

**Economics Against Human Rights:  
The Conflicting Languages of Economics and Human Rights**

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For many of the planet's poor and oppressed, human rights appear as a panacea bringing justice and dignity to their earthly existence. There is a widespread assumption that economic "progress" is closely linked to this, as the means of overcoming scarcity and thus providing the basis for the development of human rights. There are many associations between these discourses inasmuch as asserting human rights demands economic means, while efficacy of economic decisions presupposes a certain degree of liberties. An economic dimension to human rights is assumed, therefore, as much as a human rights dimension to economics is.

Yet in the real world these assumptions do not hold, and major conflicts emerge between the practices of economics and human rights. Why should this be so, and how are these conflicts to be understood?

First of all, what are we talking about when we talk about economics? A rapid overview can identify at least twenty schools of economic thought, from neoclassic to evolutionary, from Marxist to post-Keynesian. To be comprehensive, then, an article on the interaction of economics on human rights would have to be divided in at least twenty chapters. The sort of economics I will be referring to in this paper results from a considerably narrower point of view, that of mainstream economics. This is the school of thought that dominates the real economy, and therefore not only academia, but also government cabinets and the media. Although one could easily mistake mainstream economics with neoclassicism, and therefore call this essay "neoclassical economics against human rights," we should resist such hasty identification. What characterizes mainstream economics, then?

Mainstream economics, like any other school of thought, is characterized by its particular methodology, its particular rationality, and its particular analytical weaponry. Mainstream economics is, therefore, individualistic, utilitarian and equilibrium driven, and, finally, obsessed with mathematical formalization. Being individualistic, mainstream economics defines its goals in terms of the pursuit of personal interest by isolated individuals; thus social welfare becomes the sum of each individual's welfare. Being utilitarian and equilibrium driven, mainstream economics is oriented towards the maximization of the individual's utility, in short, monetary income, and the social equilibrium of supply and demand; the market, with its automatic paraphernalia, is the right institution called to regulate this process. Being obsessed with mathematical formalization, mainstream economics privileges quantitative cause and effect analysis and unrealistically reduces society's complexity in order to discover scientific laws similar to those governing nature's realm.

Among the first scholars to have pointed out the conflicting logics of economics and human rights were Noam Chomsky and Edward Herman. Chomsky and Herman's main purpose was—and remains—to uncover the economic interests of the United States behind its human rights speech. More recently, Tony Evans, Janet Dine and Andrew Fagan have returned to the subject. Evans' book takes a similar approach to Chomsky and

Herman. He examines the interests associated with globalization and the part that the discourse of universal human rights plays in legitimating those interests, declaring, for instance, that “the U.S. used its considerable political and economic power to promote a particular conception of human rights that sought to legitimate its own interests and those of global capital.” Evans also demonstrates how under the rule of the global economy, the capacity of people to participate in the definition of the political agenda declines, thereby weakening the assertion of human rights.

In the volume edited by Dine and Fagan, the essays address three main issues. In the first part they explore, from a theoretical and philosophical point of view, the tensions between capitalism and human rights, particularly in the sphere of property rights, labor relations, and consumers behavior. In the second part they examine the conflict between human rights and the trading system, scrutinizing more thoroughly the way intergovernmental organizations such as the World Trade Organization operate. And in the third part they focus on South America, reviewing the last quarter of the 20<sup>th</sup> century’s history of the human rights cause and analyzing debt repayment in Argentina and its relation to human rights.

The abovementioned works examine the economy as such, pointing out its implications for the promotion of human rights. However, our analytic focus here is not economics *per se* but to examine the logic of mainstream economic thought itself rather than the hidden interests in the economy as a factor in the erosion of human rights, especially economic, social, and cultural rights. In my view, a deterioration in human rights is not the outcome of doing the right economics wrongly, but of doing the wrong economics rightly. By addressing this issue I hope to contribute to the construction of a political economy that takes human rights as both the means and ends of sustainable development.

## **The Economic Dimension of Human Rights**

Advocates of negative freedom define individual freedom of action as lack of constraint applied by other individuals or, very commonly, by the state. This lack of constraint is supposed to allow the individual to take alternative courses of action. However, there are many constraints besides those inferred by the negative freedom idea. Indeed, the lack of material means also puts a strong constraint on the freedom to act. Unless means like food, clothing, or shelter are available, an individual will be unable to act freely. In this view the poverty that leaves the potential litigant unable to go to court is just as much of a constraint as arbitrary arrest.

