



THE ATHENS INSTITUTE FOR EDUCATION AND RESEARCH

# Abstract Book

**10<sup>th</sup> Annual International Conference on  
Business, Law & Economics  
1-4 May 2023, Athens, Greece**

**Edited by  
David Frenkel and Olga Gkounta**

2023



Abstracts  
10<sup>th</sup> Annual International  
Conference on Business, Law &  
Economics  
1-4 May 2023, Athens, Greece

Edited by David Frenkel and  
Olga Gkounta

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## Preface

This book includes the abstracts of all the papers presented at the 10<sup>th</sup> Annual International Conference on Business, Law & Economics (1-4 May 2023), organized by the Athens Institute for Education and Research (ATINER).

A full conference program can be found before the relevant abstracts. In accordance with ATINER's Publication Policy, the papers presented during this conference will be considered for inclusion in one of ATINER's many publications only after a blind peer review process.

The purpose of this abstract book is to provide members of ATINER and other academics around the world with a resource through which they can discover colleagues and additional research relevant to their own work. This purpose is in congruence with the overall mission of the association. ATINER was established in 1995 as an independent academic organization with the mission to become a forum where academics and researchers from all over the world can meet to exchange ideas on their research and consider the future developments of their fields of study.

To facilitate the communication, a new references section includes all the abstract books published as part of this conference (Table 1). I invite the readers to access these abstract books –these are available for free– and compare how the themes of the conference have evolved over the years. According to ATINER's mission, the presenters in these conferences are coming from many different countries, presenting various topics.

**Table 1.** *Publication of Books of Abstracts of Proceedings, 2014-2023*

Year	Papers	Countries	References
2023	35	18	Frenkel and Gkounta (2023)
2022	30	17	<a href="#">Papanikos and Gkounta (2022)</a>
2021	23	12	<a href="#">Papanikos (2021)</a>
2020	20	10	<a href="#">Papanikos (2020)</a>
2019	34	23	<a href="#">Papanikos (2019)</a>
2018	29	18	<a href="#">Papanikos (2018)</a>
2017	33	17	<a href="#">Papanikos (2017)</a>
2016	31	17	<a href="#">Papanikos (2016)</a>
2015	28	17	<a href="#">Papanikos (2015)</a>
2014	28	25	<a href="#">Papanikos (2014)</a>

It is our hope that through ATINER's conferences and publications, Athens will become a place where academics and researchers from all

over the world can regularly meet to discuss the developments of their disciplines and present their work. Since 1995, ATINER has organized more than 400 international conferences and has published over 200 books. Academically, the institute is organized into 6 divisions and 37 units. Each unit organizes at least one annual conference and undertakes various small and large research projects.

For each of these events, the involvement of multiple parties is crucial. I would like to thank all the participants, the members of the organizing and academic committees, and most importantly the administration staff of ATINER for putting this conference and its subsequent publications together. Specific individuals are listed on the following page.

**Gregory T. Papanikos**  
**President**

## **Editors' Note**

These abstracts provide a vital means to the dissemination of scholarly inquiry in the field of Business, Law & Economics. The breadth and depth of research approaches and topics represented in this book underscores the diversity of the conference.

ATINER's mission is to bring together academics from all corners of the world in order to engage with each other, brainstorm, exchange ideas, be inspired by one another, and once they are back in their institutions and countries to implement what they have acquired. The 10th Annual International Conference on Business, Law & Economics accomplished this goal by bringing together academics and scholars from 18 different countries (Australia, Belgium, Croatia, Denmark, Iraq, Israel, Italy, Latvia, Luxembourg, Poland, Portugal, Romania, Slovenia, South Africa, Spain, Thailand, UK, USA), which brought in the symposium the perspectives of many different country approaches and realities in the field.

Publishing this book can help that spirit of engaged scholarship continue into the future. With our joint efforts, the next editions of this conference will be even better. We hope that this abstract book as a whole will be both of interest and of value to the reading audience.

**David Frenkel & Olga Gkounta**  
**Editors**

## **10<sup>th</sup> Annual International Conference on Business, Law & Economics, 1-4 May 2023, Athens, Greece**

### **Organizing & Scientific Committee**

All ATINER's conferences are organized by the Academic Council. This conference has been organized with the assistance of the following academic members of ATINER, who contributed by reviewing the submitted abstracts and papers.

1. Gregory T. Papanikos, President, ATINER & Honorary Professor, University of Stirling, U.K.
2. Michael P. Malloy, Director, Business, Economics and Law Division, ATINER & Distinguished Professor & Scholar, University of the Pacific, USA.
3. David A. Frenkel, LL.D., Head, Law Unit, ATINER & Emeritus Professor, Law Area, Guilford Glazer Faculty of Business and Management, Ben-Gurion University of the Negev, Beer-Sheva, Israel.

# FINAL CONFERENCE PROGRAM

10<sup>th</sup> Annual International Conference on Business, Law & Economics, 1-4  
May 2023, Athens, Greece

## PROGRAM

Monday 1 May 2023

08.30-09.00  
Registration

09:00-09:30

**Opening and Welcoming Remarks:**

- **Gregory T. Papanikos**, President, ATINER.
- **David A. Frenkel**, LL.D., Head, Law Unit, ATINER & Emeritus Professor, Law Area, Guilford Glazer Faculty of Business and Management, Ben-Gurion University of the Negev, Beer-Sheva, Israel.

### Session 1

**Coordinator: David A. Frenkel**, LL.D., Head, Law Unit, ATINER & Emeritus Professor, Law Area, Guilford Glazer Faculty of Business and Management, Ben-Gurion University of the Negev, Beer-Sheva, Israel.

1. **Michael Adams**, Professor, University of New England, Australia.  
*Title: The Role of Information Governance in Quality Corporate Governance.*
2. **Massimo Bianchi**, Professor, University of Bologna, Italy.  
*Title: Network analysis and control system in Mega Projects. The case of PICASP Erasmus Project.*
3. **Aleksander Maziarz**, Professor, Kozminski University, Poland.  
*Title: Gun Jumping In EU and US Competition Law.*
4. **Danijela Brečko**, Assistant Professor, MLC Ljubljana, Slovenia.  
*Title: The Influence of Emotional Intelligence on the Effectiveness of the Decision-Making Process – A Comparative Analysis between Students of Law and Economics.*

### Session 2b

**Coordinator: Michael Adams**, Professor, University of New England, Australia.

1. **Torben Hansen**, Professor, Copenhagen Business School, Denmark.  
*Title: Giving in to Unhealthy but Delicious Food Temptations.*
2. **Joanna Kielin-Maziarz**, Professor, Kozminski University, Poland.  
*Title: Democratic deficit in the EU and the European Citizens Initiative.*
3. **Moshe Eben-Chaime**, Professor, Ben-Gurion University of the Negev, Israel.  
*Title: A Closer Look at the Relationships between Demand Models and the Resultant Revenue Curves.*

### 12:30-14:00 Session 3

**Coordinator: Ahmad Alomosh**, Professor, University of Sharjah, UAE.

1. **Bruno Madeira**, Professor, University of Minho, Portugal.  
**Conceição Meireles Pereira**, Associate Professor, University of Porto, Portugal.

- Paula Grenha**, Master Student, University of Minho, Portugal.  
*Title: Austerity as Ideology and Morality: The Case of Portugal in the Eurozone Crisis (2011-2015)*
2. **Marzia Coltri**, Lecturer, Arden University, UK.  
*Title: Ethical Dilemma with Open AI Chatgpt: Is it Right or Wrong to Prohibit It?*
  3. **Barbara Ambrogio**, PhD Student, University of Calabria, Italy.  
*Title: Industry 4.0 and Unproductive Labour.*
  4. **Marisa Almeida Araújo**, Professor, Lusiada University, Portugal.  
*Title: Designing Babies: Bioethical Queries Emerging from Gene Editing.*

**14:00-15:00 Lunch**

**15:00-16:00 Session 4**

**Coordinator: Mr Konstantinos Manolidis** (ATINER Administrator).

1. **Ana Garcia-Arranz**, Lecturer, Rey Juan Carlos University, Spain.  
**Perello-Oliver Salvador**, Professor, Rey Juan Carlos University, Spain.  
*Title: Social Control in a Self-Medicated Society: A Systematic Review.*
2. **Iulia Boghirnea**, Lecturer, University of Pitesti, Romania.  
*Title: Legislative Mechanisms of the European Union and of Transposition into the Romanian Legislation Concerning the Problem of Balance between the Professional and Private Life of Parents and Caregivers. Sociological Aspects of the Subject.*

**16:00-18:00 Session 5**

**Coordinator: Mr Konstantinos Manolidis** (ATINER Administrator).

1. **Francesco Allegri**, Adjunct Professor, University of Siena, Italy.  
*Title: What Moral Theory for Medical Ethics?*
2. **Karen Parsonson**, Associate Professor, University of Houston Victoria, USA.  
*Title: The Dangers of Ethnocentrism in Research on Ethics.*
3. **Ronagh McQuigg**, Senior Lecturer, Queen's University Belfast, UK.  
*Title: Conceptualising Domestic Abuse – The Evolving Approaches of the European Court of Human Rights.*
4. **José Manuel Castillo López**, Professor, University of Granada, Spain.  
*Title: Efficiency and Equity in the Digitalization Process of the Administration of Justice.*

**18:00-20:30 Session 6 – A Round-Table Discussion on The Post Pandemic World: Learning from Country Experiences**

**Coordinator: Gregory T. Papanikos**, President, ATINER.

1. **Domenico Maddaloni**, Professor, University of Salerno, Italy.  
*Title: A Sociological Perspective on Health and Welfare Policies in Italy During and After the Pandemic.*
2. **Vickie Hughes**, Assistant Professor, Johns Hopkins University, USA.  
*Title: Experiences with the COVID-19 Pandemic – Strategies to Promote Resilience and Wellbeing.*
3. **Ian Hyslop**, Senior Lecturer, University of Auckland, New Zealand.  
*Title: A Distant Land at a Global Crossroad.*
4. **Jean Davison**, Associate Professor, University of North Carolina, USA.  
*Title: Health Inequality.*
5. **Philip Candilis**, Professor, George Washington University, USA.  
*Title: Moral Injury and the US Experience.*
6. **Michael Adams**, Professor, University of New England, Australia.  
*Title: How Australia Returned to a 'New Normal' For Law Schools, With A Strong Familiarity with the Old Normal!*
7. **Seppo Poutanen**, Senior Research Fellow, University of Turku, Finland.

