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Labour Law Beyond Growth and Productivism: An Introduction

Nicolas Bueno, Beryl ter Haar, and Nuna Zekić

The world is changing constantly, and with it so are perceptions, values, and norms in society, as well as our ideas about what kind of world we would like to live in. This regularly leads to rethinking, reconsidering, and reimagining our ways of living and the institutions that regulate our lives. Particularly since the 2008 financial and economic crisis, calls have been made for alternatives to the economic growth- and profit-driven market economy. This call was reiterated during the Covid-19 pandemic when economic priorities left more room for health concerns and a reflection on what is essential work in society.¹ These calls also reflect systemic societal challenges caused by the fear of technical replacement, climate change, demographic change, and rising inequality. All these reflections will affect labour law and a labour law perspective is needed to contribute to them.

In response to these calls and societal challenges, new ideas, or *utopias*, have gained visibility in the socioeconomic literature. The aim of this book is to engage with two alternative approaches to the current growth- and profit-driven market economy: post-economic growth and post-productive work approaches. *Labour Law Utopias: Post-Growth and Post-Productive Work Approaches* explores what these alternatives might mean for work in general, its meaning and organization, and labour law in particular. The remainder of this introduction elaborates on utopias in general (what is a utopia, what can its function be for law, and how we use this concept); why there is a need for labour law utopias; and what post-growth and post-productive work approaches entail in this book. The introduction concludes with an overview of the main trends and discussions that can be identified in the chapters for rethinking labour law beyond growth and productivism.

¹ See International Labour Organization, *The Value of Essential Work: World Employment and Social Outlook 2023* (ILO 2023).

I. Utopias as Idealistic Alternatives

The concept of ‘utopia’ is often used in a historical fictional way.² These utopias in literary works usually have the purpose of helping the reader to imagine a completely different society, an ideal society, or an ideal way of living. However, a utopia for one person or group can be a dystopia for others. Huxley’s *Brave New World* is a clear example of this. And Thomas More’s *Utopia* was an ideal world for everyone who behaves in accordance with the rules as set by More. For good reasons, many utopias remain just an idea on paper. However, many utopias have also left a ‘legacy’. For example, until about the mid-sixteenth century laziness was considered a virtue and the *Land of Cocagne* something every good citizen would dream of. Thomas More changed this radically. In More’s *Utopia*, work was considered a virtue: every citizen ought to spend their time in a way that is useful for society. While his utopia was never realized, the idea of work being a virtue still resonates today.³ Beyond being a virtue because it is considered as something that gives an individual person an identity, esteem, and dignity, work is also increasingly appreciated and rewarded based on its mere economic value.

Sometimes a utopia is used to visualize how the world could have been different had a certain path or paradigm been followed. Examples of these are Jurriaan Andriessen’s *Eldorica*,⁴ which visualizes an alternative world that considered all the recommendations of the 1972 report of the Club of Rome; and Yanis Varoufakis’ *Another Now*,⁵ which sketches a different world based on the idea of what could have been if, in 2008, civil society movements *Occupy* and *Extinction Rebellion* had won. By visualizing how things could have been done differently, the aim of these utopias is to facilitate different choices and get on a path towards change. Perhaps this could be considered the most important function of utopias: by imagining how things could be done differently and what kind of world that could lead to, this will make it easier to opt for change.

No matter how you look at utopias, the use of a utopia makes it clear that the goal of the author is to think beyond the existing world and imagine ideal alternatives. As such, the use of a utopia allows us to think beyond the familiar and come up with solutions that would not otherwise have been considered. Langille’s chapter elaborates on the idea of labour law utopias. More generally,

² William Morris, *News from Nowhere or an Epoch of Rest* (Kelmescott Press 1890; first published in *Commonweal Journal*).

³ Hans Achterhuis, *De Erfenis van de Utopie* (Ambo 1998) 83.

⁴ Jurriaan Andriessen, *Eldorica. Met een Reisverslag naar een betere wereld* (Het Spectrum 1990).