Civil and political rights do not make sense, and indeed are impossible to ensure without guaranteeing a foundation of economic, social, and cultural rights. According to the Universal Declaration of Human Rights (UDHR), proclaimed at the general assembly of the United Nations on December 10, 1948, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his or her economic, social, and cultural rights, as well as civil and political rights.

In the UDHR, human rights were taken in their entirety—in other words, their civil, political, economic, social, and cultural dimensions were unified without a hierarchy among rights. Within the UDHR, the right to be presumed innocent until proven guilty, the right to freedom of opinion and expression, the right to work, the right to social

security, and the right to freedom of religion, for instance, coexisted harmoniously. The distinctions that gave birth to the approval, in 1966, of two different treaties, namely, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), sprang up from the vicissitudes of the Cold War, the low intensity conflict between the two great political and economic blocks that characterized world history in the second half of the 20<sup>th</sup> century.

The thirty-one articles of the ICESCR establish a set of rights based on the peremptory obligation of guaranteeing all individuals the satisfaction of needs without which their life—a dignifying life, one should add—would not be possible. The first economic right registered in the covenant concerns all peoples' right to self-determination along with the right to freely dispose of their natural wealth and resources. Next, a set of rights concerning work is formulated. First, the right to work itself, and second the so-called rights at work, which include the right to a wage sufficient to provide a decent life to the worker and his or her family, with safe and healthy working conditions and paid vacations. Finally, the right to form trade unions and to go on strike is affirmed.

The ICESCR also recognizes the right of all people, regardless of whether they have a job or not, to an adequate standard of living for themselves and their family, including adequate food, clothing, and housing, and to the continuous improvement of living conditions. This covenant also proclaims the right to social security by the means of protection schemes in illness and old age. Among the rights regarding social protection, special reference must be made to those concerning the protection of mothers during a reasonable period before and after childbirth, and of children and young persons from economic and social exploitation, namely, by calling upon signatory countries to institute age limits below which the paid employment of child labor should be prohibited and punishable by law. It should be stressed that the ICESCR proclaims that all rights should be enjoyed by everyone without discrimination of any sort, be it ethnic, religious, political, or based on gender or economic status.

Given these proclamations, the granting of human rights cannot avoid challenging mainstream economic logic. How is it, then, that economics and human rights seem to be divorced? One of the main reasons is the fact that economics and human rights do not share the same language.

## **The Conflicting Languages of Economics and Human Rights**

By conflicting languages, I mean that the dominant economics is in principle reluctant to incorporate human rights into its formulations. Indeed, with the remarkable exceptions of an explicit incorporation of property rights and an implicit reference to freedom of expression, one can seldom find the concept of human rights within economic reasoning. As a matter of fact, both these rights constitute essential pillars of economic rationality, as there is no such thing as personal interest without property rights; furthermore, although history has given us many examples of an unnatural cohabitation of economic freedom and political repression, separating rational choice from freedom of choice and, therefore, from freedom of expression, seems hardly conceivable. In both these cases it is the instrumental value of rights, in other words the value given to the consequences of adopting rights rather than its intrinsic value that is being considered. Indeed, as a result of utilitarianism, rights, as Amartya Sen pointed out, are not intrinsically important for mainstream economics.

Secondly, not only does economics communicate poorly with human rights, it often sees human rights as an obstacle to the expression of its logic, most especially where economic, social, and cultural rights are concerned. We will examine this conflict of languages through the exploration of three contradictions. The first contradiction regards the antagonism between wants and rights, the second, the antagonism between utility and rights, and the last, the antagonism between economic problems and rights violations.

### **Wants versus Rights**

One is forced to admit that economic theory feels more comfortable dealing with wants than with rights. Within economic analysis, satisfying wants implies the use of concepts like cost, benefit, and price, and therefore, the issue is capability to pay, in other words, purchasing power. With rights, on the other hand, the issue is quite different; the heart of the matter here concerns entitlement, the criteria according to which an individual should qualify to enjoy rights, purchasing power being obviously excluded, and the consequences of the use of such criteria. Furthermore, while dealing with wants, economics can take shelter in a positivist approach; in contrast, dealing with rights pushes it to risk normative stands, challenging economics' traditional pride in so-called objectivity.

