

“The Nature and Effects of Rights, a Constitutional Political Economy Perspective”

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Constitutional political economy theory implies that systems of rights can emerge from different processes, but the rights that emerge generally tend to be unequal and to change through time. In some cases, rights may become more equal and universal, but not often. If rights are consequential, then understanding their origins and the political, economic, and cultural processes that generate and support them is also important. This paper undertakes to do so and also provides some evidence that democratic politics and open markets tend to support relatively equal and universal rights. Rights are among the most important of the rules that determine individual and organizational opportunities and thereby have both economic and political consequences.