*Title: Trust and Surveillance of Work During the COVID-19 Pandemic – Some Experiences from Finland.*

8. **Bassam Banat**, Associate Professor, Al-Quds University, Palestine.

*Title: Psychological Stress among Palestinians during the COVID19 Pandemic.*

20:30-22:30

Greek Night

Tuesday 2 May 2023

### Session 8

**Coordinator: Werner Uys**, Senior Lecturer, University of South Africa, South Africa.

1. **Alissa Lefebre**, PhD Candidate, KU Leuven, Belgium.  
*Title: Second Time's a Charm: Intervention of the EPO on Strategic Use of Divisional Applications.*
2. **Katlego Arnold Mashego**, Lecturer, Vaal University of Technology, South Africa.  
*Title: The Full Enforcement of Socio-Economic Rights in Africa: A Dream or a Reality?*
3. **Vijitsri Sanguanwongse**, Associate Professor, Kasetsart University, Thailand.  
*Title: The Key Success Factors of the Agricultural Cooperative Associations of Japan.*
4. **Clément Labi**, PhD Candidate, University of Luxembourg, Luxembourg.  
*Title: Ethics and Executive Compensation.*
5. **Robert Smith**, PhD Candidate, University of New England, Australia.  
*Title: Is An "Open Innovation" Policy Viable in Southeast Asia?: A Legal Perspective.*
6. **Abbas Fadhil Mohammed AlBayati**, Professor, Al Qalam University College, Iraq.  
**Hadiya Khalaf Ibrahim**, Researcher, Iraq.  
*Title: Voting by Foons: Non- Voting in the Iraqi Parliamentary Elections 2005-2022.*

### 12:00-13:30 Session 9

**Coordinator: Julia Meszaros**, Associate Professor, Texas A&M University-Commerce, USA.

1. **Philip Candilis**, Professor, George Washington University, USA.  
*Title: Antiracism Ethics & Research in the Refugee Crisis: A Greece/US Collaboration.*
2. **Louis Kontos**, Associate Professor, John Jay College of Criminal Justice, USA.  
*Title: White Collar Crime as Regressive Ideological Category.*
3. **Nicole Farris**, Associate Professor, Texas A&M University, USA.  
**Burchan Aydin**, Associate Professor, Texas A&M University, USA.  
*Title: Attitudes toward Drones: Does Gender Matter?*
4. **Inês Maia**, PhD Student, University of Porto, Portugal.  
*Title: Rites of Passage at University: Reflections on a Portuguese Case.*

### 13:30-14:30 Lunch

#### 14:30-16:00 Session 10

**Coordinator: Mr Konstantinos Manolidis** (ATINER Administrator).

1. **Elena Emilia Stefan**, Associate Professor, "Nicolae Titulescu" University of Bucharest, Romania.  
*Title: News and Perspectives of Public Law.*
2. **Wei Song**, Assistant Professor, Coventry University, UK.  
*Title: Towards a Single Currency in Asia.*
3. **Aleksejs Jelisejevs**, PhD Candidate, Turība University, Latvia.

#### 14:30-17:30

**Old and New-An Educational Urban Walk**

The urban walk ticket is not included as part of your registration fee. It includes transportation costs and the cost to enter the Parthenon and the other monuments on the Acropolis Hill. The urban walk tour includes the broader area of Athens.

<p><i>Title: Good Faith as a Doctrinal Tool to Interpret Legal and Contractual Frameworks for Banks' Rights to Close Accounts Unilaterally.</i></p>	<p>Among other sites, it includes: Zappion, Syntagma Square, Temple of Olympian Zeus, Ancient Roman Agora and on Acropolis Hill: the Propylaea, the Temple of Athena Nike, the Erechtheion, and the Parthenon. The program of the tour may be adjusted, if there is a need beyond our control. This is a private event organized by ATINER exclusively for the conference participants.</p>
<p><b>16:00-17:30 Session 11</b> <b>Coordinator: Mr Konstantinos Manolidis</b> (ATINER Administrator).</p>	
<ol style="list-style-type: none"> <li>1. <b>Almudena Moreno</b>, PhD Student, Public University of Navarre, Spain. <b>Enrique Regidor</b>, Professor, Public University of Navarre, Spain. <i>Title: Trend in Avoidable Mortality According to the Area of Residence.</i></li> <li>2. <b>Chinwe Egbunike-Umegbolu</b>, Post-Doctoral Fellow, University of Brighton, UK. <i>Title: ADR and Workplace Conflict: a British-Nigerian Comparison.</i></li> <li>3. <b>Victor Kogan</b>, Professor Emeritus, Saint Martin's University, USA. <i>Title: Equality is Inequality Transformed by Justice.</i></li> </ol>	

**20:30-21:30**  
**Dinner**

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**Wednesday 3 May 2023**  
**An Educational Visit to Selected Islands**  
**Mycenae Visit**

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**Thursday 4 May 2023**  
**Visiting the Oracle of Delphi**

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**Friday 5 May 2023**  
**Visiting the Ancient Corinth and Cape Sounio**



**Michael Adams**

Professor, University of New England, Australia

## **The Role of Information Governance in Quality Corporate Governance**

The role of information technology in achieving quality corporate governance is essential for many listed companies, as well as larger government entities, as well as the charity (not-for-profit sector). This paper explores the developments in information governance and technology which improves decision-making within the corporate governance frameworks. Corporate governance has now well-established principles in many jurisdictions. But the growth in technology, especially artificial intelligence and data-mining and privacy breaches is challenging boards of directors in respect of governance.

Traditional models of governance are under greater scrutiny and information is the new oil of business and government. We are being challenged with blockchain and decentralised automatous organisation (DAO) to make decisions based on evidence. This presentation explains and explores these contemporary issues from an Australian perspective.

**Abbas Fadhil Mohammed AlBayati**  
Professor, Al Qalam University College, Iraq  
&  
**Hadiya Khalaf Ibrahim**  
Researcher, Iraq

## **Voting by Footholds: Non-Voting in the Iraqi Parliamentary Elections 2005-2022**

There are many mechanisms that help citizens to participate and influence in the political fields, including political and social organizations, direct participation, the transfer of power and elections. All these patterns of citizen participation are not sufficient (if they are taken individually) to express collective action, but they should be complementary to each other, and one should not replace the other.

The pillars of democracy - at a time when neither civil society organizations nor many political parties were deeply established in Iraqi society, it had made the elections produce other offshoots that are largely far from democratic principles, which reflects one of the dark sides in this country's tests of democracy. But, if the strategic synthesis between these patterns, then governments will become more responsive to the needs of citizens and more able to achieve sustainable development.

We have conducted a set of analyzes and surveys of attitudes in Iraq about voting in the previous and upcoming electoral cycles, and the results showed on the one hand that the participation rates are constantly declining (a quick comparison of the participation rates shows this, as the participation rate in the 2005 elections was 59% and became 44% in the year 2018 and to drop to 41% in 2022, and from On the other hand, the results showed that Iraq will face the lowest participation rate ever, as Only 28% of respondents said in the period leading up to the last elections that they would vote, while 72% showed that they would not vote in the elections .

Although we always find an exaggeration in the percentage of participation in the parliamentary elections, which the political class seeks, through the use of inflated poll numbers, to give an aspect of legitimacy and respect to itself.

And if we put the elections in their historical context, the Iraqis - before the change of the political system in 2003 - had no previous experience such as similar actual democratic experiences, as the results were prepared and decided in advance - as is the case with many of the elections experienced by developing countries, so the elections were not

a comma Or a worthy step towards making serious changes, as the change of the political system and the elections that took place after 2003 were not very different from what they were before - at least the extent of their conformity with democratic standards.

One of the reasons that made the change fruitless is the voters' interruption of politics after voting. Many of those surveyed confirmed that the candidates' phone numbers are closed or changed directly after winning the elections, and as for the voters, they do not follow politics enough to impose their political choices, and therefore the mechanism of linking the turnout between Voters to vote and development policies in this country rarely prove effective.

And because people leave monitoring and follow-up after the elections, which gradually becomes just dropping an imposition, this had made the government less responsive to the demands of citizens, more corrupt and less spending on basic infrastructure, and as a result, all the policies that were implemented had failed on a large scale to bring about the desired change.