⁵ Yanis Varoufakis, *Another Now: Dispatches from an Alternative Present* (Random House 2021).

the contributions in this book use the idea of utopia as a method to offer forward-looking ideas about what a future world of work that is more human-centred and green may look like and the implications such a world holds for labour law. The future-oriented approaches that are promoted in this book aim to offer alternatives to the economic growth- and profit-driven free market economy. More concretely, this book follows two general approaches: post-growth and post-productive work. These approaches have been chosen because they respond to various important issues for the future of work, and they present serious challenges to labour law. These include environmental concerns and climate change, technological replacement, demographic change, increasing income and wealth inequality, and precariousness in a profit- and productivity-driven economic model.

II. The Need for Labour Law Utopias

With the post-growth and post-productive work approaches, we aim to do what we legal scholars are good at, namely, to ask what the law *should* or *ought* to be. This is something that some legal scholars claim to be at the heart of legal scholarship,⁶ often combined with a positive law approach.⁷ However, when reviewing labour law research, this ‘how the law should or ought to be’ approach also has its limitations. Overall, labour law research remains fragmented, dogmatically linked to positive law, and it rarely interacts with developments in other scientific fields such as economics and sociology.⁸

By fragmented, we mean that research in labour law is often focused on one particular problem or niche topic of labour law. This is usually a good thing as such an approach offers profound insights into the problem or topic addressed. This approach also serves practitioners in (labour) law, especially lawyers and judges. For example, since the rise of platform work, many labour law researchers have explored this new form of employment relationship and made suggestions on how to make this triangular contractual relationship fit within the existing and often dogmatic binary ‘either employee or entrepreneur’ system.⁹ With an increased use of algorithms in the context of work,

⁶ Jan Smits, ‘Redefining Normative Legal Science: Towards an Argumentative Discipline’ in Fons Coomans, Fred Grunfeld, and Menno Kamminga (eds), *Methods of Human Rights Research* (Intersentia 2009) 49.

⁷ Nuna Zekić, ‘The Normative Framework of Labour Law’ (2019) 9 *Law and Method* 1.

⁸ With notable exceptions: see eg Ruth Dukes, ‘The Economic Sociology of Labour Law’ (2019) 46(3) *Journal of Law and Society* 396–422.

⁹ Jeremias Prassl, *The Concept of the Employer* (OUP 2015); in the context of platform work: Jeremias Prassl and Martin Risak, ‘Uber, Taskrabbit, and Co.: Platforms as Employers - Rethinking the Legal

labour law researchers have also outlined the particular risks of infringements of workers' rights, such as discrimination and privacy issues, and how those risks could or should be met by existing labour law.¹⁰ The research on precariousness, an issue that is continuously challenging labour law, especially since the proliferation of more flexible forms of employment (part-time work, fixed term contracts, temporary work contracts, zero-hour contracts, on-call contracts, but also crowd work via platforms), aims to inform practitioners, but also lawmakers, on how to improve the situation of these workers by pointing out weaknesses in the existing labour law systems and how these could be overcome with adaptations of those labour law systems.¹¹

With this important type of research, labour law researchers fulfil the function of gatekeepers of the legal systems in ensuring that the positive law remains efficient and fair. However, by remaining dogmatically linked to positive labour law, one could ask whether this type of research alone is enough to question the purpose of labour law and its role in defining how we want and need to regulate work in the future. When following arguments that labour law is in crisis—some even claim it is dead¹²—it is doubtful whether labour law systems have maintained their integrity in terms of its quality and functioning. For Guy Davidov, labour law is not in crisis, however, due to incremental, piecemeal

Analysis of Crowdwork' (2016) 37(3) Comparative Labor Law and Policy Journal 619; Miriam Cherry, 'Beyond Misclassification: The Digital Transformation of Work' (2016) 37(3) Comparative Labor Law and Policy Journal 577; Valerio De Stefano and Matthias Wouters, 'Triangulaire arbeidsrelaties in de platformeconomie: een voorstel tot een vermoeden van uitzendbureau' (2019) Arbeidsrechtelijke Annotaties 3, 3; Christina Hiessl, 'The Classification of Platform Workers in Case Law: A Cross-European Comparative Analysis' (2021) 42(2) Comparative Labor Law and Policy Journal 465.

