragmatic approach, supplementing it with theoretical rationale to eliminate some misconceptions and to sort out clear principles to guide the analysis and policies. As a consequence, these scholars tend to avoid metaphysical justification of rights, but instead quest for some solid foundation based on shared feelings and opinions among scholars.

Rights are something that mainstream economists do not like to talk about. On the contrary, the nature, form, extension and enforcement of economic rights are some crucial foundations on which economic interaction is based. Human communities acknowledge some principles that must first be morally recognized by everyone and then find an expression in some kind of
law to be enforced. Rights define what can be expected and claimed from others and what is left to the effort of human industry. The social economy is not indifferent to what principle(s) can be adopted to justify this inclusion or exclusion. On the one hand, this problem has found a historic solution in the bourgeois revolutions that founded the (social and) economic systems of Western countries: protecting property rights as well as some basic civil and political rights, and leaving other economic aspects as incentives to human effort. On the other hand, the widening of rights has represented a constant and progressive element of emancipation for all those in search of betterment of the human condition. It is difficult to deny that “civilized” societies are those in which a wide range of rights are reciprocally assured in social interaction. De Tocqueville, in his work on pauperism, clearly grasped the powerful impact that rights have for man’s dignity and society’s regulation: “Il n’y a rien qui, en général, élève et soutient plus haut l’esprit humain que l’idée des droits. On trouve dans l’idée du droit quelque chose de grand et de viril qui ôte à la demande son caractère suppliant, et place celui qui réclame sur le même niveau que celui qui accorde” (De Tocqueville 1835: 36). This sentence rightly defines the concepts on which Hertel and Minkler’s book is focused: human dignity, human needs and the emancipatory role of rights.

The first fundamental problem discussed in the book is that economic rights—with the remarkable exception of property rights—remain less well articulated conceptually than civil and political rights. The authors are clear that the diversity between human and political rights and economic rights has no ultimate foundation. There is no real reason, beyond the historical legacy of past socio-political arrangements, which makes civil rights more defined or defensible than an economic right.

In particular, both editors and Jack Donnelly stress that enforceability is no criterion for distinction. Justification of rights is a positivistic criterion which is not progressive at all. Moreover, it is false that an economic right does not point out an obligated party: e.g. economic rights connected to labor protection as maximum daily working time hours, the right to a just wage and to social contribution payment compel employers to adhere to a given behavior. As a consequence, there is no theoretical impediment to broadening economic rights.

A further emerging idea—discussed particularly by Wiktor Osiaty’nski—is that human dignity, although remaining a fundamental concept in this field, is not a suitable foundation for defining basic economic rights because of its excess vagueness and flexibility. Most promising is the substantive approach based on human needs: the minimum reasonable demands that any one individual can place on the rest of humanity. This also has the advantage of
allowing some measurement and representing a relatively solid principle for intervention. Shareen Hertel and Lanse Minkler suggest a focus on the three main kinds of economic rights proposed by the Universal Declaration of Human Rights: an adequate standard of living and education; a right to employment (with a remuneration allowing an existence worthy of human dignity); and minimum social security against unpredictable unfortunate circumstances. These three basic areas can represent the subject of precise measurement, as is shown in the second part of the book. The relationship between needs and rights is complex, but such principles should satisfy minimum requirements to enable a “free” social interaction (in positive terms as in Amartya Sen’s tradition).

This necessarily opens the question of the role of the state (government) in fostering rights, which is particularly problematic. On the one hand, government plays a fundamental role in the enforcement of economic rights; on the other, most of the book appears to focus mainly on the responsibility of “enabling” such rights with a certain uniformity. Universal declarations, such as those of the United Nations, are an important focal point and an instrument to induce a certain conformity. The consequent debate on the “constitutionalisation” of economic rights is therefore centered on the convenience and effectiveness of including them in written constitutions of states. However, the problem is that economic rights so conceived (having a positive content) tend to leave the state as the only obligated party. It is not clear how convenient it is to make all obligations centered on, and managed by, the state (there is no universal declaration of human obligations).

Osiaty’nski proposes that we can appeal to an economic right when, and only when, a given need cannot be satisfied in another way. Moreover, rights become effective when they are incorporated in institutions that assure standardization of individual actions. That leads to the idea that state institutions should assume the performance of such tasks in light of the interdependence of civil, political and economic rights. In the last two centuries, the development of civil and political rights in Western countries had an impressive impact on the distribution of income and therefore in the effective fostering of some economic right; on the other hand, in huge areas of poverty, civil and political rights remain empty declarations. Recently, in the context of “shareholder value” and deregulation, this approach has led to a weakening of laborers’ economic rights even in Western countries.

The picture emerging from the theoretical part of the book is that of “complexity,” i.e. the difficulty in establishing an ordered set of axioms and derivable propositions without any evident contradiction. The issue of economic rights, therefore, cannot find a rational solution; however, it can
find a practical solution resting on a substantive view of man and his needs. The real problem that can leave the reader less satisfied is the excessively abstract and macro definition of rights and of ways of measuring them. There probably is, in the theoretical part, too little attention to the micro definition of rights, on how the actual rights derive from the structuring of societies, and on the intertwined relation between values, traditions, habits, institutions and laws. That leads to a general definition of rights to be implemented from the top down, which leaves the state as the only obligated party. This is partially balanced by some contribution in the closing section which proposes concrete experiences. Probably more emphasis could be placed in the role of education for the reciprocal respect of all rights, including the economic ones.

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REFERENCE


This book is an edited volume of 18 articles emanating from a conference on “The Representations of Economy” held at the University of California-Riverside in April 2004, where scholars were brought together in search of alternative representations of economy. Editor David Ruccio’s view is that economic knowledge has no center; rather, it is expansive, fragmented and contested. The book is important because the boundary between economy and non economy is continuously recreated by representations of the economy and non economy. Seven sections explore economic representations from a variety of disciplinary perspectives, with authors from the academy and other professional sites. The sections are: Global Economies, Representational Economies, Academic Economies, Development Economies, Cultural