Many Iraqis also express their view of the upcoming elections that they will not make any noticeable difference, as was the case with the previous elections, which is the recycling of the same faces that were responsible for the collapse of the health and educational system, the low level of services and the increase in the number of the unemployed, in addition to being behind the increase Poverty rates, as more than half of the people are living below the poverty level line according to the data of the Iraqi Ministry of Planning, at a time when the people's wealth was looted by the ruling political class and the people's representatives in Parliament.

On the other hand, the elections did not contribute to curbing ethnic, sectarian and clan favoritism in the allocation of public resources. They did not succeed in restricting the ability of politicians to employ public resources to achieve partisan and personal goals (Such as obtaining job grades - job opportunities - for their relatives and members of their clan away from any strategic planning and without there being an actual need for the occupants of such jobs, as example , One of the former Iraqi ministers has been appointed 25 guards in an elementary school in a village to which he belongs tribally, or to harness the apparatus and mechanisms of the state harnessing state apparatus and mechanisms in electoral campaigns).

Every time we get close to an election, the politicians appear to be marketing mechanisms to pave the streets, and this phenomenon in itself has several implications , including, in addition to the corruption that accompanies it, which is that the politicians who have resisted and

are still standing up to the political process view the elections as a goal in itself through which they obtain all the privileges and material benefits - we have shared the cake on In the words of one of the representatives in Parliament.

Contrary to all the official figures that the government has always used, and which have always been questioned about their accuracy and validity (including the number of deaths in sectarian war, in acts of violence, the forcibly disappeared, the number of internally and externally displaced, the real number of job holders in the civil, military and security institutions of the state, and even the number of people infected with the Corona virus), we always find an exaggeration in the rate of participation in parliamentary elections, which the political class seeks, through the use of inflated ballot numbers, to lend an aspect of legitimacy and respect to itself.

The vast majority of respondents, 68%, showed that the main reason for their abstention from voting is the un free and useless nature (it does not lead to any important results), and the following graph shows that 54% of Iraqis say that they will not vote in the upcoming elections because of the un free nature of the elections.

The Candidates do not care much about the voters going to the polls because of fraud and buying votes, so we find that all religious candidates inherited parliamentary seats for several consecutive electoral cycles, they do not care much about displaying their pictures in the streets or putting up banners (as a manifestation of the electoral campaign), as was the case in the elections He recalls that one of the parliamentarians who won two consecutive terms assured a group of tribal sheikhs that he met with them not to ask for their support in the upcoming elections, whether they voted for them or not.

Some explain this on the grounds that these candidates have become known to the public, but the fact of the matter is that these candidates, because of political money, secure the electoral positions in advance by buying the conscience of officials in the branches of the Electoral Commission in each province up to the High Electoral Commission, in addition to buying votes Poor voters (who do not realize that selling their votes is the main reason behind their poverty and the deterioration of their living conditions.

And this is in complete contrast to what the new candidates are doing for the first time. You will find their pictures in different poses and banners that almost all refer to the person of the candidate and his features, and many phrases that election indicate that the elections are an opportunity and a launch for the train of change that was not moved by five electoral cycles from 2005 to 2022.

Things have not and will not change, for these same people will win (recycling of these faces), and there is no one among the round political faces - who is to be re-elected - who has provided any assistance, especially in the areas from which their people have been displaced.

Non-voters have expressed their belief that the system is corrupt in many respects, and therefore there will be no meaning to voting, and they cite poor and corrupt elected officials and the dominance of private interest over policy-making, and others cited biased and misleading political media, as one of the reasons why the voting procedure does not work significantly, even if a candidate they admire is occasionally elected, non-voters believe that the system in place effectively prevents those elected officials from getting anything done.

In the research sample, non-voters expressed their confusion, frustration, and lack of confidence in the process led by the Electoral body. Some of them were somewhat aware of the way the Electoral body operates, but they consider it unfair and not representative of the will of the people.

While many of those included in the sample explained that they do not understand the reality of the separation between the voting results and the election of the candidates, which created the conviction among them that because of the High Electoral Commission, their votes are not important, and it is true that they can vote for those they think are the best, but the Commission may allow or not allow them to be a parliamentarian.

A large number of non-voters showed less confidence in the accuracy of the counting of the election results, while a small group of them indicated that they feel somewhat more confident that the votes are fully counted and announced accurately.

The non-voters in the sample group repeatedly stated that they do not feel that the candidates will have a strong and direct impact on their lives because they all hear you what you want to hear, to get them to where they want to be, while your life remains the same, regardless of who wins the election.

As far as the candidates are concerned:

- There is a scarcity of candidates who are actually able to motivate voters, leaving voters with few alternatives that do not seem ideal, and with the availability of negative information about the available options, which made voters face great difficulty in choosing the lesser of two evils, which do not seem like a logical option in their minds.

- Most of the candidates do not resemble the voters and do not belong to them. They usually come from an environment other than their own and do not truly represent the will of the voters, and most voters do not trust the candidates.

**Francesco Allegri**

Adjunct Professor, University of Siena, Italy

## **What Moral Theory for Medical Ethics?**

What is the proper set of moral principles that should be applied in the practice of clinical medicine, dentistry, nursing, as well as pharmaceuticals and in scientific research? More generally, what is the appropriate moral theory to support those working in the bio-medical field? The aim of my talk is to suggest some indications to answer these questions.

When issues of human behaviour are at stake, one of the most classic distinction to take a position on is between deontological theories, or deontology, and consequentialist theories, or consequentialism. For the second, the criterion to establish whether an action is morally right or wrong is given exclusively by its consequences in terms of goods and evils, compared with the consequences of alternative actions available to the agent. For the first, consequences are not the criterion or the only criterion to evaluate an action from a moral point of view. The kind of action (its nature) is also important, or it is the only thing that matters. Another significant alternative on which to take a position is between monism and pluralism: is it sufficient only one principle to “capture” all our duties in the bio-medical sphere, or we need a plurality of principles?

In my intervention, I will state that an adequate theory for medical ethics is deontological and not consequentialist and is pluralist and not monist. But I will argue that to conform with our reflexive convictions, a deontological theory must not be based on absolute duties, but on *prima facie* duties, i.e., duties that admit exceptions. Regarding pluralism, I will assert that a good model theory must include among its principles at least non-maleficence, beneficence, justice and autonomy, as in the famous model elaborated by Beauchamp and Childress, but perhaps also something like veracity and/or fidelity. However, I will argue that many or all of the tenets of an adequate theory of obligation can be subsumed under the Kantian concept of *respect*, thus also giving some reason to monism. Veracity, fidelity, justice, non-maleficence, and so on, are all forms of respect for other individuals (if I do not keep a promise, I fail to respect the one to whom I have made it; if I tell a lie I do not respect the person who listens; if I cause pain I fail to respect the harmed person etc.).

Nevertheless, I will point out that Kantian-style unification does not entirely resolve what remains to this day the most difficult problem

for a pluralist normative theory to face: the problem of conflict between *prima facie* principles. I will make a few remarks on this thorny issue in conclusion.



**Marisa Almeida Araújo**  
Professor, Lusíada University, Portugal

## **Designing Babies: Bioethical Queries Emerging from Gene Editing**

As recognised by the President's Commission for the Study of Ethical Problems in Medicine, Biomedical and Behavioral Research in the early 1980's, "*genes are perhaps the most tangible correlates of who a person is as an individual and as a member of a family, race, and species*". The opportunity to edit the human genome poses a number of ethical, philosophical, social, and legal issues. DNA editing, and the massive solutions of CRISPR-Cas9 technology for example to reprogram the heritable genome are seductive, mainly in the new technological era were human beings and machines are being prepared to co-exist as two intelligent beings.

The timeliness and importance of the subject requires us to focus our analysis considering the different queries raised by the topic. In this discussion, more than ever, human dignity is the *ultima ratio* criteria of legitimacy and control to the balanced composition of Human Rights at stake. Identity and integrity, on one hand, and reproductive autonomy, in a new dimension, the *reprogenetics autonomy*, on the other.

The identity and historicity of human beings, unique and inimitable, can now be manipulated according to the will of someone or according to a predetermined pattern, always in a form of, as Habermas puts it, a "[...] *nonrevisable decision of another person, without any opportunity to establish the symmetrical responsibility required if one is to enter into a retroactive ethical self-reflection as a process among peers. For this poor soul there are only two alternatives, fatalism and resentment*". Besides the limits that need to be established in genetic engineering, what we grant today is to be our responsibility tomorrow, the responsibility to our children, and the responsibility of their genetic programmes and "[...] *they can hold these producers responsible for what they, the offspring, consider the unwanted consequences of the organic starting point of their life histories*".

At a time when we live an era, as Kaufmann refers to, of "*postmodernism*" of transition and rupture, the minimal ethical is that we most guarantee and eliminate all negative discrimination and maintain a balanced society, pluralistic and tolerant to all. An ethical and philosophical balance that will makes us establish the difference, in a Kantian view, between creating humans or things and, in this last case, losing humanity to science. The human dignity is the catalyst for the

discussion and assumed as the guiding universal principle, associated with equality and therefore intrinsic and inalienable to human beings, for the *simple* fact of being a person, “[...] *the fundamental conflict that Nietzsche posits for the whole future: The struggle between those who create the human being to be and those who create it to be great-one [...]*”, as Sloterdijk puts it.

