

Economics from Human Rights' Perspective

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Abstract

From the human rights point of view, human is an abstract concept that is free of complications. In other words, humans are free from complications such as skin color, race, position and credit standing. In fact, this concept of human beings implies the universality of the human rights. Accordingly, every human being has rights and freedoms to be respected only because of humanity. By the concurrent evolution of the economy and human rights, at the international level, the economics has found a great importance in human rights. Economics imbalances and the rise of poverty and economic inequality at the national and international levels as well as the emergence of economic, political and security crises have demanded a balanced and global development of the economy. Economic, social and cultural rights as well as solidarity rights, including the right to development, have been emphasized in human rights. This article concludes that in order to solve the problems of human societies, human rights must be the basis of the both economic and social planning and policies. On this basis, economic justice can be addressed. In addition, one of the major reasons for domestic and global conflicts and terrorism is poverty and injustice at the national and international levels. Therefore, with the principled support of human rights, the national and international security, along with global development, can be achieved.

Keywords: Economy, human rights, societies.

INTRODUCTION

From philosophical point of view, an important conflict does not likely seem in the field of human rights and economics, initially. Human rights supervise those rights a human should have due to being human. Undoubtedly, one of the important human rights is the economic right, which is explained in details in covenant of economic, social and cultural rights approved in 1966 [1]. On the other hand, the origin of human rights is the same as the Western economics. Economics has discussed scientifically since the last 18th century by theories of the English economist, Adam Smith [2]. The international investments of human

right were enacted since the middle of 20th century, once the World War II was ended.

In fact, the economics and human rights have been created based on the western individualism. Economics concerns the human benefits and human right cares about human at least based on the Kant philosophy, because it knows human inherently extremity [3]. Even in solidarity right like development right, although the governments or civil institutions claim these rights, their goal is to provide the human with such rights.

But, it is obvious that the economics and human rights can be different from both fundamental and substantive points of view. Human rights oversees those rights which

human should have, regardless of any consequence, such as material benefit, skin colour and race, particularly in the field of rights and freedoms like the right to life and the right to freedom of expression. In fact, the human who is considered by the human rights is an abstract concept of human [4], but in economics, the issue is not solved in terms of right, although the human benefit is concerned, but the economic human is the rational one who acts based on his own benefit (and not on all humans) [5]. Therefore, the rational economic human can ignore the economic rights of minority to obtain his own economic benefits. The economic perspective is utilitarianism which can ignore the justice. But, the human rights are universal and nowadays, new foundations are presented seriously for it. Justice and human dignity are among the new basics of human rights [6]. Therefore, the human rights' concern is the justice indicating a kind of equality or in better words, an equivalent attitude. From the human rights perspective, poverty, inequality and lack of development are indecent, because it contradicts with the human dignity, as this attitude is stated explicitly in recent instruments of human rights.

The Declaration on the Right to Development expresses that development is the right of everybody and exists in all the times (universal right to development) [7]. On Declaration of Vienna (1993) this point was emphasized that human rights are inherently universal and inalienable, while the cultural diversity and respecting all cultures are also taken into account [8].

On the other hand, economics acts upon the personal benefit of which the scientific method is to maximize the profit and utility [9]. Although we observe the human-based development theories in process of development of economic theories, there is a big gap between the human rights and economics from the theoretical point of view. In terms of science, the global poverty, increased gap of development in international level, environmental damages resulting from the overuse of natural resources show the contradiction and disturbance between

economic objectives and human rights goals [10]. Furthermore, the regional wars and frequent violence of human rights in various parts of the world with new and dangerous forms of terrorism indicate the failure on achieving the human rights objectives. The more coordination between the economics and human rights ideals can bring about the political security and peace across the world based on the human dignity and justice.

This study is organized in two parts. On the first part, the basics of human rights are explained in details. In the second part, the economic basics and its connection to human rights are discussed. Finally, the last part concludes the results.