In traditional economic theory, efficiency and equity are dealt with separately. Whereas efficiency, being essentially a technical issue, can be approached through positive analysis, equity, because it must incorporate value judgments, demands a normative approach. This separation has been severely questioned by many economists, but the fact is that economic resources can be unequally allocated, for example, without economic efficiency being the least troubled. As a matter of fact, from a normative liberal standpoint, inequality is perfectly compatible with social justice as long as the least favored strata of a community can better their living conditions, such being the argument of John Rawls' second principle of justice. Besides inequality, economic efficiency can also tolerate exclusion of individuals from the distribution of resources when these are restricted by tight budget constraints.

None of this is tolerable when human rights are at stake. Human rights, if they are to be fully taken as rights, must be equally allocated among all those entitled to enjoy them within the community. Basic liberties, for instance, do not admit any but an egalitarian allocation. Indeed, one cannot accept that some individuals may deposit more votes in the

ballot box than others. Needless to add, universal suffrage, confers one, and only one, vote to every citizen of age. Beyond the legitimate statutory exceptions, such as those regarding the underage or the imprisoned population, basic liberties do not admit exclusion, either. If individual citizens are arbitrarily excluded from participating in an election, this means not only that they are denied their right to vote but also that the right to vote is not ensured in the community to which they belong, even if all except one are allowed to participate in the voting. Indeed, if rights are not guaranteed for all, then they belong to none.

A slight digression is necessary in order to specify the way in which economics classifies goods as well as services. Economics divides goods into two main categories, public and private. In economics, a public good is a good that is non-rivalrous and non-excludable. This means that the consumption of this good by one individual does not reduce the amount of the good left for the consumption by other individuals, and that no individual can effectively be excluded from consuming that good. Take the example of a bowl of strawberries and cream. If one individual eats it, that particular bowl ceases to be available for the consumption of other individuals. It is also possible to prevent individuals from consuming the bowl of strawberries if they are not willing to pay for it. In this case there is the rivalry and exclusion which makes our bowl of strawberries and cream a private good. On the contrary, breathing air does not significantly reduce the amount of air available to others, nor can people be excluded from breathing it. That is why air is a public good—a pure public good, one might add.

Now, when economics states that individuals cannot be excluded from breathing air, it is not stating a moral imperative. It is just saying that individuals cannot be prevented from breathing air, because it is technically impossible to exclude from its consumption individuals that are not willing to pay. Indeed, when economics states that an individual cannot be excluded from breathing air, it is not referring to the fact that an individual prevented from breathing air will just die, but plainly to the fact that no individual can make a living out of selling breathing air, because there is plenty of free air available. In the real world, it is hard to stick to this categorization of goods, but for the purpose of this discussion, this division between private and public goods is sufficient.

As one can easily notice, asserting human rights means the provision of both public and private goods and services, which means that economics, whether it wants to or not, is forced to deal with human rights. However, the introduction of human rights into the economics theoretical body would force economics to adopt an unnatural behavior, for to accept rights should mean to accept that the allocation of many goods and services must not forcibly observe market distributive rules. The economic efficiency precept does not oppose this where public goods and services are concerned; but satisfying rights—economic, social and cultural rights in particular—goes far beyond the definition of distributive rules referring to public goods and services. It regards private goods and services too, as determined by article 11 of the ICESCR, for instance, which declares the right of everyone to an adequate standard of living, including adequate food, clothing and housing, and to the continuous improvement of living conditions. As a simple private good, housing, for example, can be unequally distributed and can contemplate exclusion, that is to say, homelessness. As a right, housing not only demands a distribution so that nobody is deprived of a shelter, but also that some basic qualitative criteria must be met. These are normative issues which traditional economics is reluctant to address.