We focus our discussion in the queries raised by biotechnology, in particular gene editing for the purpose of human enhancement, and address the criticism that labels it as a new modern form of eugenics, with non-reversible impact on personal integrity, identity, and human nature itself of the person *edited*, and assess, in this matter, the imperative of *generational* responsibility.

**Barbara Ambrogio**

PhD Student, University of Calabria, Italy

## **Industry 4.0 and Unproductive Labour**

Industry 4.0, a production model based on the integration of digital tools and artificial intelligence in the automation systems of the production processes of goods and services, can be interpreted as part of the process of development of the productive forces, or rather of the introduction of scientific and technological innovations in a potentially coherent organizational model. This allows, as such, a greater production of surplus value, as well as, in the specific case, an extension of the real subsumption to tasks and duties over which there was previously formal control.

The question therefore arises of how the cyber-physical and organizational infrastructure of I4.0 modifies the production process with respect to the production of value. The hypothesis is that this has several implications: not only the increase in labor productivity in general - therefore an increase in the rate of exploitation, reduction of downtime and costs - but it intervenes substantially in a series of works - design , monitoring, prototyping for example - which in Kurz's Marxist reading are defined as unproductive.

More specifically, what appears from the applications in the aforementioned sectors is that the massive trend of rationalization and reduction of physical activities and cognitive processes is able to intervene in a considerable and, also, contradictory way, taking into account that the overlapping and synchrony of the phases, as well as the complex integration between tangible and intangible elements of production, brings further friction to the valorisation process.

**Massimo Bianchi**

Professor, University of Bologna, Italy

## **Network Analysis and Control System in Mega Projects: The Case of PICASP Erasmus Project**

Network Analysis in organizations has achieved some significant results in recent years thanks to advances in technology and in the approach to organizational networks. Less exciting were the results obtained with Mega Projects with a budget of 1,000,000 euros and more. These projects show high risk with regards to results, to the compliance of the budget and sometimes to the entire project. So far, the response of Mega Projects contracting authorities is to ask those presenting the project proposals for a higher level of details and to increase the number of controls and connected indexes without, almost until now, an increase in project performance.

The paper examines the proposal to transfer some results of network analysis to the performance monitoring of Mega Projects. Starting from the case of Erasmus PICASP Project for the creation of Pilot courses and new didactics for teachers training in cultural tourism for the development of Caspian Area - Cooperation for innovation and the exchange of good practices Capacity Building, paper proposes a transdisciplinary approach to interpret the differences and the evolution of the types of networks through cycles of simplification and complexification of the control systems and try to connect these results to the control strategy of the projects considering the high risk of failure which appears to affect a significant proportion of these projects.

Particularly, as results are connected to the adequacy of control tools, is relevant to consider managerial concepts like the span of control defined as the number of subordinates of a hierarchical position, and the connected capability of networks to maintain the control in complex procedures, particularly when the system is wide and highly interconnected.

**Iulia Boghirnea**

Lecturer, University of Pitesti, Romania

&

**Nicoleta Hegheş**

Professor, "Dimitrie Cantemir" Christian University of Bucharest,  
Romania

## **Legislative Mechanisms of the European Union and of Transposition into the Romanian Legislation Concerning the Problem of Balance between the Professional and Private Life of Parents and Caregivers: Sociological Aspects of the Subject**

In this study, we want to analyze the legal framework of the European Union regarding family leaves and flexible work formulas, measures that the Member States must take by transposing the Directive 2019/1158 of the European Parliament and the Council of Europe on work-life balance for parents and caregivers.

A novelty in the Union legislation is the fact that this Directive replaces the notion of "reconciliation" with that of "balance", and the notion of "family life" with that of "private life of parents and caregivers".

Also, the Directive, which had to be transposed by all EU Member States by August 22, 2022, aims to promote and facilitate the reintegration of mothers into the labor market after the period of maternity leave and parental leave, but, in particular: fathers' right to paternity leave, parental leave, caregiver's leave and not least, flexible working arrangements for workers who are parents or caregivers.

As for fathers' right to paternity leave, the EU legislator provides that it can be requested around the child's birth date, before or after birth (even in the case of the birth of a non-viable fetus) and should be granted regardless of the marital or family status, as will be defined in the internal law of each state.

The parental leave granted to fathers can be extended by one or two months, a period of time that cannot be transferred to the other parent. The right to this leave will be guaranteed, by law, to all workers who have parental responsibilities.

Finally, we will analyze how, this year, Romania transposed this Directive into the internal legislation.

**Danijela Brečko**

Assistant Professor, MLC Ljubljana, Slovenia

## **The Influence of Emotional Intelligence on the Effectiveness of the Decision-Making Process – A Comparative Analysis between Students of Law and Economics**

We all make decisions practically every day. We make them as individuals, we make decisions in groups or teams, we decide in private as well as work environments. A decision-making process is a series of steps taken by an individual to determine the best option or course of action to meet their needs. In a business context, it is a set of steps taken by managers in an enterprise to determine the planned path for business initiatives and to set specific actions in motion. Ideally, decisions are based on an analysis of objective facts, aided by the use of analytical tools. The variety of alternatives to weigh, and the volume of decisions that must be made on an ongoing basis, makes the implementation of an effective decision-making process a crucial element of managing successful any operations, especially in business. The development of decision-making competence is one of the priority tasks of students of business sciences (management, economics) as well as law, who will probably occupy management and leading positions in companies in the future.

The review of previous research on the effectiveness of decision-making processes shows that it is not only influenced by cognitive factors (intelligence, level of knowledge, etc.), but also by conative factors, which include the individual's personal characteristics and the development of emotional competences or emotional intelligence. The rational mind is a form of understanding that we are generally aware of. He tends to think and react. The emotional mind, on the other hand, is spontaneous, sometimes illogical thinking. It works faster and jumps into action without hesitation. Actions that result from the emotional mind are extremely powerful. The rational mind comes into play only when we think about our action. Both work together in an intertwined way and act as a guide for the individual, especially in the decision-making process. There is a balance between them, emotions supply reason with emotional charges, and reason regulates emotions (Wharam, 2012, p. 18). So far emotional intelligence has long been recognized and established as a concept that describes: how people manage their emotions, how they perceive them, how they empathize with the emotions of others and how they use information about their

emotions and the emotions of others to direct their thoughts and actions.

In order to identify the impact of the development of emotional competences on the effectiveness of the decision-making process, we designed a survey among students of business sciences and law. We designed a combined research questionnaire consisting of the Emotional competence - Veiga scale questionnaire (2018), which measures the development of emotional competences, and a questionnaire on the effectiveness of the decision-making process, which we designed on the basis of common decision-making elements along different decision-making models. The goal of the research is to answer the basic research question: does the development of an individual's emotional competences also affect the effectiveness of his decision-making process. It is also our ambition to make a comparative analysis of the development of emotional competences and a comparative analysis of the effectiveness of decision-making processes between students of law and economics.

**Philip Candilis**

Professor, George Washington University, USA

&

**George Karampoutakis**

President, Hellenic American Psychiatric Association, Greece

## **Antiracism Ethics & Research in the Refugee Crisis: A Greece/US Collaboration**

In 2021, the UN High Commissioner for Refugees estimated the number of refugees and asylum-seekers to be over 31 million worldwide. Greece, with its proximity to the Middle East and Africa, has been a strategic entry point for over one million people hoping to settle in the European Union. As of early 2023, Greece hosts over 50,000 refugees and 119,000 asylum-seekers. During this period, there has been a corresponding increase in studies about attitudes towards refugees and asylum-seekers, reflecting the charged political climate of the broader refugee crisis. These studies are influential because they can alter public perception, fuel anti-refugee sentiment, and broaden policy implications depending on how they are constructed.

Recent discussions of survey methodology have focused on the influence of cross-cultural factors, with calls to address the racialization of hypotheses and terminologies that result in harm to vulnerable groups. The categories of “refugee” and “non-citizen,” for example, born of a historic reliance on nation-states and insiders (namely citizens), can undermine the global responsibility for developing solutions, discount the fundamental tensions that give rise to war, famine, and ethnic conflict, and emphasize negative views of outsiders. Indeed, research teams and commentators have noted that the positive framing of migration issues can enhance public acceptance of refugees and immigrants more generally. When tied to classic admonitions in survey design to choose participants and questions wisely, these developments call for care in surveying socially charged topics.

This paper describes an international collaboration of the George Washington University Global Mental Health Program and the Hellenic American Psychiatric Association with data from a survey of nine NGOs working in Greece. Using methods intended to mitigate bias through survey design, sample selection, and statistical modeling, this submission offers data and methods for an ethical appraisal of difficult topics like immigration, crime, and terrorism – all increasingly misused to advance specific political and policy agendas. The implications for ethical research design and public policy are explored by the chair of



the committee on ethics for the Group for the Advancement of Psychiatry (US) and the president of the Hellenic American Psychiatric Association (GRE).

**José Manuel Castillo López**  
Professor, University of Granada, Spain

## **Efficiency and Equity in the Digitalization Process of the Administration of Justice**

The global problems that the Spanish Justice Administration are profound and diverse, but perhaps the most perceived are the delay in judicial resolutions and the influence of the economic conditions of the users in the access to the Administration of Justice and in the own direction of its resolutions.

The process of digitizing of the Administration of Justice in Spain is bringing perceptible changes in the efficiency of the system and with it that of the economic model itself.

On the side of equity of access to justice and judicial resolutions, the forecasts and available studies are not conclusive, raising, in addition, serious concerns about the result on legal guarantees and the right to honor of users.