Fundamentals of human rights

Before the detailed discussion on fundamentals of human rights, it is necessary to mention that although the cotemporary human rights is historically originated from the West, it is rooted in the moral conscience of human and hence it is universal. In fact, the human rights are universal, inherent and inalienable. These rights are not rooted in law-making and therefore are not inalienable. It is the human inherent nature which is bonded to the human dignity [3, 11].

Concerning the issue that what is the origin of human rights, as already mentioned, the human's power of wisdom is the basis of merit, which was based on the Kant's point of view. But this perspective faced several critiques where it does not include all humans (e.g. the young, lunatics and children), while it only belongs to the human and does not encompass other creatures. In this perspective, indeed, other creatures are like tools, but if we take the human talents the origin of merit, it lacks previous drawbacks. From the theoretical point of view, the traditional concepts like natural rights and positivism and then new concepts, i.e. justice and dignity, are investigated. The Islamic fundamentals of human rights are discussed on the final art of study.

School of Natural rights

Traditional natural rights

The primary streak of natural rights is observed in the works by Greece philosophers, especially the Stoics [12]. The main concern of this school is the superior law and conformance of legal rules and regulations with the superior law (natural law). Based on this, the rights should reflect the ethics to be acceptable. Cicero, the Roman speaker on 1st century AD, believed that the natural rights are rational, universal, invariable, moral and beyond the contract [13]. Then, in 13th century AD, Aquinas presented the natural rights theory through combination of revelation and wisdom. His main concern was to offer an interpretive presentation and theoretical framework for the status of revelation and Divine rules. He divided the law into four categories. The first part is the eternal rule which is the manifestation of theology. The second one is the Divine rule (revelation), as mentioned in the Holy Bible. The third is the natural law which is eternal and universal and comprehensible and applicable for all humans and the last one is the human law (situational) of which the credibility is rooted in natural law. In fact, the outcome of Aquinas theory is the respect to private property, important status of wisdom and appetite of moral intuition leading to the customary legal system [14].

Theory of Grotius is in fact a turning point in the school of natural rights. His perspective was secular and believed that even if the God did not exist, the human right would be achievable. He made the natural rights common-law and believed that the liberty should be sacrificed for the security and hence he opposed the people liberty by deleting the governance as it is consistent with the Utilitarianism theory. On the other hand, he believed that governance should meet the requirements and constraints of natural rights [15]. And finally, after the Age of Enlightenment, we see the John Locke's opinions as a right-focused liberalist who has emphasized the human rights discourse deeply. He believed that the maximum liberty should be established for people and the least liberty for the governors. The principle of Absence of

Wilayat is the most basic principle in formation of civil society and by logical integration of this principle to the social contract, a Constitution-based system is established. He believed that no one has the absolute power over the others. Naturally, the human has a limited power and as a result, the government should be limited. The positive law is merely restates the natural law. His opinions affected significantly the Constitution of U.S.[16].

It should also be noted that although the theories of John Locke focuses on the ownership right, but they did not agree with the absolute sovereignty of market. Based on this, he believed that the society people have the right to the least livelihood (including the rights of 2nd generation of human rights) and accordingly the government has the author for supportive intervention.

New natural rights

John Finnis is known as the revitalizer of transitional natural rights. In his book "Natural Law and Natural Rights" [17], it may be claimed that everything is about the human rights. He believes that the human rights are the tongued of natural rights. His main concern is the relationship between the rights and ethics. In his opinion, the natural rights are a set of principles which establish the practical wisdom in adjusting the life and society. In his theory, seven fundamental values are introduced which are the same for everybody, while none of these values cannot be reduced or handed over to the others. In fact, each value is worthy in its own special setting. These values are: life, knowledge, play, aesthetic experience, sociability of friendship, practical reasonableness and religion. Based on this, the rights should manifest the fundamental values and human rational plan to flourish them.

It is likely that there is a critique on this theory that people's right may be scarified for the sake of these basic values. In response, it should be said that this stability value is the same at the human fundamental rights and hence such concern never exist.

