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The Europeanization of public policies in Greece



Jef Van Langendonck (ed.), *The right to social security, Social Europe Series, vol. 12, Antwerpen-Oxford: Intersentia, 2007*

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Jef Van Langendonck (ed.), *The right to social security,*

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This volume collects the contributions of a major international conference; convened in Brussels on 17 and 18 February 2006 by the “Genootschap voor Sociale Zekerheid” (“Association for Social Security”), in order to celebrate (post festum, it is true) the anniversary of 50 years of the recognition of the right to security by the Universal Declaration of Human Rights. It is a most valuable contribution to an expanding but still short list of books on this issue, collecting highly authoritative work in all its aspects, legal and sociological. It clearly distinguishes itself from competing books by the range of coverage and the plurality of opinions. However, the major added value of the book is the refutation, by the majority of authors, of the recent demonization of Social security as the source of all modern social sins, i.e. excessive costs for enterprises, competitive disadvantages and unemployment, dependence on benefits, a culture of dependency and of benefit abuse.

The book is divided in six parts. The first part is containing some general papers on the content of the Right to Social Security, in its international dimension. The second part addresses the question of its implementation as a question of social policy. The third part investigates the actual content of the right. The fourth part is dedicated to international standards in social protection and their legal enforcement. The fifth part addresses the perspectives of the right in the context of globalisation and strong international competition. Finally, the sixth and largest part contains “national reports”, describing the implementation of the right in various parts of the world.

Many of the contributions are of the highest quality and originality. As it is not possible to refer to all, here follows a -less or more- arbitrary selection of some of them. At the beginning of the book, Michael Cichon, Ursula Kulke and Karuna Pal express the ILO’s point of view, which at the conference was contrasted with the neo-liberal policies of the World Bank, as it considers social security essentially as a right of international law. Although it may have not the same binding power as national legislation, its impact should not be underestimated. In the same line of thought, Alain et Chantal Euzeby react against the neo-liberal orthodoxy of modern economics and John Veil-Wilson presents a thorough discussion of the social policy significance of international declarations and conventions on social security. In another very interesting article, Theodoros Sakellaropoulos and Marina Angelaki, examine the recent pension reforms in Greece, Spain and Portugal, revisiting, at the same time, the quality and perspectives of the so-called Southern European Model.

A number of papers address the legal quality and justiciability of the right to social security. Konstantinos Kremalis distinguishes the American from the European legal viewpoint, which clearly recognizes an enforceable social security right based on property. But, as Veit-Wilson asks himself, does the “duty to care for the poor imply also a right of the poor to be cared for?” Historically, the pauper was a person deprived of rights, not invested with them and the duty to relieve the poor, was ‘a duty owed to the public and not to the poor person himself’ (quoting Sir Ivor Jennings, writing about the Poor Law of 1930).

This has changed by the recognition of a legal enforceable right to social security, as a right of the “second generation”. This is a legally enforceable right, often in combination with other constitutional principles or the right to property, as A. Kjonstad clearly illustrates in his contribution. How-

ever, Eberhard Eichenhofer finds the rational behind the recognition of the right to social security to be the decommodification of social services, in the framework of a social strategy which intends to help those who cannot help themselves by market forces. Therefore, the right to social security and social rights in general are not fundamentally different from classic civil and political rights.

This is an important point. The right to social security in most European legal orders has an autonomous constitutional foundation, distinct from the protection of the right to property. It is true that the case-law of Strasbourg has based the protection of social security provisions to the right of property, but this has happened only because the right to social security is not enshrined in the ECHR. (For the same reasons -i.e. lack of constitutional protection- some of the most influential proposals to elaborate a conceptualization of the welfare rights as “new property” come from American authors.) However, the essence of social rights is the relativation of the absolute character of the right to property by the introduction to the constitutional order of a parallel normative justificative base, founded on human dignity, equity and equality.

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Χρ. Μπάγκαβος και Δ. Παπαδοπούλου (επιμ.),
Μετανάστες και ένταξη μεταναστών στην ελληνική κοινωνία,
Αθήνα: Εκδόσεις Gutenberg, 2006

Το φαινόμενο της μετανάστευσης αποτέλεσε και συνεχίζει να αποτελεί στις μέρες μας ένα από τα πλέον κεντρικά θέματα που απασχολούν τις κοινωνικές επιστήμες, καθώς συναρτάται άμεσα με πλήθος παραμέτρων, που αφορούν τόσο την κοινωνία υποδοχής και τους θεσμούς της, όσο και τις ιδιαιτερότητες των ιδίων των μεταναστών. Τον αντίστοιχο επιστημονικό προβληματισμό που αναπτύσσεται στην Ελλάδα έρχεται να εμπλουτίσει η μελέτη των Χρήστου Μπάγκαβου και Δέσποινας Παπαδοπούλου. Στο βιβλίο επιχειρείται μια ολοκληρωμένη και εις βάθος ανάλυση των διαστάσεων και των συνεπειών της σύγχρονης μετανάστευσης και των διαδικασιών κοινωνικής ένταξης και ενσωμάτωσης των μεταναστών στην ελληνική κοινωνία, μέσω της κοινωνικής έρευνας.

Το πρώτο μέρος του βιβλίου προσεγγίζει την ιστορική, δημογραφική, και κοινωνιολογική διάσταση του μεταναστευτικού φαινομένου. Οι Georges Tapinos και Daniel Delaunay εξετάζουν τη λειτουργικότητα των στατιστικών δεδομένων για τα μεταναστευτικά ρεύματα της περιόδου 1965-1995, ως προς την υποστήριξη του ισχυρισμού περί ύπαρξης μιας παγκοσμιοποιημένης, διεθνούς μετανάστευσης και του ρόλου της στη διαδικασία της παγκοσμιοποίησης οικονομιών. Η Λίνα Βεντούρα εστιάζει το ενδιαφέρον της στην ιστορική διάσταση του μεταναστευτικού φαινομένου στον ευρωπαϊκό χώρο ως χώρο υποδοχής μεταναστών. Εξετάζεται η μετανάστευση τον 19ο αιώνα, συνδυασμένη με την αγροτική έξοδο, που καταλήγει σε ενδοευρωπαϊκές και υπερπόντιες μετακινήσεις, ως απόρροια των παγκοσμίων πολέμων, των αποικιοκρατικών σχέσεων και των διακρατικών συμφωνιών.

Το άρθρο των Σάββα Ρομπόλη, Χρήστου Μπάγκαβου και Ιωάννη Χατζηβασιλόγλου εξετάζει την περίπτωση της Ελλάδας ως χώρας που βίωσε μια έντονη μεταναστευτική εισροή, σε μια χρονική περίοδο στενότητας στην αγορά εργασίας και προβληματισμού για τη βιωσιμότητα του συνταξιοδοτικού συστήματος. Οι συγγραφείς συμπεραίνουν πως η παρουσία μεταναστών αποτελεί καθοριστικό παράγοντα για την επιβράδυνση των μεταβολών των συνταξιοδοτικών συστημάτων και των