**Marzia Coltri**

Lecturer, Arden University, UK

## **Ethical Dilemma with Open AI Chatgpt: Is it Right or Wrong to Prohibit it?**

Digitalisation and innovation in learning and research are rapidly becoming crucial drivers of society's sustainable and progressive growth. AI's technological advancements and landscapes have significant strengths, and their diversity and quality have grown in recent years. This has facilitated the impressive development of AI apps and software, such as ChatGPT, which has become popular around the world.

ChatGPT is an OpenAI access to users in education to generate essays, song lyrics and stories. It is an AI language model that can understand and generate human-like responses to text inputs, making it a valuable tool for various economic and cultural applications.

This study examines the ethical dilemma of banning ChatGPT. Using a range of argumentative examples, I address the concept of moral obligations to OpenAI access but also its limitations. Some possible ethical issues that may arise in the use of AI-powered chatbots include concerns about data privacy, algorithmic bias, and the potential for chatbots to replace human interaction and support.

Can OpenAI's cutting-edge technology and tools truly help corporate operations and institutions, and improve decision-making? Can it also give students and researchers significant resources to help them develop their knowledge, critical thinking skills and understanding in a variety of fields?

On the one hand, allowing ChatGPT to operate freely could lead to unintended consequences, but it could also promote innovation in the field of AI. Ultimately, finding a balance between regulation and innovation is key to maximising the benefits of ChatGPT while minimising its potential harms. AI software has the potential to degrade and debase our ethics (Chomsky, 2023), which are fundamentally different from our critical thinking. Chomsky's concern is that AI software lacks the ability to understand and apply ethical principles in the same way that humans do, which could lead to unintended consequences and ethical dilemmas.

**Moshe Eben-Chaime**

Professor, Ben-Gurion University of the Negev, Israel

## **A Closer Look at the Relationships between Demand Models and the Resultant Revenue Curves**

In this talk some common conventions regarding revenue curves are questioned. It has been shown, recently, that obeying the *law of demand* – non-increasing demand function, is insufficient to characterize the revenue curve. Non-increasing demand function may result in increasing and/or decreasing revenue curves, concave and/or convex revenue curve and even curves with multiple local extreme points. Sufficient conditions have been found, which enables to better characterize the revenue curve. Studies on revenue/profit management are based on the assumption that the revenue curve has a single maxima. Demand models which obey the law of demand, but not the sufficient conditions, will be presented, which result in revenue curves of different shapes and, consequently, for which many of the theories might not hold. The practical correctness of the sufficient conditions will then be discussed.

**Chinwe Egbunike-Umegbolu**

Post-Doctoral Fellow, University of Brighton, UK

## **ADR and Workplace Conflict: A British-Nigerian Comparison**

With the continuous decline of union representation and the introduction of legal incentives for workers to resolve individual employment disputes/conflicts without resorting to the courts, Alternative Dispute Resolution (ADR) is gaining increasing prominence in the British landscape of industrial relations. The most important sign and motor of this change have been the conciliation service offered by Advisory Conciliation and Arbitration Service (ACAS) to all workers wishing to lodge a claim in Employment Tribunals. Whilst ADR has been encouraged in western Jurisdictions precisely in the United Kingdom (UK) and in the United States (US) as a means to reduce time and litigation costs however in relation to employment tribunal claims; there have been relatively scholarly publications, particularly on the benefits of utilising Mediation or conciliation to settle workplace disputes, and hence the need for more advocacy and awareness on its benefits in the UK. However, when it comes to Nigerian workers or employees most of whom are not encouraged or have little or no awareness of resolving workplace disputes or conflicts via ADR.

Equally, due to the lack of sensitisation in most organisations and scholarly research on ADR to settle conflicts or disputes on workplace disputes in this context of Mediation and Conciliation. Hence it has become an emergent field of study compared to the U.K. For instance, British workers have been mandated to lodge their disputes with ACAS before proceeding to an employment tribunal claim.

The work will employ a comparative analysis of mediation in workplace disputes in Nigeria and the U.K., focusing on the role of mediation or conciliation. It would entail a socio-legal analysis in both countries which includes interviews with qualified mediators, conciliators, directors, employees, employers, and lawyers in both countries.

**Igor Eterović**

Assistant Professor, University of Rijeka, Croatia

&

**Josip Guć**

Research Assistant, University of Split, Croatia

## **A Model of Evaluation of Bioethical Research in Scientific Production – Demonstration on the Example of Croatian Bioethical Journals**

Taking the basic goals of the scientific project “EUROBIOMED” (Croatian Science Foundation, HRZZ IP-2020-02-7450) as a starting point, the research investigates an important segment of bioethical production by Mediterranean authors. In this presentation we develop a possible methodological framework for metascientific analysis of bioethical research and explore the possibilities limitations of such method. We discern basic formal and content conditions for such evaluations, i.e., the needed form of bioethical scientific presentations (form of scientific article) and the necessary content as starting point (what defines an article as “bioethical”). Moreover, we give a theoretical and practical reasons for doing so. 1) First, we argue that such narrowing the corpus is necessary and fruitful on the theoretical level, 2) Second, we demonstrate the methodological fruitfulness of such approach on specific analysis of all three main Croatian journals officially dedicated to bioethical research which are taken into consideration: *Jahr – European Journal of Bioethics*, *Synthesis philosophica*, and *Filozofska istraživanja (Philosophical Investigations)*. Furthermore, we show that there are three possible further ways of content analysis: a) the distribution of authors by countries; b) the prominent topic(s) taken into consideration; c) the main methodology applied in those articles. Such analysis is our contribution to finding a way for clarification of what exactly bioethics is and what kind of research it does involve. This could be very significant for the young discipline as bioethics and its stronger establishment as (also) propulsive scientific discipline.

**Nicole Farris**

Associate Professor, Texas A&M University, USA

&

**Burchan Aydin**

Associate Professor, Texas A&M University, USA

### **Attitudes toward Drones: Does Gender Matter?**

This project seeks to examine what difference, if any, exists between males and females in terms of support of the utilization of drone technology for different uses. Surveying over two hundred respondents, we administered a questionnaire pertaining to the use of drones for research, public safety, commercial, and hobby purposes. We sought to explore support for various drone applications and risk acceptance of drone use, as prior research has found significant differences between male and female attitudes toward drones. After determining the reliability of the factors, we then analyzed differences in responses between male and female participants. Our results showed no statistically significant difference between males and females in terms of their attitudes toward drones, which indicates that the gender disparity in knowledge and acceptance of drones that has persisted over time may be decreasing with new knowledge and information about drones being more widely available to the public in general, and women in particular.

**Ana Garcia-Arranz**

Lecturer, Rey Juan Carlos University, Spain

&

**Perello-Oliver Salvador**

Professor, Rey Juan Carlos University, Spain

## **Social Control in a Self-Medicated Society: A Systematic Review**

In modern societies, individuals are currently more autonomous and make continuous decisions about their health. Increasingly complex health systems, excessive information, and a crowded marketplace full of promising products are some factors at the root of a self-medicated society. In the last decade, the sale of over-the-counter (OTC) products has increased by 50.04% worldwide and is expected to rise a further 25.06% by 2026 (Euromonitor International, 2022). Additionally, COVID-19 has sky-rocketed their consumption in an act of self-preservation.

In a global context in which all kinds of risks proliferate, the social perception of disease incorporates a mainly pharmacological approach. This perspective emerges as a new one of social control subject to all kinds of interests. Drawing on sociological theory, this proposal examines the role that scientific literature –focused on raising social awareness of the risks linked to these medications– gives to the media, in its complex influence on society as a whole. Recent research has focused on the consumption of these drugs (e.g., Cupit, Rankin, Armstrong & Martin, 2020; Timmermans, 2020). However, there is no systematic study to assess the possible consequences for society.

The methodology has two parts: the first involved a comprehensive database search (Web of Science, Communication and Mass Media Complete, PubMed, and PsycINFO) for relevant studies published between 2000 and 2021 that met the inclusion criteria. The following Boolean operators were used: (*aware\** AND *risk* AND "*over-the-counter*" AND "*society*" OR OTC OR nonprescription). The second part consists of content analysis which has enabled an objective and systematic description. Residual analysis was conducted based on the corresponding contingency table and after relevant tests of significance. The corpus comprises 516 studies and its representativeness allows for the generalization of results.

Results show that 26.4% of the studies analyzed concern the enormous influence of the media on the consumption of these products, and 29.7% indicate the need for greater restrictions and supervision of



direct-to-consumer advertising of OTC drugs. Moreover, 36.4% of the literature evidences the absence of relevant and/or verified information, which leads to poor decision making, deficient self-management, and higher hospitalization rates. The situation is aggravated by the existence of inaccurate and misleading information mentioned in 11.6% of the studies, which makes it difficult to discern the falsehood or truthfulness of health statements.

The study concludes with recommendations to take into account the sociocultural factors of the excessive and uncritical consumption of these products in today's society. It also points out the importance of pay more attention to the unavoidable responsibility of media in the promotion of products which may pose serious dangers to public health.