Another theorist of new natural rights, Lon Fuller, emphasize on process of the moral law

formation [18]. He is affected by the novel philosophy, especially the positivists and defenders of German Nazism officers. His attractive idea is the internal ethics of law. He wants, indeed, to deprive the law from the illegal law (e.g. fascism). He considers eight conditions for acceptable law: sufficiently general, publicly promulgated, non-retroactive, clear and intelligible, free of contradictions, relatively constant, possible to obey to draw up the citizens' affairs and congruence between the announced law and its implementation by brokers. The Fuller's theory has been criticized. The human experiences have seen the laws which are eligible, but their content have been devilish (e.g. apartheid law in South Africa). The more these laws are proper, the more they will be devilish. In criticizing the Fuller, Hart states that his conditions are the efficiency principles rather than the moral principles. It should be cared that law is a tool and what is important is the law content .

New theoretical fundamentals and schools

Justice

John Rawls returns the human rights basis to the justice [19]. In his opinion, justice is the maximum freedoms equal for everybody. In other words, he interprets the justice as the equality and everyone has the right to have the maximum freedoms, as far as he does not violate the same right of others. But we are really observing the rights' contradiction which should be resolved by the law and their limits are determined by the law. Concerning the economic and social inequalities existing in any human society and undesignable, Rawls believes that should be recovered by the distributive justice. Therefore, such economic and social inequality should be taken into account on the situation of law-maker so that the livelihood is initially provided for the poor and then equal opportunities are offered to the whole society. Therefore, it is supposed to set the limiting conditions which apparently leads to inequality, it is acceptable when the whole society take benefit from it, i.e. the collective

conscience of society approves it, like the special terms for recruiting the judge. Secondly, all people should enjoy the equal opportunities to achieve it.

Such concept of justice is explained in the Rawls' book entitled "Justice as fairness" [20]. Rawls states that humans should be in natural status and free of racial, language, ethnicity, credit conditions and etc. to achieve the justice principles. This initial status (veil of ignorance) should exist and human does not really see his own benefits. As the same time, human should be necessary information for a fair judgment. In today's world, unfortunately we see lack of justice and action based on the personal, ethnicity and racial benefits of which the serious samples can be observed in the genocide of Balkans peninsula. But, the complete example of human free of racial attachments and material and credible benefits is the perfect human (innocent person).

Human dignity

This theoretical basis of human rights is among the new fundamentals which are mentioned in the international instruments. Now the question is that whether the human dignity is positive or creative? The dignity seems to be from the set of value-driven social values. It means that if humans are asked how the basic goals of human are realized, they respond that when the human dignity is realized. The dignity realization is human society is logically a gradation affair; i.e. the more the society enjoys the human nurturing and cultural maturity, the more the dignity is realized. In this field, a series of sub-values should be provided to approach this axial value. Eight values can be mentioned: power, skill, wealth, respect, welfare, insight, worship and affection.

In sum, power means how much the society' people are involved in formation of transfer and establishment of power. The more the people are contributing this process (political power), the same we approach the dignity. This is true for wealth, too; i.e. the wealth is similar to the blood in body. If it is not distributed balanced, it leads to disease. Therefore, all people should have the opportunity to involve in the economic

activities and wealth and business in commensurate with their efforts. As for the respect, it means that the humans should be respected due to being human or regardless of other incidental properties, it means the least respect for being a human. The welfare aspect is connected to the comprehensive social security. When the concerns related to the people on unemployment, disease and so on are less, we approach to the dignity to the same level. The skill dimension is related to the empowerment of society's people for nurturing their talents. Based on this, humans can stay on their foot by skill and training in accordance with their talents and enjoy an appropriate and honorable life. The dimension of insight is, in fact, related to the cultural development of society and its intellectual maturity which is among the government mission from the religious point of view. The power should be at the service of society's intellectual development. Access to information, studies and scientific research should be provided equally. Here, the government does not necessarily involve directly, but can make the required grounds.