¹⁰ Miriam Kullmann, 'Platform Work, Algorithmic Decision-Making, and EU Gender Equality Law' (2018) 34(1) International Journal of Comparative Labour Law and Industrial Relations 1–21; Valerio De Stefano, 'Algorithmic Bosses and What to Do About Them: Automation, Artificial Intelligence and Labour Protection' in D Marino and M Monaca (eds), *Economic and Policy Implications of Artificial Intelligence. Studies in Systems, Decision and Control* (Springer 2020) 65–86; Joe Atkinson, 'Technology Managing People': An Urgent Agenda for Labour Law' (2021) 50(2) Industrial Law Journal 324–29; Marta Otto, 'A Step Towards Digital Self- & Co-determination in the Context of Algorithmic Management Systems' (2022) 15(1) Italian Labour Law e-Journal 51–64.

¹¹ Jeff Kenner, Izabela Florczak, and Marta Otto (eds), *Precarious Work: The Challenge for Labour Law in Europe* (Edward Elgar Publishers 2019); Edoardo Ales, Olaf Deinert, and Jeff Kenner, *Core and Contingent Work in the European Union. A Comparative Analysis* (Hart Publishing 2017); David Weil, *The Fissured Workplace. Why Work Became so Bad for so Many and What Can Be Done to Improve It* (Harvard UP 2004).

¹² Among various contributions: Guy Davidov and Brian Langille (eds), *The Idea of Labour Law* (OUP 2011); on the death of labour law in particular and among others: Keith Ewing, 'The Death of Labour Law?' (1988) 8 Oxford Journal of Legal Studies 293; Dennis Davies, 'Death of a Labour Lawyer?' in Joanne Conaghan, Richard Fischl, and Karl Klare (eds), *Labour Law in an Era of Globalization* (OUP 2004); Paul O'Higgins, 'The End of Labour Law as We Have Known It?' in Catherine Bernard, Simon Deakin, and Gillian Morris (eds), *The Future of Labour Law: Liber Amicorum Bob Hepple* (Hart Publishing 2004) 289.

changes that have been made to the system over the course of time, labour law's purposes and the means to achieve those purposes are no longer aligned.¹³

Others, like Ruth Dukes and Zoe Adams, argue that labour law is in crisis because the (fragmented) dogmatic studies fail to take into account the reality of the socioeconomic context in which the labour law system operates.¹⁴ From these arguments it follows that issues in labour law should be addressed in their wider socioeconomic context, without losing sight of labour law's purpose. This may be even more the case when a forward-looking approach is taken, after all, without a broader, socioeconomic context to embed these 'labour law utopias', they risk remaining utopias forever.

Thus, while taking a forward-looking approach which puts 'dots on the horizon', these dots are embedded in the wider socioeconomic horizons of post-growth and post-productive work approaches defined below. These 'dots' may give direction to the transition that needs to be made towards new work utopias and their (cor)responding labour laws. The transition to such new work utopias and (cor)responding labour laws is very much worth exploring. However, before transitions can be made, we must have new utopias, these dots on the horizons, and currently, there is a lack of legal contributions on these dots. Therefore, the aim of the chapters in this book is to engage with doctrinal debates on post-growth and post-productive work approaches and their potential impacts on labour law.

III. Post-Growth and Post-Productive Work Approaches

History has seen many utopias. Some were translated into law and practice, at least to some extent, and therewith became socioeconomic paradigms in which work relations were shaped and labour law operated. For example, Soviet socialists and French socialists before them, envisioned a society in which each person was entitled to work and enjoy income security as the basis for economic equality.¹⁵ In the second half of the twentieth century, the neoliberal socioeconomic paradigm emerged as a counter-ideology to socialism. Promoted particularly by Hayek and Friedman,¹⁶ this neoliberal utopia became the new

¹³ Guy Davidov, *A Purposive Approach to Labour Law* (OUP 2016).