**Torben Hansen**

Professor, Copenhagen Business School, Denmark

## **Giving in to Unhealthy but Delicious Food Temptations**

Consumers are constantly confronted with temptations that may interfere with the pursuit of their motivations such as eating a healthy diet. Potential food temptations may activate consumers' hedonic thoughts and lead to associations of arousal or pleasure, which in turn may lead to unhealthy eating and obesity. Also, prior research suggests that different genders may encode information and develop preferences using different socially-constructed cognitive structures, which also may influence their food behavior. Yet, relatively little is known about how healthy eating preference and gender may influence responses to food temptations. An experimental study was conducted in which 'scent' was used as a distracting but pleasant cue for the purpose of reinforcing respondents' emotional responses to an unhealthy food product (i.e., potato-chips). The results suggest that (a) the influence of pleasure-feeling on perceived dietary quality is positive when healthy eating preference is on a low level but non-significant when healthy eating preference is on a high level; (b) pleasure-feeling has a direct negative effect on eating intention; (c) the effect of pleasure-feeling on eating intention was moderated by gender such that the relationship was negative for females and non-significant for males; and (d) women show a positive relationship between arousal and eating intention, whereas this relationship is non-significant for men. This research offers new insights into the food temptations and obesity literature by describing a more fine-grained picture on how consumers' emotional responses may influence perceived dietary quality and eating intention. Also, our results provide guidance to those seeking to influence consumers' dietary behavior based on a more detailed picture on how we may respond to unhealthy but delicious food temptations. We conclude with suggestions for future research.

**Aleksejs Jelisejevs**

PhD Candidate, Turība University, Latvia

## **Good Faith as a Doctrinal Tool to Interpret Legal and Contractual Frameworks for Banks' Rights to Close Accounts Unilaterally**

This paper develops the good faith-based approach suggested by the author as a universal tool to overcome the conflict between a bank's right to close a payment account without the consumer's consent and the effective protection of the interests of such a consumer. This issue has become so urgent that it is now the object of EU harmonized regulation. European enactors linked a bank's ability to unilaterally terminate a payment service contract with the achievement by both parties of an initial agreement on such a subjective right of the bank. However, when the payment services user holds a consumer status, such permissive private autonomy is wholly excluded since the lack of any contract-related discussion with the consumer is presumed by law and inevitable in practice. Conversely, according to the FATF, terminating or restricting contractual relationships with clients to avoid, rather than manage, risk (de-risking) can *introduce* risk and opacity into the global financial system. Consequently, there is an objective incompatibility of the results of applying legal rules and transactions with the sense, meaning, and goal of regulating the relevant legal relationship or the general idea of law, including from the viewpoint of justice and public interest.

To overcome this collision, the author proposes a systemic doctrinal interpretation of the relevant rules of EU directives and Latvian national legislation based on the requirements of good faith as a general principle of civil law. Under this approach, to determine whether the law and the contract allow the bank to withdraw from the contract without the consumer's consent, the specific circumstances – along with formally following the text of the relevant legal rules and contractual conditions – must clarify (a) whether the bank has sufficient, reasonable, justified, and legitimate grounds to unilaterally terminate the payment service contract, and its client has been informed; (b) whether any transformations in the counter execution of the consumer's obligations can correct the emergent imbalance of the counterparties' interests without a clean break of the contractual relationships; (c) whether it is possible to preserve the payment service contract's effect by establishing related (additional) bank obligations to which the bank

could agree following reasonable assessment of the case circumstances and presuming the bank wished to continue enforcing the contract.

**Joanna Kielin-Maziarz**  
Professor, Kozminski University, Poland

## **Democratic Deficit in the EU and the European Citizens Initiative**

The EU's fundamental flaw is its "democratic deficit", which is mainly due to its lack of democratic legitimacy. Democratic legitimacy is understood as "the rules and procedures by which collectivized and binding decisions must be accepted by those who did not participate in their making". However, it is important to bear in mind that this "democratic deficit" in the EU looks different than in the Member States (well-established democracies). It is not the result of the erosion of democracy, but rather an expression of growing democratic expectations.

According to Holzacker, the lack of democratic legitimacy in the EU is due to two factors. The first is weak "representative mechanisms". The European Parliament remains the only directly elected institution, which will certainly not change. The democratic legitimacy of the EU is also undermined by weak "deliberative" mechanisms (reference should be made here to the Commission's exclusive legislative initiative and the way the Council deliberates, which are not an example of the implementation of these mechanisms). The TUE states that it is based on representative democracy. This is achieved through the direct representation of citizens at Union level in the European Parliament, and the Member States are represented in the European Council by their Heads of State or Government, in the Council by their governments, which are themselves accountable directly to national parliaments or to their citizens.

The European Citizens' Initiative was intended to "translate the social sphere shaped by citizens exercising their rights and freedoms [...] into political will". It was supposed to revive the European public sphere, which exists both within and above national borders. To become a means of a special kind of democracy, suitable for governance in the EU. And to restore trust among EU citizens in its institutions and to change the sense of lack of influence on EU political processes. Therefore, it was supposed to be a response to the democratic deficit in the European Union. It is a means by which citizens can influence the shape of legislation adopted in the European Union. The 2011 Regulation on the citizens' initiative (amended in 2019) gives the right to 1 million EU citizens, coming from at least a quarter of the Member States, to call on the European Commission to come forward with a

proposal on matters the application of which the Treaties require a legal act of the Union. Thanks to the ECI, for the first time, EU citizens have been given the right to raise issues related to the European political agenda without the help of elected representatives. The ECI is considered to be the first instrument available to a truly European demos. However, current practice raises the question of whether failure to meet the ambitions placed on this innovative instrument may paradoxically become a source of danger for the EU.

The subject of the presentation will therefore be an attempt to answer the question whether, looking at the analysis of the initiatives submitted so far and their effectiveness, we can conclude that the ECI is a tool that we can say contributes to reducing the democratic deficit in the EU, or, on the contrary, does not play any role.

**Victor Kogan**

Professor Emeritus, Saint Martin's University, USA

## **Equality is Inequality Transformed by Justice**

Inequality eternally touches the human consciousness as an unjust phenomenon that must be eliminated. However, despite many attempts, including bloody revolutions, it persists as gender and race discrimination, even in its oldest form - slavery. Beyond these extreme cases, inequality is natural whereas equality is artificial. This opposite phenomena-wealth and poverty - united by the idea of justice, are easily appealing but hard to implement.

Justice animates the search for equality but clips the wings of resentment in a tacit recognition of the hierarchy of professions, military commanders, voting age or age of conscription, and demand for efficiency.

This study allows us to formulate the social law of equality: Equality is inequality transformed by Justice.

**Louis Kontos**

Associate Professor, John Jay College of Criminal Justice, USA

## **White Collar Crime as Regressive Ideological Category**

In recent years there has been a tangible increase in the prosecution of white-collar offenses. They represent mostly mundane instances of fraudulent (mis)representation along with a range of crimes (embezzlement, pilfering, sabotage) against corporate entities. There has not been a corresponding rise in the prosecution of corporate crime. Nor has there been a concerted attempt by the U.S. Justice Department to prosecute fraudulence when it occurs en masse, including for example the misrepresentation of the worth of collateralized debt obligations (CDOs) during the 2007 economic crisis, and the recent theft (through fraudulent misrepresentation) of 80 billion dollars from the federal COVID-19 relief fund (i.e., one tenth of the whole fund). The paper examines trends in prosecution of individual white-collar crimes, versus corporate crime and organized theft (which typically maintains the appearance of normal business in both the public discourse and judicial settings) throughout the last two decades. Further, the paper will argue that the celebration in leftist circles of increased prosecution of white-collar offenses is premature, since the category itself serves an ideological purpose, namely to displace focus from what Marx called the lawlessness of the bourgeoisie and, inversely, provide false assurance that a viable political economic system is in place wherein criminality is limited and irrelevant to the system itself.



**Clément Labi**

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## **Ethics and Executive Compensation**

How and how much should business managers be compensated? The question is of relevance for economists and lawyers. It is extremely perplexing for ethicists. The news is full of reports of fabulously inflated packages for executives, some competent, some less. As to the desirable amount of remunerations, all sorts of opinions coexist: some hold that the decision-makers should not get more than what they contribute or at least not a disproportionate amount, some that the pay should not exceed a given multiple of what other participants (for instance employees) receive. There are those that want to impose a “hard cap” on remunerations, with no regard of what the managers may contribute to the firm: too much is simply too much. Some even see the very process as inherently flawed, as the powers that be are simply too powerful to allow for transactions on compensation to be entered into at “arm’s length”, on the contrary, they see such choices as constitutionally flawed. Underlying all those conclusions is the idea that a free determination of compensation as envisioned under classical liberalism, but also developed in later developments (for instance, and maybe more notably, in the works of Robert Nozick) is either (i) *illusory* as no such transaction can be truly agreed in perfect freedom conditions by enlightened participants, (ii) *inherently unethical* (as at least part of the money paid as executive compensation “inherently” does not belong to those disposing of it – and therefore those receiving it or (iii) *consequentially unethical*, since its result is an income distribution that fails to match a desirable pattern. Ethical issues are to be understood and formulated diligently and cautiously; ethical answers are probably beyond man’s reach, and they could not be found in man-made law operating by force.

**Ioan Lazar**

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## **Competition Law, Ethics and Corporate Social Responsibility**

The importance of corporate social responsibility activities has increased in recent years. More and more undertakings active on different markets are becoming aware of the importance of improving labor policies, investing in safety training of employees, environmental protection, local community related projects, volunteering, charitable activities.