Worship is an innate affair. Freedom of religious beliefs and action upon the religious slogan should be freely established. Value of respect manifesting in the family, relatives and humans congruence should be supported which is innate. The more this spiritual need is met, the more human feels the dignity. However, justice and dignity are ideal and should be demanded. Their achievement is a function of cultural maturity of society .

Rival theories

Utilitarian ethical theories

These theories are among the most serious rivals of Kant's theory. Kant's theory is the brilliant representative of deontological theories, while the utilitarian theories are result-oriented. Their criterion is the benefit (joy). The justified system is the one which provides the society with the most benefits. Jeremy Bentham and John Stuart Mill are the followers of this theory. The important critiques imposed

on this result is that if torture or slavery is the benefit for majority, it is justifiable .

Conservatives and human rights

Conservatives are incompatible with the overcoming the right-based ethics. They believe that rational individualism creates a human separated from the religious teachings and indifferent to the traditions which believes in his own right as the moral framework. This human neither pays attention to God nor the society and does not care about his fellowman. In their opinions, individualism of human rights introduces the human as a being secluded from the society who only sees himself and no one else. In fact, the traditionalistic conservatives (religious and non-religious) believe in a kind of socialism (but not of the Marxism kind).

Moral relativism

Mind-cantered relativism is taken from the theories of the experientialist, David Hume. They have something common with the postmodernists which are the denial of moral norms objectivity and possible rational justification on the realm of moral norms.

Hume believes that the moral norms are the non-epistemological and non-rational norms. Ethics is not something but the people's sensual justifications. The least result of Hume's theory is the denial of universal rational possibility (human rights). One can be bound to some kind of human rights upon the argument of Hume. In fact, he created the positivist human rights which are the result of agreement and law setting and obligation to the means and outcomes of human feelings, but the problem is remained yet, because the human rights' origin is beyond the positive law [21].

Postmodernism

This theory criticizes the modernity. In fact, they deny the novel rationality. Postmodernists have extreme gradation and hyper-relativism. In their opinions, any norm should be taken into consideration in its own special field and it is only justifiable on that field. Therefore, since humans have no way to judge, then any universal norm of human rights is denied [22].

Fundamentals of economic theories

Generally speaking, the micro-fundamentals of economics are based on the permanent settlement of market. In fact, assuming the existence of fully competitive market, any disequilibrium is temporary and finally the economics reaches a unique equilibrium point, called Pareto optimality. In fact, if there is any disequilibrium as the demand (supply) surplus, it is resolved by the invisible hand mechanism. This equilibrium mechanism is conducted through the price mechanism and interaction of market factors (suppliers and demanders). But, the empirical experiences show that the economic equilibrium taken by the classics will not always realize. The economic depression, inflation, and lack of equilibrium are from the problems with the classic economics. One important factor in economic disequilibrium is related to the market competition and condition of fully competitive market. The mere and full competition conditions do not exist. For example, there is no situation when the market is perfect and no consumer nor the manufacturer could change the market price. The reason is existence of big economic companies and main consumers. In fact, monopolies including the complete monopolies or other kinds hinder the full competition disequilibrium.

Furthermore, the information transfer is made freely, because the principals and the owners of economic companies have a better situation than the workers. Due to this, even before issuance of human rights instruments after the World War II, the laborers were supported by establishment of International Labour Organization. Therefore, due to initial inequality in market, the conditions of full competition can not meet. This is the issue on which the human rights focus. Based on this, the human rights entail that the initial conditions should be corrected so that the primary equality is established. On the other hand, the balanced process, i.e. achieving the equilibrium through the Walras (Marshall), neither is realized, nor if it is realized, it is time-consuming. Classics ignore the short-term disequilibrium in their analysis and make their theories focus on the market equilibrium.