¹⁴ Ruth Dukes, 'Regulating Gigs', review article in (2019) 83(1) *Modern Law Review* 217; Zoe Adams, 'A Structural Approach to Labour Law' (2022) 46 *Cambridge Journal of Economics* 447.

¹⁵ The right to work was, eg, the first fundamental right in the Soviet Constitution of 1936, art 118.

¹⁶ Friedrich Hayek, *The Road to Serfdom* (first published 1944, University of Chicago Press 2007); Milton Friedman and Rose Friedman, *Capitalism and Freedom* (first published 1962, 40th anniversary edn University of Chicago Press 2002); Milton Friedman and Rose Friedman, *Free to Choose: A Personal Statement* (first published 1980, Harvest Book 1990).

socioeconomic paradigm since the late twentieth century. It envisions an ideal society in which individuals are free to choose work and are rewarded according to their skills, but also implies human competition for work and a growing economy able to create market jobs.

Although these two utopias seem to be in complete opposition, they share the need to rely on work as a basis for society. And, with a continuous increase in population, this has resulted in policies stimulating the creation of new jobs. States in socialist systems, as well as private companies in neoliberal market systems, have proven to be very creative and inventive in occupying an ever-increasing number of workers.¹⁷ As ironically pictured by Bertrand Russell, in Soviet Russia the state designed admirable projects, such as making the White Sea and the northern coasts of Siberia warm, just to occupy people.¹⁸ Alternatively, in free market societies, the state endeavours to turn individuals into socialized consumers. André Gorz described how commercial advertisement helped to artificially stimulate consumption (in order to create jobs) by making people consume, not because the products are useful or necessary, but merely as compensation for the hard work they do.¹⁹

Currently, the logic of ensuring more and better paid jobs requires economic growth and relies on economic productivity. This logic requires that people become economically productive by training for and taking productive jobs in the labour market, but also that they consume more, a requirement that is unlikely to respect environmental boundaries and the climate. But abandoning, collectively or individually, this economic growth and productive logic is associated with the fear of reducing employment and material security. Although consensus on a work utopia that would work for all in a globalized economy is currently non-existent, alternative economic and work models are gaining visibility. In this edited book, labour law scholars address this growth and productive dilemma by engaging with post-growth and post-productive work approaches, as outlined in the following section. Rather than offering solutions on how to solve the dilemma, the aim of the chapters in this book is to explore new avenues for work and labour law.

¹⁷ David Graeber, *Bullshit Jobs: The Rise of Pointless Work, and What We Can Do About It* (Penguin Group 2019); Jan Lucassen, *The Story of Work: A New History of Mankind* (Yale UP 2021); James Suzman, *Work. A History of How We Spend Our Time* (Bloomsbury 2021).

¹⁸ Bertrand Russell, *In Praise of Idleness: And Other Essays* (3rd edn, Allen & Unwin 1936) 9.

¹⁹ André Gorz, *Critique of Economic Reason* (first published in French 1988, Verso 1989) 45.

A. Post-Growth Approaches

Post-economic growth approaches address and rethink the purpose of economic and human activities. They look beyond increasing consumption, production, and wealth as the main goals of the economy. Since most of the authors advocating a post-growth approach are educated as economists, they first describe how and why targeting economic growth, particularly in terms of GDP growth, is neither sufficient nor beneficial for most people, or even possible within planetary boundaries.²⁰ Some authors then propose new values, such as happiness²¹ or wellbeing,²² as the main purposes of the economy, while others aim to describe more precisely how to depart from the current growth model. To give a more concrete impression of these approaches, we briefly describe three books that have gained popular attention.