Another aspect pertinent to the divorce between economics and human rights is the fact that there is an institution within whose vocabulary equity and inclusion can be

found: the state. Indeed, one of the state's functions is to promote equity and inclusion in the allocation of its resources. Therefore, the introduction of human rights language in economics means that the responsibility for the process of allocating private goods and services as rights might have to be transferred from the market to the state. Given that traditional economics abhors state intervention, which it regards as an unbearable interference with the market, one shouldn't be surprised if economics ends up displaying a notable distaste for a concept that contributes, precisely, to legitimize such interference.

### **Utility versus Rights**

Let us now take into consideration that human rights can be interpreted as the limits of losses that individuals can tolerably endure for the benefit of others. Indeed, even when the promotion of noble social objectives is at stake, human rights must protect individuals, particularly minorities, from policies that benefit the community as a whole, but which intolerably burden them. Promoting human rights should, therefore, institutionally guarantee that justice of means is as important as nobility of ends. This safeguard is crucial when economics is confronted with human rights, inasmuch as reaching the maximum of social utility may conflict with some individuals' utility or, in other words, rights.

From a strictly economic point of view, this result may be satisfactory and even optimal, but from the point of view of rights, it may not be bearable. There is one main condition for accepting that individuals' rights may be subordinated to society's interest, namely, that the individual must consent in this sacrifice, either explicitly or indirectly, by freely participating in elections that end up legitimating those authorities that call for the individual's sacrifice, according to the principles that these demands are not arbitrary and do not support any sort of kleptocratic governance. If we consider human rights, such as the right to work and protection against torture, alongside achieving greater economic efficiency at the expense of greater unemployment or of lowering workers' standard of living below human decency, this will be as reprehensible as providing greater security to the community at the expense of torturing a suspect of terrorism. Needless to say, mainstream economics has a hard time addressing this sort of issue, even when it is willing to do so.

Within mainstream economics, the individual seeks to maximize his utility function; in other words, he looks for the highest income possible. Within this system it is perfectly conceivable, either from a formal or a moral point of view, that disutility, or negative utility, for an individual may end up not only not affecting social utility but even contributing to raising it.

The introduction of the rights language, on the contrary, radically changes the common welfare function. Indeed, depriving an individual of a particular right, or simply reducing its enjoyment, affects negatively the entire community. As opposed to social utility, the degree to which a right is guaranteed cannot be measured by the sum of the number of individuals enjoying it, but rather by the degree to which the purpose of that right is guaranteed for every individual. Therefore, the degree of democratic participation, for instance, cannot be measured by the number of individuals benefiting from the right to vote, but rather by the extent of the decisions that are submitted to the scrutiny of all. As we have seen before, arbitrarily denying an individual the right to vote is equivalent to denying it to the whole of the community; even if, taken one by one, no other citizen seems to be affected. In this case, arbitrary individual deprivation of the right to vote not

only affects the maximization of democracy but can also represent a deprivation of democracy for the community as a whole. In this sense, seeking to maximize national income can conflict with promoting human rights if that implies that, as a consequence, one individual is condemned to earn an income that cannot support a decent life.

A well-known case of a legal dilemma in the United States, *U.S. versus Holmes*, perfectly illustrates the essence of this conflict. In the beginning of the spring of 1841, an American ship collided with an iceberg when crossing the North Atlantic, and rapidly sank, leaving 41 passengers and crew members squeezed in a precarious lifeboat. In spite of the overloading of the lifeboat, the crew managed to keep it afloat for 24 hours thanks to favorable weather conditions. However, the following day these conditions got worse, and water poured into the lifeboat. Then, fully convinced that this precarious craft would soon sink and drag every castaway into the frozen depths of the ocean, the officer in charge of the lifeboat ordered the crew members to throw overboard every male adult unaccompanied by their wives. Fourteen men, and two women that chose the same fate as their brothers, were sacrificed. Thus relieved, the lifeboat successfully endured the storm and by the following dawn all the remaining passengers were rescued by a ship passing at a distance.