In accordance with the classics' opinions, disequilibrium is the temporary phenomenon and is achieved in long-term by the interactions of complete balanced market. In the evolution trend of economic theories, the axial principles of classic economics still exist, although they are corrected and criticized theoretically. In this line, the new classic theories have some small roles for the government, e.g. the evolutions in classic economics are from the rational expectations theory. This theory believes that the government's economic policies can be used as the stabilizing tool. Any policy which is adopted and applied is predicted by the economic factors and the policy can be effective to the extent where the factors have made mistakes in their expectations; i.e. they have committed the non-systematic error. More accurately, any policy is composed of two parts: one part is predicted which has not impact, but the unpredicted policy affects the production. This is the concept which is hidden on the long-term Phillips curve. As we know, the Phillips curve shows the reversed relationship between the inflation rate and unemployment. Therefore, from the neo-classics' point of view, the government policy for the unemployment rate is only effective in short-term and is temporary. In long-term, unemployment again reaches the natural level and the only thing which is remained for the economics is the high inflation. That's why no exchange between the inflation rate and unemployment and government is not sufficiently powerful to apply the stabilization policy in long-term. This perspective is in contrast to the human rights theories indicating the government intervention in economics, especially redistribution of wealth and necessity of welfare.

But, on criticizing the classic economics, the most important theory is likely related to the British economist, John Maynard Keynes. His theories focus on the lack of equilibrium in market and permanent depression in market. Although, in Keynes' theories, the disequilibrium in market and its infection to other markets are focused, analysis of this disequilibrium in monetary market can show

the permanent depression better and more tangible.

Optimization in monetary economics

As already mentioned, the analysis within the monetary economics can explain the depression. In monetary analysis, all markets are expressed in monetary form hence this analysis is contrary to the classic analysis.

Analysis begins from the family. Family allocates its income at any time to consumption, an increase in monetary asset and stocks (or other profitable assets). An increase in the (current) consumption meets the time preference of consumers and an increase in the monetary asset meets the liquidity preference and finally, the stock investment leads to the return (profit). Once the family compared these three preferences (profits), it makes optimization. More accurately, there three rates are time preference rate which is the marginal rate of substitution (MRS) between the current and future consumptions. The second rate is the liquidity reward which is the marginal rate of substitution (MRS) between the current consumption and monetary asset.

Optimization for consumption and money portfolio and stocks is conducted so that these three rates become equal. The time preference reflects the out-time preference and liquidity reward indicates the in-time preference. Although both rates are two different sides of preferences, when they are measured by a joint good or asset like money, they should be equal to the market interest rate [23].

The different between the Keynes' theory and neoclassic theorists is related to the liquidity reward, because the neoclassic deletes the liquidity reward from their calculations. As per their opinions, when the market interest rate is equal to the time preference, the equilibrium is directly achieved, but on the contrary, Keynes emphasizes the liquidity reward and its contribution to depression.

Since the rate of time preference and liquidity reward are two different aspects of preferences, hence the level of determined consumption is not the consuming level which settles the

market. More accurately, in neoclassic economics, the interactions of goods market create the equilibrium, but in Keynes' analysis, the liquidity reward cannot be sufficiently reduced so that the it become equal to the rate of time preference. In such status, it is not important how much money people have, they are not willing to use their money for increasing the consumption and therefore, the permanent depression occurs. This status is dominated especially when the potential production is so high that people with less consumption are satisfied with the employment equilibrium and they are only interested in meeting their unsaturated needs and here the consumption level is very low for realizing the market equilibrium.

Therefore, unlike the theories of general stationary equilibrium which investigate the disequilibrium in case of market deficiency and considers it resulting from the sticky price and wage, the Keynes's analysis is a dynamic and monetary analysis which is able to establish the complete equilibrium even assuming the price slow adjustments (unlike the fully classic adjustments). But if we know the money utility unsaturated, the permanent depression occurs (even if the prices are adjusted) (Ono, 1994, PP.12-13).