In *Less is More*, Jason Hickel focuses on the environmental and climate, as well as social, consequences of growth. He argues that the current economic order is leading humanity towards mass extinction. In order to genuinely turn things around, it is necessary to slow down the pace of extraction, production, and waste, and slow down the ‘mad pace of our lives.’²³ Hence, we need a ‘degrowth’ policy. He suggests mobilizing behind a global Green New Deal that goes beyond the capitalist parameters and that would reduce world greenhouse gas emissions by half by 2030 and to zero by 2050. Degrowth would entail systematic downscaling of energy and resource use, to create an economy that is in ‘balance with the living world in a safe and equitable way.’²⁴ By ‘equitable’, Hickel means a society where income and resources are distributed more fairly and invested in the public goods that people need to thrive and where people are ‘liberated’ from needless work.²⁵

Kate Raworth’s *Doughnut Economics* departs from the goal of achieving GDP growth that is traditionally represented by an increasing curb. Instead, Raworth replaces the traditional growth curb by a doughnut to illustrate how economic activities, from local to global, should meet the social foundation of human wellbeing (and not fall inside the hole of the doughnut) within planetary boundaries (the external limit of the doughnut).²⁶ Touching at the

²⁰ Giorgos Kallis, *Degrowth* (Agenda Publishing 2018).

²¹ Bruno Frey, *Economics of Happiness* (Springer International 2018).

²² Lorenzo Fioramonti, *Wellbeing Economy: Success in a World Without Growth* (Pan Macmillan 2017); Lorenzo Fioramonti and others, ‘Wellbeing Economy: An Effective Paradigm to Mainstream Post-Growth Policies?’ (2022) 192 *Ecological Economics* 107261.

²³ Jason Hickel, *Less is More: How Degrowth Will Save the World* (Penguin Random House 2021) 184.

²⁴ *ibid* 29.

²⁵ *ibid* 184.

²⁶ Kate Raworth, *Doughnut Economics: Seven Ways to Think Like a 21st-Century Economist* (Random House Business 2018) 25.

core of neoliberal market mechanisms, she rejects the idea of the rational economic man and replaces this by a vision of social and interdependent human beings.²⁷ She also reduces the role of markets. In her pluralistic system, the state, the household, and the commons (see for more information, particularly Chapter 8 by Tomassetti in this book), defined as shareable resources that people choose to use and govern through self-organizing, should be used to provide for human needs besides markets. In contrast to the current model that is based on the idea that we will be able to recover and redistribute after growth, she describes economies that are regenerative and distributive by design.²⁸

Post-Growth by Tim Jackson is less about economic systems than about a definition of social progress and a new storytelling away from consumption and competition, as well as productive work. After presenting economic growth as a myth, including green growth, he suggests that we should strive towards other forms of prosperity, in particular health in all its physical, psychological, social, spiritual, and sexual components.²⁹ And for this, balance, cooperation, and love are needed more than growth, competition, and consumption. His vision of work is much broader than economically productive work and encompasses a re-evaluation of activities, such as care or craft, that offer opportunities to learn, participate, and help build the social world and our place in it.³⁰

The chapters by Ter Haar (Chapter 3, Economic Paradigm Shifts for Labour Law), Zekić (Chapter 4, Labour Law for Degrowth and Meaningful Work), Carelli (Chapter 5, First Lines for an Ecological Labour Law), and Deva and Anand (Chapter 6, A Global South Perspective on Labour Rights and Supply Chains for a Post-Growth World), are mainly based on this post-growth approach.

B. Post-Productive Work Approaches

Altogether, post-growth approaches focus on the economy as a whole and its purpose, but do not yet precisely focus on work, its value and purpose, and organization. It is undeniable that transforming theories of post-growth into practice will require a clear understanding of its consequences on work. Post-productive work approaches focus more specifically on work. They include alternatives to the current work dogma or reliance on economically productive

²⁷ *ibid* ch 3.

²⁸ *ibid* chs 2, 5, 6.

²⁹ Tim Jackson, *Post Growth* (Wiley 2021) 61.