The question would be, if higher degrees of competition associated to periods of economic crisis will affect in a favorable or non-favorable manner the degree of competition on the market.

The paper at hand will analyze, based on statistical data available at the moment, if higher level of competition will increase investments in CSR activities in order to create trustworthy firms who will survive even in economically harsh periods or instead will reduce the mentioned type of investments and will facilitate the flourishing of anticompetitive practices on the market.

The study will begin with a short presentation of the concept, importance and meaning of corporate social responsibility, followed by considerations related to the importance of ethics in competition law. Finally, the author will analyze the impact of competition on CSR related activities and the ways in which the pressure of competition can impact on CSR investments.

**Alissa Lefebre**

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## **Second Time's a Charm: Intervention of the EPO on Strategic Use of Divisional Applications**

It might seem intuitive to obtain a fast decision on the patent grant. After all, a granted patent provides you with a monopoly position, allowing you to obstruct others from using your technology. However, this does consider the strategic advantages one can obtain from keeping their patent applications pending. Since the scope of the protection is only decided upon at the grant, the pendency period introduces uncertainty amongst rivals. This entails not knowing whether protection will be obtained, or what the scope will be. Consequently, rivals can only depend upon limited and uncertain information when deciding what technology to pursue.

One way to keep patent applications pending, is using divisional applications. These applications can be filed out of a parent application as long as that parent application is still pending. This allows the applicant to pursue (part of) the content of the parent application in a divisional application, as it cannot exceed the scope of its parent application. In the fast-moving and complex tele- and digital communications industry, it might allow applicants to obtain a monopoly position as competitors are discouraged to pursue a certain technology.

Consequently, the European patent office (EPO) has come up with a "raising the bar initiative" to tackle the strategic use of divisional applications. Over the past years, two rules have been implemented. The first rule, in 2010, introduced a time limit, upon which divisional applications could only be filed within a 24-month limit after the first communication with the EPO. However, after carrying-out a user feedback survey, the EPO abolished the rule again in 2014 and replaced it by a fee mechanism. The fee mechanism is still in place today, which might be an indication of a better policy compared to the first rule.

This study tests the impact of these rules on the strategic use of divisional applications in the tele- and digital communication industry and provides empirical evidence on its success. First of all, the impact on the pendency time is tested. For this, we are using three different (semi-) parametric survival models: an OLS regression with log(pendency time), a Cox Proportional Hazard Model and an Accelerated Failure Time model. Across the models, we find evidence that divisional applications are used to prolong the pendency time and

how the rule changes have had an impact. We find that, as hypothesized, the first rule change did not decrease the pendency time, whereas the second rule change did reach its purpose and decreased the pendency time. Secondly, further analyses suggest that the rule changes did impact the patent quality, however, less significantly than hypothesized. This indicates that there is still room to improve the current regulation in terms of ensuring patent quality.

In conclusion, we find that the second rule change succeeded in reducing the uncertainty on patent scope, however, insignificantly shows a positive impact on patent quality ( $p=0.107$ ). In contrast, the first rule change did not succeed in reducing the uncertainty and did not increase the patent quality, thus providing evidence for the abolishment of the rule.

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**Conceição Meireles Pereira**

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&

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### **Austerity as Ideology and Morality: The Case of Portugal in the Eurozone Crisis (2011-2015)**

The US recession (2007-2009) and the Eurozone crisis (2010-2017) had profound effects on the political, economic and social structures of Southern European countries. At the time, the European Union and its economically more developed countries rejected any responsibility for the sovereign debt crisis in Southern countries, blaming the irresponsibility of their governments, endemic corruption, health, education and social security systems incompatible with their economies, the excessive dependence of citizens on the welfare state, their laziness and low productivity.

In April 2011, Portugal signed a Memorandum of Understanding with the Troika (European Commission, European Central Bank and International Monetary Fund) that committed the country to a plan of radical cuts in public spending, tax increases and structural reforms. These measures have meant the impoverishment of the country, a significant increase in unemployment rates and emigration, and the degradation of the welfare state, the National Health Service and the public education system.

In this paper, we propose an analysis of the 'austeritarian' discourse, in its ideological and moral dimensions, widespread in Portugal in this period. This discourse was produced and reproduced in the country from external (European Union, European Central Bank, International Monetary Fund) and internal (government, press, economists and opinion makers) sources. In this sense, we will discuss how the press and the political leaderships of Central-North Europe and the institutions of the European Union, contributed to create or deepen essentialist representations about the Portuguese, as well as how this discourse was incorporated or rejected in Portugal.

Domestically, the rulers tended to transfer the responsibility for the crisis to citizens, who would have lived "above their means", with a disciplining austerity now being imposed on them. We will also examine the political communication of the PSD/CDS government

(2011-2015), which applied the economic and financial adjustment programme - even claiming to want to "go further than the Troika". We will also reflect on the different and conflicting types of narratives published in the Portuguese press.

This reflection will take into account the triumph of the economic paradigm of neoliberalism and its individualistic and competitive logics. The meritocratic moral of neo-liberalism translates into the legitimisation of the existence of winners and losers in the competition of the free market and, consequently, the intensification of structural inequalities within and between states. In the 21st century, neoliberalism and austerity are still the only horizon of expectation and possibility. Its ideological and moral discourse configures a permanent self-legitimation and the reiteration that "there is no alternative".

**Inês Maia**

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## **Rites of Passage at University: Reflections on a Portuguese Case**

In several countries, current higher education students introduce newcomers to their institutions through a set of ritualised practices, which are repeated every year at the beginning of the academic year. This is a common but complex phenomenon (and with significant differences depending on the setting), with different names in different countries. In Portugal, it is called *Praxe*. Very similar phenomena occur in other countries, such as *Hazing* (US), *Bizutage* (France), *Novatada* (Spain) and *Trote* (Brazil).

These phenomena can be understood as a set of tests that are prepared by older students (in terms of the grade they are enrolled in) to welcome new students. These activities contain an important element of playfulness, but also different types and degrees of violence. There is a clear understanding that older and new students have a different role to play, based on a significant inequality of power. These phenomena are often studied as a rite of passage (Gennep, 1978); as a process by which newcomers learn the norms of the new group and are subjected to a process of reconstructing their social identity. They are deeply transformative rites for those who participate in it and who, after overcoming the challenge, see themselves as a legitimate member of a new community. The experience of these rites also contains a strong element of integration into the new group, but also into the university itself.

In Portugal, these practices are rooted in ancient times and have gone hand-in-hand with the history of the university as an institution. The history of the *praxe* runs side-by-side with that of the University of Coimbra, which is the oldest one in Portugal. The *praxe* was never immune to change and underwent various transformations. Over the course of the years, the *praxe* extended through all country. Our research project focuses on the intensive study of this phenomenon at the University of Porto, which is the second oldest Portuguese university (founded in 1911) and a place where the *praxe* has become a mass phenomenon.

We propose an analysis of rites of passage at university today – with special attention to the Portuguese case (*praxe*) – with the main goal of discussing the dynamics of power and violence (especially symbolic violence) that shape these phenomena. We draw attention to

these phenomena – highly hierarchical, with violent practices, marked by secretiveness – within the sociabilities of university students and the everyday life of the university itself nowadays. Finally, we address these phenomena as youth experiences that create security in a stage of these students lives that is defined by doubts about the future and a certain biographical uncertainty.



**Aleksander Maziarz**

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## **Gun Jumping in EU and US Competition Law**

In most countries, competition law obliges the undertakings involved in a proposed merger to act as independent of each other until the antitrust authority has issued a decision. The suspension of the merger is necessary to assess its effects on the market, and it is for this reason that undertakings should refrain from any concerted behaviour on the market or the provision of information to each other. It is worth bearing in mind, that entrepreneurs who want to merge are also evaluating the merger and assessing what benefits and costs it will entail and this means that they will exchange sensitive information with each other. The role of competition law is to limit the possibility of exchanging sensitive information between companies that are independent from each other, as such behaviour may lead to the coordination of market conduct.

Term 'Gun jumping' can be used to describe different behaviour of companies that are undertaken in connection with merger control obligations. Thus, the term is usually associated with the completion of a merger without the legally required notification to the competent antimonopoly authority and with the full or partial completion of a merger during the pending antimonopoly proceedings, when the parties of the merger are obliged to withhold the merger.

The purpose of this article is to determine which behaviour of the undertakings should be considered as lawful coordination of behaviour and which behaviour constitutes unlawful coordination referred as a gun jumping. The analysis will be based on a comparison of two legal regimes - the EU and the US.

**Katlego Arnold Mashego**

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## **The Full Enforcement of Socio-Economic Rights in Africa: A Dream or a Reality?**

The adoption of the African Charter on Human and Peoples' Rights (African Charter) on 27 June 1981 in Nairobi, Kenya was recorded as historic step towards the protection of human rights in Africa. However, to date, Africans' socio-economic rights are not fully or at all enforced.

This paper argues that Africa must take a new approach, a strategic approach towards economic development in Africa and consequently the enforcement of socio-economic rights. This paper submits that several strategic approaches, such as development of new laws on the natural resources, producing quality products and services, image related strategies which involve great marketing of Africa, its products, and services.

This paper argues that there is a link between economic development and the enforcement of socio-economic rights. It is further argued that intra-African trade will enhance sustainable development and economic growth and it is important. It is submitted that African countries must focus more on intra-African trade, which will accelerate sustainable economic development and consequently the enforcement of socio-economic rights, which will in turn reduce poverty and better the lives of millions of Africans who are in dire need of socio-economic rights to be enforced due to the living conditions they are in.

