
Editorial: The identity of *IJHRCS* and the need to reinstate social values in the era of the global financial crisis

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Biographical notes: Christina Akrivopoulou holds a PhD and two postdoctoral titles in Constitutional Law, Philosophy and Methodology of Law and Comparative Law. She is currently lecturing at Democritus University of Thrace, Hellenic Open University and Aristotle University of Thessaloniki, Greece. She has among others edited, *Personal Data Privacy and Protection in a Surveillance Era: Technologies and Practices* (IGI: 2011), *Human Rights and Risks in the Digital Era: Globalization and the Effects of Information Technologies* (IGI: 2012) and *Digital Democracy and the Impact of Technology on Governance and Politics: New Globalized Practices* (IGI: 2013). Her main research interests concern the protection of human and constitutional rights, the protection of the right to privacy, data protection, the private-public distinction and citizenship.

International Journal of Human Rights and Constitutional Studies is a new journal based in the creative and independent cooperation of an international group of academics working in the fields of human rights and democratic institutions. The journal aims to host and foster scientific dialogue in an international level on a variety of subjects concerning history and philosophy of constitutional law, constitutional theory, theory and philosophy of rights, democratic theory, comparative constitutional law and international human rights law. At the same time, one of the journal's main goals is to contribute in the ongoing dialogue that concerns the problems of adopting constitutional and human rights policies. Issues of debate in constitutional and human rights theory such as the clash between freedom of speech and privacy or religious freedom, the ambivalent relation between technology and rights, the fallacies of representative democracy, the democratic transition in Eastern Europe, the EU democratic deficit and the default of social state are only some of the subjects that will occupy the first issues of *IJHRCS*.

In this first issue, *IJHRCS* hosts a brief tribute in social rights. A symbolic beginning for a journal occupied with human rights and constitutional studies in a period that is characterised by what we might call 'the default of social state'. The introduction of social state and the protection of social rights during the 'short' 20th century has been one of the greatest political and historical achievements as far as the protection of social coercion, social solidarity, social security and human dignity are concerned. Its

significance nevertheless was far more important. In a more political sense, the social state became the basis for the formation of a social ideology enforcing the need for abolishment any kind of social exclusions and thus creating societies that could achieve the highest possible level of social peace, development and prosperity.

Paradoxically as it may seem, the erosion of this highly idealistic project, the social state, was a gradual one. Though the current global financial crisis may seemed to be the final strike to the once mighty ideals of social solidarity and coercion in fact the current default of the social state edifice can be traced in slow changes coming forward mainly since the end of the '70s. The first strike to the social state was internal and it was generated by the very way the social state was designed to function. Thus, its identification with the state itself and the states beaurocratic mechanisms brought forward the repressing for the individual freedom and paternalistic character of the social state as well as its ineffective way of functioning.

Nevertheless, the second strike was given due to the collapse of the social state's most elaborated utopia, the hope for augmenting human progress and prosperity. The social state designed to serve the need of closed economies and national societies could not achieve this vision in the new framework of globalisation. This reality was illustrated in the most apparent manner during the '80s and was signified by the rise of neo-liberalism. The third and most important strike to the social state was its inability to provide for social safety within the national societies. Immigration and plurality within the national societies along with the new risks that the rise of technology has generated for environment and civil liberties could not anymore be cured by a single remedy, the social rights and social solidarity. The need for a new recipe became more and more apparent.

Nowadays, the default of the social state because of the current rapidly augmenting and spreading financial crisis seems to be more obvious than ever before. The social state, the former emperor, stands with no clothes deprived of any symbols of power. The throne is empty and the crown stolen. It is the social state and its achievements that seem to take the responsibility for the current global financial crisis. According to the current understanding it was the state intervention, the state's corrupted and ineffective beaurocracy, the employees' costly social rights and social protection that brought upon the world the current financial crisis. Those supporting these arguments propose a new world much different than the one we used to know where the absolute individual liberty and not the coherent society will guarantee prosperity and safety. The answer in enhancing civil liberties seems nowadays to be cut spending in public services, in social security and social goods, namely education and health while the very concept of labour is changing. Labour in developing and nowadays even in developed societies seems to worth less than basic, everyday consumer goods.

Though, it is undoubted that the social state as designed in the logic of the national state could not adopt to the new circumstances that globalisation and open markets have created, nevertheless its tragic end should bring forward a just skepticism. The human societies have long ago departed from the idea that the civil liberty, the individual freedom and benefit will bring social prosperity and solidarity. This was in the first place the reason for the introduction of social state. What has changed in the middle of our way? Did we by any chance reinvent the notion of individuality in a sense that can give as new answers to the problems faced by the modern societies? The answer I am afraid should be negative.

What in this framework remains open, a question unanswered by the political commentators, the news reporters and the academics that are currently faced by the dilemmas and problems that the social state default poses, is the following. Though malfunctioning, the social state has been working even ineffectively or expensively to the direction of social solidarity, redistribution, social coercion, equality, dignity, social inclusion and humanism. The decision to leave behind us the social state forces us to make a decision. Are we also going to leave behind are we going to 'default' those values too? And with what cost for the social piece and safety are we planning to do so? The fear that societies based in individuality are hostile and unsafe societies is not unrealistic and it threatens much more the values that we cherish as citizens than an expensive and ineffective social state.

What one should think facing such a predicament is in its core extremely simple. A strong, humanitarian global ideology such the one the social state represented cannot die without a proper funeral, and even more without appointing its successor. It is the task of academics, of constitutionalists, human rights theorists, philosophers, legal scholars to deeply reflect on the premises of social state, in the reasons causing it eminent erosion and mainly to propose the new ideology that can enhance dignity, social coercion and solidarity in the globalised human societies. The answers may lie in unexpected places such as in proposing the need for global democratic governance in order to face effectively the impacts of the economic crisis in the field of social rights or in the enhancement of democratic participation in a national level. The ground for this extremely interesting and open dialogue is hosted by the inaugural issue of *International Journal of Human Rights and Constitutional Studies* in an attempt to account the current status of social rights protection in a national and international level and to stress the most critical points of its current destruction.