Preparative call for participants for panel proposals for:
the 19th ILERA World Congress, 21-24 June 2021 Lund, Sweden; and
LLRN5 Conference, 27-29 June 2021 Warsaw, Poland

Utopias and Labour Law

In his book *Utopia for Realists*, Rutger Bregman argues that we need ideas for what we want the future to look like.[1] The word utopia describes what may be called an ideal or an optimal society.[2] Historically, past utopias ranging from socialism to economic liberalism,[3] promised such ideal society and some of these utopias influenced the law and its understanding. This panel aims to collect new utopias, understand the function and meaning of work in those utopias and explore the role of labour law.

Utopias as Ideal Alternatives

While considered as unrealistic in the early 1960s,[4] the neoliberal utopia, based on the idea of self-regulated markets, has become the dominant idea. For social and environmental reasons, however, it has also become clear that this 'market utopia', is not offering its promises. There is a need for a major paradigm shift. Often such shifts can be made when a crisis takes place. Bregman argues that in 2008 when we had the biggest financial and economic crisis since the 1930s, it was not possible to make this shift, because of a lack of alternatives.[5] Many alternatives to neoliberalism have nonetheless been developed, in particular following post-growth economic ideas, and some authors have recently propose fully-fledged alternative economic models, such as Kate Raworth's *Doughnut Economics*,[6] Bruno Frey's *Economics of Happiness*[7] or Lorenzo Fioramonti's *Wellbeing Economy*,[8] among others.

Work and Labour Law in Utopias

What will be the role of work and labour law in those utopias? Past socialist and capitalist utopias made promises for the reduction in hours and the elimination of unpleasant work. They influenced the law and its purpose toward these goals. Arguably, the neoliberal utopia has achieved this goal for some, but at the cost of others and of the environment.[9] These utopias rely primarily on productivity improvements induced by a better organization of labour (either through the market or the state) and technology. In addition, some debates have tended to focus on redistributive mechanisms and in particular the basic income, including in Bregman's book.

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[1] R. Bregman, *Utopia for Realists and How we Can Get There* (London 2016).

[2] V. Rao, Some Reflections on The Economic Utopia 5(3) *Indian Economic Review* (1961) 221-241.

[3] G Hodgson, *Economics and Utopia: Why the Learning Economy is Not the End of History* (Routledge 1998).

[4] Bregman, 248-250.

[5] Bregman, 261.

[6] K. Raworth, *Doughnut Economics Doughnut Economics: Seven Ways to Think Like a 21st-Century Economist* (Random House Business 2017)

[7] B. Frey, *Economics of Happiness* (Springer 2018).

[8] L. Fioramonti, *Wellbeing Economy: Success in a World without Growth* (McMillan 2017)

[9] Cf. Mariana Mazzucato, *The value of everything* (Penguin books; 2018) which is awarded with the 2018 Leontief prize for advancing the frontiers of economic thought.

Beyond traditional productivity and redistributive mechanisms working from within the current economic system, Chamberlain rethinks for example work in a 'postwork community' as non-capitalist economic activities..[10] Bueno creates a new right to freedom from work in his 'human economy', which rethinks the notion and purpose of 'productive' work. He shows that labour law and the regulation of the labour market aims at promoting economically productive work and not capability-enhancing work that would free society from the need to work.[11] This panel aims to understand and explore the function and meaning of work in alternative ideologies/economic systems and what this would mean for labour law.

Aims of the Panel
The aim of the panel we propose is twofold:
1. To collect more utopias as referred to above in order to explore (together) what new goals, indicators and forms of production they propose.
2. To explore and discuss the function and meaning of work in those new utopias and what this means for labour law, including social security. Particularly welcome are contributions that rethink the purpose of labour law, its values and goals.

We aim for two slightly different panels, with the panel for ILERA focusing more on (also) industrial relations and the panel for LLRN5 focusing more on labour law and social security law.

Of course, this is very ambitious and it won't be possible to do all this in one panel, but some first, explorative ground works could be made for it to be further explored and elaborated on in following years and projects. The underlying idea is that in this way we, labour lawyers, may be able to contribute to these ideas and be part of possible paradigm shifts taking care of the interests of people, in particularly workers.

If you are interested in participating in the panel and/or following future projects, please send us an email before **10 September 2020,** including:
- a short description of the alternative economic model(s)/utopia(s) you are interested in; and/or
- the implications for work and labour law that you would like to further explore in the wider political-economic context of utopias.

Please send the email to the three of us at b.p.ter.haar@law.leidenuniv.nl; nicolas.bueno@uzh.ch; and N.Zekic@tilburguniversity.edu.

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[10] J. Chamberlain, *Undoing Work, Rethinking Community* (Cornell University Press).
[11] N. Bueno, From the Right to Work to Freedom from Work : Introduction to the Human Economy, 33(4) IJCLLIR (2017) 464-483.