

Special Workshop
Economics, Law and Humanities: Homo-what?

IVR Conference 2019
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Convenor: Paolo Silvestri (University of Turin)

This workshop aims to explore the possibility of finding a common ground for discussion between economics, law and humanities, through the analysis and comparison of both the conceptions of man and human values assumed by these disciplines, and their normative implications. The workshop is open to all those working in the fields of philosophy of law, philosophy of economics and economic approaches to law, with an interest in anthropological and axiological questions broadly understood.

The difficulty of a genuine dialogue and understanding between disciplines seems to be due not only to the fragmentation of reflections on man – from the models of *homo-(economicus, juridicus, politicus, sociologicus, reciprocans, etc.)* to human dignity – but to a real ‘conflict of anthropologies’, each with the claim of being ‘truer’ than the other.

Economic approaches to law and institutions - among them: Economic Analysis of Law, Public Choice, Constitutional Economics, Institutional Economics, Behavioral Law and Economics - have long dominated, albeit with different strength and influence, the analysis and discussion of legal-economic issues and the regulation of increasingly extensive areas of human relations, including non-market relations and behaviours. Faced with such ‘domination’, legal and humanistic disciplines have often lamented the lack of genuine openness and dialogue on the part of economics, if not a real form of ‘economics imperialism’.

On closer inspection, however, economic approaches to law and institutions do not move from identical conceptions of economics and law, nor from identical methodological approaches, nor, above all, from identical conceptions of man and his values. For example, the assumption that individuals respond to incentives, the various notions of scarcity, exchange, private property, self-interest, efficiency or wealth maximization, cost-benefit analysis, the conception of institutions as ‘constraints’, of constitution as contract, or of laws as rewards and punishments, ‘econs’ and ‘human’ in nudging approach etc., seem to move from specific and different conceptions of man, his motives and values, his freedom and equality. At best, some values are simply presupposed by economic models – i.e.: freedom of contract and autonomy, private property, etc., are implicit values of the perfect competition model – but these assumptions are not always spelled out or discussed or compared with other anthropological or axiological perspectives. Moreover, the emphasis on some aspects or motives of human behavior inevitably ends up by overshadowing, neglecting or crowding out other motives, such as altruism, the sense of justice and fairness, mutual trust, civic virtues.

In addition, economic approaches to law and institutions have rarely developed a philosophical reflection on human dignity, which is (perhaps) the last bastion not yet ‘colonized’ by the economic world-view, and in which the legal-philosophical and humanistic disciplines appear to find shelter. But this, rather than throwing a bridge, digs a deeper gap between economics and legal-humanistic disciplines, as if economics and economy had nothing to do with human dignity. In this regard, however, it must be remembered that even some (ideological) versions of human rights have been accused of ‘imperialism’.

Moving from this problematic ‘conflict of anthropologies’, and without claiming to have a privileged point of view on man, the workshop intends to address the following questions:

- what kind of conceptions of man and human values are presupposed by and / or privileged by legal-economic scholarship? How and when do these conceptions come into conflict within and between disciplines?
- How do these conceptions of man and his values influence the conceptions of economics, law and institutions, and vice versa, how do these last conceptions influence the former?
- What are the normative, regulatory and practical implications of assuming an anthropological and / or axiological perspective instead of another?

By keeping in mind the focus of this workshop on anthropological and axiological assumptions in Legal-Economic scholarship, and against the backdrop of the conceptions of human dignity, participants may also explore the following possible topics:

- Conceptions of liberty and equality
- Conceptions of justice
- Civil economy
- Capability approach
- Efficiency, justice, redistribution
- Deontology Vs Consequentialism
- Exchange, gift, reciprocity
- Crowding-out effect
- Foundation and legitimacy of institutions
- Value judgments and value assumptions in positive economics
- Normative Law and Economics

Procedure:

1. **Abstracts** of the papers (up to 500 words) will have to be sent to the Chair by **1st February 2019**. Notification of acceptance will be given by February 15. If the contribution is accepted, the full paper has to be submitted to the Chair by the 31st May 2019.
2. Participants who present a paper at the workshop are kindly requested to study the papers of the other participants in advance in order to ensure a qualified discussion during the workshop.
3. During the workshop, a time window of about 30 minutes (20 minutes presentation and 10 minutes discussion) will be provided for each speaker.
4. Condition for the acceptance of the abstracts for the workshop is the willingness of the participant to deliver a paper for publication in a Journal Special Issue by **November 30, 2019**.
5. The acceptance of the abstract does not guarantee the acceptance of the paper for the Journal Special Issue. This decision is subject to peer-review process.

If you are interested to participate as a speaker in this special workshop, please send your proposal and a short CV by **1st February 2019** to the organizer (paolo.silvestri@unito.it).

More info on the IVR Conference: <https://www.ivr2019.org/>