Based on this, the government intervention, as approved by the human rights instruments and is mentioned on the covenant of economic, social and cultural rights and development declarations, is inevitable and serious.

In the international level, the classic economics believes in economic freedom and lack of constraint to the international economics (e.g. rationing and tariffing). Based on this, assuming a small country (i.e. the country which is not able to change the global price), the global economics reaches the equilibrium. The equilibrium point is the same as the internal equilibrium point (Pareto Optimality) of the best situation where any change makes the conditions worse.

The basis of international business is classis (Comparative Advantage). On the basis of comparative advantage, every country should

produce upon it own special advantage (capital or natural resources). In the evolutionary stage of this theory, for example, a country with higher ratio of labour to capital should focus on exporting the goods which are consumer-intensive and vice versa, the country with the low ratio of labour to capital should produce and export the capital-intensive goods.

There are some critiques on these fundamentals. In fact, the global empirical experiences show the negative effects in spite of the global business growth during the recent decades where the countries' economic needs are interrelated. Relying on the competitive advantage makes the poor and undeveloped countries use maximally their natural resources and in fact, endowment. As a result of the intense use of unrenewable natural resources, they will finish and the people's income is significantly decreased. Additionally, they are sold with low price (due to selling the raw material and lack of added value). On the other hand, these countries drop behind the various industries. In contrast, the wealthy countries plunder the resources of less-developed and developing countries and sell their goods with higher price due to the added value.

This situation in the international areas increases the gap between the developed and developing countries. Crises such as debts crisis, severe environmental pollutions, increased global poverty, global depression due to the execution of free economics principles which have been dictated by some international institutions like World Bank and International Monetary Fund. From the experts' point of view, most of injustice and economic problems in national and international levels encourage and enhance the terroristic activities [24]. Therefore, to create the security and cope with the war and terrorism, the economic exchanges should be changed. It is evident that decreased poverty and deprivation and justice execution can be the important factors to cope with the terrorism.

Conclusion

With regards to the human rights development and evolution and also concerning the right to development for all human beings and necessity of collaboration and cooperation across the world, especially the developed countries, the human rights has become significantly important. Nowadays, governments, as the representatives of their nations, have no duty except realizing the human rights which should be established globally. With such attitude, all programs and policies of government should be designed based on the the key principles of human rights. Therefore, it may likely be claimed that the legitimacy of governments is upon their commitment to the realization of principles and freedoms clarified on the instruments of human rights.

It is clear that any government takes action based on its power and resources. But what is important is to recognize all human rights and support these rights and guarantee to generate it. By developmental cooperation to implement the human rights and establish the global society based on the principles of freedom, equality and brotherhood, most problems of global society will be fixed. In this line, the continuous and effective cooperation and activities of developed countries to help the developing and less-developed countries play a critical role. How, the legal ground for cooperation among the global nations is provided for balanced and fair economic development. Many economic goals and objectives are explained in the instruments of human rights indicating the complementary role of human rights and economic development in connection to each other. But the human rights seem could not play its essential role in economic rules and action to create the economic justice in national and international areas. What is emphasized by this study is that the human rights should be discussed as a basis.

For this purpose, a change should be made theoretically in economic fundamentals. For example, the concept of personal benefit in contemporary economics should be modified

such that it guarantees the public benefit and economic justice. It is necessary to change the competitive rules of capitalism to be adjusted and converted into the fair competitive principles. The national and international economic rules should be modified practically so that the fair economic realization is provided. It is evident that all these need a serious determination by the humans in national level and political will in international area. Since the human rights take the human family sustainable development into consideration and finally it favours all human beings regardless of their nationality, ethnicity, race and language, the economic future of human being is promising within the framework of human rights principles. The role of virtue-centred morality and Divine religions can be effective. The Divine religions are all seeking for the happiness of mankind (worldly and heavenly). In fact, these religions have universal objectives for the mankind happiness and guidance. Their roles and impacts on the realization of human rights in terms of general and economic justice can be taken into account for future studies in this field.

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