³⁰ *ibid* ch 7.

work for individuals and society. Two specific tracks can be distinguished. The post-work approach in the strict sense usually considers work as a form of unnecessary exploitation. Therefore, it looks for avenues to diminish its quantity as much as possible. Historically, a plethora of essays have envisioned societies that are freer from work, notably Paul Lafargue's *Right to be Lazy*,³¹ or Bertrand Russell's *Praise of Idleness*.³² More recently ideas are proposed on how technology ownership and redistribution, for example through a basic income, can liberate people from work. Two examples of the latter include Daniel Susskind's *World Without Work*³³ and Nick Srnicek and Alex Williams' *Postcapitalism and a World Without Work*.³⁴

The chapters by De Becker and Claus (Chapter 11, Social Security and the Right to Laziness Beyond just Basic Income) and Gamonal (Chapter 12, Utopia, Power, and Free Labour) are based on this track of post-productive work.

The second track in the post-productive work approach goes beyond questions regarding the quantity of work. The debates focus on the purpose of work and its value for individuals and society. Whereas the current free (labour) market approach pushes individuals to compete for paid work and, thus, to train for the most economically productive and, therefore, remunerative jobs, critiques emerge on the need for more meaningful activities for individuals themselves and society altogether. The object of this approach can be defined as 'post-productive work'. The debate usually starts with a critique of some highly paid jobs that make neither the individual worker particularly happy or proud, nor the world a better place, as described in David Graeber's *Bullshit Jobs*.³⁵ Additionally, there is a strand of literature which is developing the concept of meaningful work, but mainly from the perspective of individuals. This literature goes beyond decent work which is at the heart of the general labour law doctrine.³⁶

Beyond meaningful work for individuals, some authors also discuss the value of work (and activities beyond work) for society beyond producing wealth, or differently put, the social value of work. For instance, Chamberlain's *Undoing Work, Rethinking Community* addresses the low social esteem that is attached to unpaid activities and envisions a society, where taking responsibility for the

³¹ Paul Lafargue, *The Right to Be Lazy* (first published in French 1880, Charles Kerr and Co edn 1907) 29.

³² Russell, *In Praise of Idleness* (n 18).

³³ Daniel Susskind, *World Without Work: Technology, Automation, and How We Should Respond* (Macmillan 2020).

³⁴ Nick Srnicek and Alex Williams, *Inventing the Future: Postcapitalism and a World Without Work* (Verso 2016).

³⁵ Graeber, *Bullshit Jobs* (n 17).

³⁶ Andrea Veltman, *Meaningful Work* (OUP 2016).

wellbeing of others, not paid work, becomes the way to belong to society.³⁷ However, wellbeing remains undefined.³⁸ Dermine and Dumont have looked more specifically at the role of social law to promote freely chosen '(eco)socially useful activities', containing a whole range of human activities that contribute to the construction of a sustainable society, but that are not valued by the market.³⁹ Bueno's human economy framework reflects on the waste of human potential when someone would like to do meaningful work for society, but has no individual opportunities to do so and has to take whatever job is available on the market. In his framework, activities are personally meaningful if they are freely chosen and socially meaningful when they contribute to central human needs.⁴⁰ Finally, *Post-Growth Work* is a recent example of a book which discusses the value of work in a post-growth logic.⁴¹

Chapters that engage mainly with this post-productive work approach are written by Bueno (Chapter 7, Including the Non-Economic Value of Work in Labour Law), Tomassetti (Chapter 8, Labour Law and the Utopia of the Commons), Encinas de Muñagorri (Chapter 9, Labour Law for Care and Wellbeing), and Albin (Chapter 10, Channelling Technologies to Benefit Employees via Labour Law).

IV. Trends and Main Discussions of the Book

By having all the chapters grounded around post-growth and post-productive work approaches, we were able to identify several trends towards which labour law could develop. According to these trends, labour law should or could (1) become more human-centred; (2) adopt a broader socioecological approach; (3) better reconcile the individual with the collective/societal; and (4) reformulate the role of work in and for society. Despite these identifiable trends, the authors discuss different, sometimes even contrasting, ideas about work, its role, value, and meaning, and consequently about how labour law

³⁷ James Chamberlain, *Undoing Work, Rethinking Community: A Critique of the Social Function of Work* (Cornell UP 2018) 138.