From a strictly utilitarian point of view, the officer involved acted to maximize the group's utility given the constraints in terms of the lifeboat's capacity and the weather conditions. The only alternative left to him was to keep every passenger aboard the lifeboat and condemn the lot to be swallowed by the liquid fury, depriving all, and not just a few, of their highly valued life expectancies. Given the choice between both solutions' final degrees of utility, sacrificing sixteen passengers was, therefore, perfectly legitimate. From the rights point of view, however, the outcome is manifestly different. Indeed, the sacrificed passengers were not only deprived of their lives but also of their right to live, and consequently the rescuing of the remaining passengers could be considered a criminal act. That is exactly what happened in this story when the survivors were brought ashore. Anticipating all the legal complications their decision might bring them, all crew members fled, with the exception of one, who ended up being taken to court and sentenced to six months in prison for manslaughter.

The judge who pronounced the verdict, nevertheless, considered that the officer's procedure could have been legitimate had he taken one of two options, the first being that members of the crew could have been sacrificed instead of passengers, this being interpreted as the fulfillment of a duty; and the second being that the sacrificed passengers could have been either volunteers or picked by drawing lots. In both these cases, the attempt on the victims' lives could have been acceptable from a rights point of view. Indeed, voluntary renunciation to the right to live often constitutes a substantive assertion of this same right much more eloquent than its preservation. Such has been the case for all those who in the course of history have died for causes they valued more than their own lives.

The verdict pronounced by the judge and his comments reveal that it was not the result of the officer's decision that was condemned, but the process that led to it. In other words, it was not the maximization of social utility through the sacrifice of passengers that was illegitimate, but the arbitrariness of the process through which the victims were picked. Bear in mind that both the officer's behavior and the alternatives proposed by the judge lead to equivalent results. This outcome, however, can be valued differently whether one looks at it from the point of view of social utility or from the point of view of individual

rights. In the court's verdict, social utility constitutes a perfectly legitimate goal, but under no circumstances should it overrule human rights.

On a different register, but sharing the same matrix as the previously mentioned dilemma, Jean Paul Fitoussi, in a seminar on Social Europe that took place in Lisbon in 1997, declared that if its economic model was to be maintained, Europe could only become richer—in other words, increase social utility based on the aggregation of individual incomes—if a non-negligible part of its population would accept becoming poorer. As a matter of fact, in Europe since the 1970s, national income—social utility—has grown strikingly almost everywhere. This is despite unemployment having increased by a factor of three, causing many workers a considerable loss of individual utility. The United States' version of this same conflict is best represented by the growing phenomenon of the working poor. It is quite revealing that Paul Krugman entitled one of his famous articles “Europe Jobless, America Penniless?,” when describing the dilemmas faced by employment policies in the 1990s. From the point of view of the maximization of utility, such a path could be admissible, but Fitoussi added that the resulting inequality could be both intolerable in terms of justice and politically unsustainable in terms of democracy. In such circumstances, the liberal quest for the maximum of social income may contradict some of the basic requirements of human rights' philosophy.

### **Economic Problems versus Rights Violations**

The main objective of economics as it is taught to many undergraduate students around the world is to provide an answer to what are referred to as the basic problems. These economic basic problems consist, first, in figuring out what goods should be produced, and how much and when; second, determining how these goods should be produced, in other words by whom and with what resources; and, finally, for whom these goods should be produced, which also means answering questions about the social distribution of benefits. Although in some aspects a normative approach is inevitable, the economic basic problems are approached using a mainly positivistic frame. Even when distributional issues are at stake, it is the arithmetical problem that is being referred to rather than the ethical problem. In other words, the basic problem does not concern the distribution most adequate to justice. Rather, it is just a calculation of the arithmetic distribution, which arises from the application of the principles of efficiency and rationality, regardless of any value judgment.

Beneath this positivist emphasis on facts, economics consistently fails to consider hardship or deprivation as the outcome of social structure. Deprivation has been seen rather as the outcome of either nature's random behavior or human incompetence. In other words, deprivation results either from nature playing nasty tricks on people or people being incapable of making the right decisions in addressing basic economic problems. The search for the good life signified, therefore, a struggle to dominate nature, or to predict and mitigate its whims, along with a quest for efficiency in human action. The rhetoric of human rights, in contrast, introduces a substantially different approach to deprivation by transforming economic problems into possible rights violations, that is to say, into discriminatory structures that prevent people from exerting their innate rights.