³⁸ *ibid.*

³⁹ Elise Dermine and Daniel Dumont, 'A Renewed Critical Perspective on Social Law: Disentangling Its Ambivalent Relationship with Productivism' (2022) 38(3) *International Journal of Comparative Labour Law and Industrial* 255, 267.

⁴⁰ Nicolas Bueno, 'From the Right to Work to Freedom from Work: Introduction to the Human Economy' (2017) 33(4) *International Journal of Comparative Labour Law and Industrial Relations* 463–87; Nicolas Bueno, 'From Productive Work to Capability-Enhancing Work: Implications for Labour Law and Policy' (2022) 23(3) *Journal of Human Development and Capabilities* 354–72.

⁴¹ Irmi Seidl and Angelika Zahrnt (eds), *Post-Growth Work: Employment and Meaningful Activities within Planetary Boundaries* (Routledge 2022).

could further develop. This section outlines the identified trends and reports the discussions for furthering research in labour law.

A. Human-Centred Labour Law

Currently, one of the main functions of labour law is to provide rights for the protection of workers. However, the focus of labour law on formally protecting the (paid) worker and the regulation of power in markets seems too narrow to be truly human-centred, as can be deduced from the chapters by Langille, Deva and Anand, and Gamonal. Many of the authors in this book take a different, more human-centred approach. They conclude in their own way that work should be defined more by how it contributes to the wellbeing of humans and society more broadly. We see this clearly in the chapter by Ter Haar who identifies a human-centred approach as opposed to a growth- and production-driven approach to work as one of the commonalities at the core of a new socioeconomic wellbeing paradigm. According to Ter Haar, this new paradigm should lead to a change in labour law's foundational principles, functions, and structure.

In Carelli's ecological labour law, a human-centred approach is expressed by the universal, all-encompassing notion of work which includes all human activities; productive and non-productive. Others re-evaluate work that is not necessarily productive but contributes to human flourishing by discussing the concepts of 'essential work' or 'meaningful work' (Zekić, Bueno, Dermine and Dumont). In this context, Bueno takes a critical view of labour law since it does not really tackle or address the fact that some types of work have a negative impact on people, such as increasing inequalities or reducing their basic human capabilities.

Encinas de Muñagorri and Albin also elaborate on some negative consequences of a labour law system that focuses on workers' productivity. Encinas de Muñagorri sketches a labour law utopia promoted by the fictional *Globalcare* programme that the United Nations (UN) will adopt in 2054. The essence of this labour law utopia is that it prioritizes care and wellbeing over considerations of productivity. Albin sketches a world in which technology is not the property of employers to be used at their will to boost productivity, but developed and used to accommodate the needs of the human worker. Hence, she also puts the human needs of the worker in the foreground.

B. Socioecological Labour Law

Many chapters in this book discuss the relevance of labour law for the environment and the climate. Labour law has traditionally been detached from questions of the environment and more concerned with providing employment and good working conditions for people. As elaborated by Ter Haar, in general the degrowth approach promotes an economic system in which all human activities, including work, respect the boundaries of the planet. Furthermore, post-growth and post-productive approaches seem to be underpinned by the idea that the interest of the planet should be respected much more in any economic system or society (Ter Haar, Tomassetti).

There seems to be a consensus that respecting the boundaries of the planet will affect production processes and result in lower production volumes. While this is accepted by some as inevitable (Ter Haar, Carelli, Zekić), Deva and Anand warn that this will have a major impact on the global supply chains and possibly hinder the development aspirations of the Global South. To overcome this problem, they introduce a 'differentiated degrowth' model, accompanied by a reorientation of corporate purpose, restoration of historical wrongs (including from colonial times), and a universal social protection for people globally.

More strongly related to the role of labour law, Zekić and Carelli in their respective chapters question whether labour law should support the logic of degrowth. More particularly, Zekić considers whether the role of labour law should be altered to foster merely production processes that are environmentally sustainable in the long run. Carelli, though, sketches an ecological labour law which balances the traditional social goals (human dignity, equality) with ecological goals (avoiding planetary cataclysm; respecting planetary boundaries). While none of the ideas presented in this book are mutually exclusive, the challenge is to figure out how to bring them together, especially when going through the transition towards a socioeconomic system that fully operates within the boundaries of the planet and takes into account the needs of society, especially the Global South.

C. The Individual and the Collective/Societal in Labour Law

There is a third underlying theme and discussion in many of the chapters. Labour law should better reconcile and further explore individual and societal interests. On one hand, labour law has a long tradition of providing

collective rights to trade unions and mechanisms of collective bargaining, such to counterbalance the power of the employer. On the other hand, labour law is grounded in liberal market economies that protect the individual worker's freedom to choose work in markets and promote individual autonomy in the workplace. Beyond this current balance in labour law, some chapters further explore alternative forms of workplace democracy (Ter Haar), including through the form of the commons (Tomassetti) and the role that technology could have if it was not only an employer's property (Albin).

An important question in this book is not if, but *how* labour law can better reconcile individual and collective or societal interests. In short, how to ensure individual freedom and nevertheless promote collective outcomes for society and the environment? Ter Haar explores the collective and the individual through a change of corporate purpose, namely, to serve the needs of society and to foster the individual talents of their workers at the same time, rather than pursuing economic growth and profits. Bueno addresses further the individual and societal waste of skills when individuals, sometimes highly skilled, would like to do something meaningful for society or the environment, but must take whatever jobs are on the market. He outlines a new role for labour law that consists in reducing this mismatch by increasing individual choices for collectively meaningful work, including care work, as further developed by Encinas de Muñagorri, and reducing individual choice for collectively detrimental jobs offered in the market. De Becker and Claus, on the other hand, seek individual freedom from work by the introduction of a new fundamental right: the right to be lazy, linked to a form of basic income.

What combines the utopian visions presented in this book is the fact that work should no longer only be valued by pure market needs. Its value should also reflect the impact of work on society and the environment, its societal value. More research is needed, though, to work out what this means in terms of labour law. While Bueno and De Becker and Claus tend to be fairly concrete on labour law consequences, their focus on the individual raises questions of how to reconcile this with identifying the value of work in Tomassetti's utopias of the commons.

D. The Role of Work in and for Society

All chapters implicitly or explicitly touch upon the role of work in society. They raise questions on the meaning of work, such as: should we reconsider the purpose of work in general related to its societal meaning (Ter Haar, Tomassetti,

Encinas de Muñagorri, Albin); should we reconsider the meaning of work for its environmental impact (Ter Haar, Zekić, Carelli, Tomassetti); should we reconsider work in a more qualitative way by understanding better the social positive and negative impacts of jobs through concepts of essential or meaningful work (Bueno) or eco-socially useful work (Dermine and Dumont)?

The answers to these questions on the meaning of work raise further questions regarding its quantity and distribution in society. Will less work be needed in the utopian future (Ter Haar, Zekić, Carelli, De Becker and Claus) and how to reconsider work in terms of making us less dependent on it (De Becker and Claus)? Or what kind of work will be needed less and what kind should we have more of (Bueno, Dermine and Dumont), and how will it be distributed (Ter Haar, Deva and Anand)?

Underlying all these considerations, Deva and Anand remind us to keep in mind the impact of a changing role of work in society on the Global South. Langille, with his metaphor of the trilogy ‘Voyage’, ‘Shipwreck’, and ‘Salvage’, warns us to consider carefully what is good in the current system of labour law and which should therefore be salvaged as the basis for the utopias presented in this book.

E. Further Discussion

The above outlined trends also reflect the discussions that we believe can make labour law move forward in a more embedded way with a broader socio-economic-ecological context. To emphasize how this could be done, Dermine and Dumont (Chapter 13, Conclusion: Utopias for an Ecological Social Law and How to Get There) present the overall narrative that is created by the chapters in this book. Then, by further building on their own post-productive work narratives on how to promote ecosocially useful work, they explore how paths of transition can be identified from the current positive laws towards post-growth and post-productive work societies. In so doing, they illustrate how the labour law utopias presented in this book set paths for transition and how they can be used for further research.

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