From an economic point of view, deprivation might be insoluble; by contrast, within the discourse of rights, deprivation is not inevitable and, therefore, there is no reason for tolerating it. The high level of unemployment, for example, ceases to be seen as a fate weighing on the economies, a lesser wrong or a bitter macroeconomic instrument. It



becomes, rather, an assault on human rights, which leads Riccardo Petrella, among others, to say that involuntary unemployment, for instance, should be considered illegal. Furthermore, the idea of rights violations leads us to think in terms of responsibility, in other words, to the identification of its source. This sharply contrasts with the anonymous and unaccountable character of decentralized economic decisions taken in the market.

Indeed from the perspective of human rights, the rights of some individuals correspond to the duties of other individuals; in other words, human rights represent the rights that individuals have over the conduct of others. Therefore, if some individuals' rights are not ensured, that is because other individuals or institutions have failed in carrying out their duties. In human rights language, responsibility is therefore a key issue. If obstacles to the assertion of human rights arise, it is the duty of a citizen to change them. It follows, then, that individuals have a right to change the design of economic and social arrangements, including the definition of economic systems, insofar as they affect human rights. For the individual, the question is how to make this claim. When the state fails in ensuring an individual his or her human rights, the state is accountable either legally in a court of law or politically through elections. If the market fails in ensuring human rights, in other words, fails to supply the goods necessary to assert them, to whom can an individual turn? The state is both elected and known; the market, on the contrary, is by definition anonymous.

This discussion also pertains to the justiciability debate regarding economic, social and cultural rights. Some scholars consider that economic, social and cultural rights are only rights in a manifesto sense and that, therefore, they are not justiciable, that is, capable of being decided by a court, and cannot be treated as individual legal claims; in other words they do not constitute a duty for others. In this sense, to be out of a job would be considered an unfortunate situation, but not a crime. Thus, in the language of economic problems, full employment would be the outcome of a fortunate conjugation of fruitful effort and nature's generosity rather than a right. In the same spirit, universal suffrage has often been considered not just a demand of democracy but, somehow, a windfall of economic progress. In 1968, for instance, shortly after a successful military coup, an Argentinian government official told Albert O. Hirschman that only when the country had attained economic stability and a certain level of economic growth would it be ready for the reinstatement of civil liberties.

Thus, under this logic in claims for universal suffrage, one should not appeal to justice and human rights but rather create the conditions for economic progress. Economics often uses such an argument. Welfare, for example, is mainly seen as being the outcome not of a claim to a right but of a trickle-down effect of economic efficiency and growth. But this idea is simply preposterous. Throughout history, human rights have been essentially taken away, not given freely. Indeed, women's right to vote, the right to form trade unions, and the right to paid vacations, for example, resulted from collective movements staking their claim to these rights, often in the face of violent opposition.

Different notions of causality reveal yet another clash between economics and human rights, this one about the way humans are considered capable of meeting their wants. Regarding human welfare, the language of rights considers the individual as a legitimate petitioner, whereas economics is more inclined to see him or her as someone entitled to a reward, a lucky winner, or even a beggar. By emphasizing entitlement, human rights discourse empowers all individuals in their struggle for the good life, whereas the

emphasis on skills, luck, or kindness within economics legitimates the exclusion of individuals regarded as unfit, unlucky, or plainly undeserving of enjoying a life with dignity.

Finally, when universal human rights are being promoted, one is asserting a social preference. In other words, one is taken to admit that one manner in which people's wants are met may be better than another. The situation in which, for instance, the entire population benefits from safe tap water or social security is better than any alternative. Actually, as far as human rights are concerned, universal provision is the only acceptable situation. Any situation other than universal provision, or at least a tendency for universal provision, must therefore be considered not only inferior but also unacceptable, inasmuch as it could constitute a violation of a human right. Once again, the market has difficulty in promoting human rights simply because it does not articulate structural preferences. As a result of all the information conveyed by economic agents, the market can utter many preferences, but it does not have arguments to assert that the provision of rights for all is better than any other structure of distribution.

### **Conclusion: For a Dialogue between Human Rights and Economics**

For economics, ignoring human rights by strictly adhering to its own logic is equivalent to denying those rights. However, in a truly democratic society, economics cannot ignore human rights, because ignoring human rights contradicts and thus undermines democracy's core principles. This would not only be senseless but harmful to its own purposes. How, then, can economics integrate human rights? When dealing with rights, economics can basically take one of two approaches. The first option involves taking rights as a constraint within which choice is made. The second option is to assume rights are an integral part of normative economics, the exercise of rights being just another aspect of making a choice.

Along the lines of the first option, economics can roughly adopt two secondary approaches that may actually be contradictory. On the one hand, economics can look to resolve its maximization problems by considering human rights as primordial. On the other hand, economics can take human rights as an insupportable constraint rendering the maximization exercise unattractive. This option obliges people to choose between human rights and economic efficiency. The first attitude respects human rights, although it does not scare away the specter of a paralyzing conflict between logics. The second attitude, on the contrary, hinders human rights by declaring them too costly.

This approach is biased, as most of the time economics only considers part of all the costs related to human rights. Indeed, though many economists devote themselves to calculating the costs of social security in order to demonstrate society's incapacity to pay the price for overgenerous policies, very few also calculate the costs of the disappearance of social security. This reveals the ideological bias that, hiding under the mask of analytical rigor, proclaims the frivolity of economic, social, and cultural rights.

The benefits of human rights are harder to monetize and consequently harder to handle within the typical cost/benefit confrontation that is so dear to economics. However, even if this confrontation could produce tangible results, cost and benefit should never be basic criteria for the integration of human rights and economics. Human rights altogether were not born from any evidence revealed through positive reasoning in the shape of an unequivocal demonstration of the social utility maximization obtained through their adoption. Human rights resulted, rather, from normative reasoning stating that a

dignified existence for individuals was impossible to reach without these rights. Thus, the choice individuals should be called to make does not concern whether human rights should be adopted or not according to whether they are favorable to economic performance. It is a question, rather, of which is the most favorable economic system given the indispensable character of human rights. In a democratic society, if the human rights option collides with a definite system of economic rules, it is necessary to alter the economic system and modify its rules.

If human rights are taken, essentially, as a mechanism protecting minorities from prejudicial decisions made by majorities, it follows that the enrichment of one part of the world cannot be pursued at the expense of the material, cultural, and spiritual impoverishment of another part, especially if this constitutes its weakest link. Asserting economic rights cannot, therefore, be taken as an equivalent to maximizing utility. It is better to say that within this process, social utility should not be mistaken for aggregate utility. This clearly tells us that economic goals must be rephrased. It is not the same to produce something for the satisfaction of a demand or for the fulfillment of human rights, no matter how superficially alike both enterprises may seem.

Within mainstream economic thought, meeting effective and viable demand is satisfying enough as a social role for the producer, and that part of the population which happens to be deprived of access to a particular good on account of budget constraints should not be of concern. By contrast, the language of human rights would hold that no one should be left out of the supply of this same good, regardless of individual budget constraints. On the one hand, one is meeting private demand, because its nature is mainly individual, and on the other hand, one is meeting a public demand, because its nature is now mainly social or collective.

The essence of the conflict between economics and human rights also resides in the ways the political and the social spheres are perceived. Henri Bartoli has claimed that the social and the political spheres should be taken as the territories where major social choices are made rather than where the conflicting natures of the economy and the society are expressed. It is important to stress that a cohesive and sympathetic society is as important for both the economy and human rights as courts and the market are. Therefore, of the aim to integrate human rights, economics needs to shift from the concept of satisfying individuals to the more inclusive concept of satisfying every individual. Let me end by quoting the renowned French anthropologist, Marcel Mauss.

In his extraordinary masterpiece, "Essay on the Gift," Mauss makes use of King Arthur's legend to propose an interesting metaphor sustaining the need for society to encompass social solidarity. This legend tells us how, through envy and in stupid skirmishes, duels and murders stained King Arthur's most beautiful feasts with blood. Then the King, with the help of a Cornwall carpenter, invented the miracle of his court, the Round Table, around which at least 1,600 knights could be seated and from which none would be excluded. From that day on knights didn't fight any more, and King Arthur's noble company became joyful and invincible. Mauss concludes by declaring that:

That is how nations are still made today, strong and rich, happy and good. Peoples, classes, families, individuals, can grow rich, they will only be happy when they will know how to sit, like knights, around commonwealth.