**Ronagh McQuigg**

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## **Conceptualising Domestic Abuse - The Evolving Approaches of the European Court of Human Rights**

During the past 15 years, the European Court of Human Rights has made it clear that domestic abuse can violate the European Convention on Human Rights, however the way in which such abuse has been conceptualised in the Court's judgments has varied and evolved, namely in terms of which articles of the European Convention have been held to have been violated in such cases. In particular, the approach taken by the Court was initially somewhat incoherent regarding the use of article 3 (the right to be free from torture and inhuman or degrading treatment) and article 8 (the right to respect for private and family life). Indeed, the Court seemed to take the view in its early jurisprudence on domestic abuse that if it decided that a violation of the Convention should be found, it did not matter to any great extent on which specific article this finding was held to be based.

Nevertheless since the case of *Valiuliene v. Lithuania* (app. no. 22234/07, 26 March 2013) there has been a substantially greater use of article 3 in such cases. In this case, the state argued that the ill-treatment to which the applicant, a victim of domestic abuse, had been subjected had not been sufficiently severe to fall within the ambit of article 3, and presented the Court with a unilateral declaration acknowledging a breach of article 8. The Court refused to accept this declaration, found a violation of article 3 and stated that it was not necessary to examine the complaint under article 8, as a breach of article 3 had already been found. This case marked a change in the Court's approach and henceforth article 3 was used much more extensively in cases involving domestic abuse. It seems that the case served to highlight to the Court that the important issue in such cases is not only whether a violation of the Convention should be found, but also on which provision such a finding should be based.

The Court's judgments in *Tunikova and Others v. Russia* (app nos. 55974/16, 53118/17, 27484/18, 28011/19, 14 December 2021) and *Volodina v Russia* (app no. 41261/17, 9 July 2019) again raise issues regarding the conceptualisation of domestic abuse. In both of these cases, the question arose of whether such abuse should be specifically conceptualised as falling within the 'torture' limb of article 3. Both *Tunikova* and *Volodina* serve to illustrate the way in which the Court's jurisprudence on this issue has evolved, from a reliance primarily on

article 8 to a situation whereby the use of article 3 is commonplace and the debate has become whether domestic abuse should be expressly conceptualised as torture. It is certainly arguable that this would be a very welcome development. As the Court itself recognised in *Tunikova*, such a development would be 'capable of influencing the public perception of domestic violence' (para. 77), and it could also have the potential to influence the development of laws relating to such abuse in national legal systems.

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&

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## **Trend in Avoidable Mortality According to the Area of Residence**

**Objectives:** To estimate the trend in avoidable mortality in rural and urban between 2005 and 2016 in Spain.

**Methods:** The population, the number of deaths and the population according to the age, sex and population size of the municipality of residence have been obtained from the National Institute of Statistics. The size of the municipality of residence has been grouped into three categories: less than 10,000 inhabitants (rural areas), between 10,000 and 100,000 inhabitants (small urban areas) and more than 100,000 inhabitants (large urban areas). In each area we have calculated the average annual percentage change in mortality rate using linear regression. The logarithm of the rate has been used as a dependent variable. Finally, a sensitivity analysis was carried out by calculating the mortality rate for the rest of the causes of death.

**Results:** Between 2005 and 2016 the APCM in the avoidable mortality rate in large urban, small urban and rural areas was respectively -3.8%, -3.1% and -2.8% in men, and -3.7%, -3.3% and -3.2% in women. The decrease in mortality due to cancer locations and cardiovascular diseases was responsible for this decrease, since they represent more than 80% of the causes of preventable death. The APCM in the mortality rate from other causes in these areas was respectively -2.6%, -2.2% and -1.6% in men and -1.5%, -1.4% and -1.1% in women.

**Conclusion:** Rural areas showed less decrease in mortality from preventable causes of death than urban areas. Similar findings were obtained with mortality from the rest of the causes of death. A smaller reduction in rural areas in the prevalence of common risk factors for most diseases may be behind these findings.

**Karen Parsonson**

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## **The Dangers of Ethnocentrism in Research on Ethics**

It is inevitable that when examining ethical standards and ethics codes, comparisons will be made, and with comparisons comes the potential for judgment. When it comes to cross-cultural comparisons, there is an even greater risk of not only judgment but ethnocentrism, whereby other cultures are perceived negatively relative to what some may see as the “standard”. As the antithesis of ethnocentrism is cultural relativism, it is proposed that a guiding principle of any cross-cultural research on ethics is from an idiographic perspective, through the eyes of members of that culture. Ethics have been developed from each country’s cultural perspective and should be respected, understood, and appreciated as such. Research on cross-cultural comparison of psychological ethics codes will be discussed as a prime example of ethnocentrism in action, as well as how a new approach has shed light on and demonstrated the contribution of culture to their development.

**Vijitsri Sanguanwongse**

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## **The Key Success Factors of the Agricultural Cooperative Associations of Japan**

The research was descriptive analysis which to analyze the external and internal environment and business strategies and management of the world-famous federation; the National Federation of Agricultural Cooperative Associations of Japan (ZEN-NOH). The research methodology was content analysis and SWOT analysis. The Japan Agricultural Cooperatives (JA) Group has purpose to protect and enhance agricultural management and the livelihood of Japanese farmers in the spirit of mutual assistance. The ZEN-NOH was established with the government's great support and in charge of the marketing and supply business of the JA Group. It is international cooperative business organization which covering over the world which has more than 100 business establishments at home and abroad. It seeks to connect producers and consumers, revitalize production centers, and preserve society and the environment. The critical success factors, which are proposals to adopt as a guideline for developing business cooperatives as follows 1) the business operation structure are international and domestic business operations which linking businesses both vertical business and horizontal business with high ability to adapt to changing situations, 2) the diversified and comprehensive businesses that support each other in a way that has a supply chain, 3) the reinvesting profits that part of the profits are distributed, dedicated to R&D for new investments and new business initiatives within marketing model to be superior to competitors, 4) the production network, variety of production and distribution centers base across the country and around the world which making it possible to reduce production costs and stability in the input factor of production, 5) the participation, equality and skill development at all levels which include member, labor, and employees which take precedence.

**Wei Song**

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## **Towards a Single Currency in Asia**

With increasing economic, monetary, and financial integration in Asian countries over the last few decades, adoption of a single currency in Asia has been proposed by many policy makers and researchers. Particularly after 1997 Asian financial crisis and 2008-2009 global economic and financial crisis, regional exchange rate stability has become an important policy agenda for regional economic, monetary and financial development in Asia. This study aims to evaluate the suitability of adopting a single currency in Asia and forecast its initial member countries for the potential currency union in Asia by applying cluster analysis, in which OCA criteria are examined to evaluate the fulfilment by ASEAN+3 countries. China is used as an anchor county in the analysis due to China's increasing economic influence in trade and direct investment in regional economy and increasing status of Chinese RMB in regional and global market. It finds Asia has fulfilled the OCA criteria for creating a currency union and sharing a single currency in economic term. The economic entries of Cambodia, Macao, Hong Kong, Malaysia, Myanmar, Philippines, Singapore, Thailand, Vietnam, Japan, South Korea are most converged with China among ASEAN+3, and they are more likely to be the initial member countries for future Asian currency union. This study also includes India, United States, and euro area in the analysis, but the study finds they are not very converged with ASEAN+3.



**Robert Smith**

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## **Is an “Open Innovation” Policy Viable in Southeast Asia?: A Legal Perspective**

In recent years, particularly in Europe, increasing attention is being paid to managing IP competitive effects. Europe achieves greater innovation output with IP overall whilst also implementing globally harmonised IP laws (Margoni, 2019). The performance differences in innovation output are due to many variables. The EU has focused on three policy goals: “open innovation”, “open science”, and “open to the world”, aiming to foster access to knowledge for advancement, and overcoming innovation barriers while retaining alignment with harmonised IP frameworks. Whilst it is still premature to draw conclusions about the effectiveness of the EU approach it is possible to hypothesize whether such an approach is a viable option in Asia. In this case the focus will be on the ten countries of ASEAN region with its various levels of development from least developed (Cambodia, Laos and Myanmar) to highly developed (Singapore).

The paper described the concept of the EU “open innovation” policy, its drivers, its legal basis, and successes and failures to date. From these lessons learned a framework will be developed against which to test its viability in Southeast Asia. One of the key measures of viability will be the types of patents registered in the various ASEAN jurisdictions and the mix between local and foreign patents. If the balance favours foreign patents as the initial analysis shows it will be much harder to introduce such a system than if the situation were the reverse. One of the major challenges is that Southeast Asia is a hotspot for IP piracy. The reason for this will be further analysed and recommendations made as to its possible viability in light of the changes identified.

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## **News and Perspectives of Public Law**

Starting from the classic division of law into public law and private law imagined by Roman legal adviser Ulpian, we currently note a fundamental feature of the law: interdisciplinarity.

The recent exceptional situation that we have faced, which can easily be regarded as "crisis", revealed once more that the reference to social life can only be made by resorting not only to law but also to ethics, morals. The public authorities often found themselves in the situation of making administrative decisions for the population, objected by the great majority, as fundamental rights were restricted for a short period of time.

This paperwork addresses a current topic of interest, namely: considering interdisciplinarity, can we speak nowadays of a new public law? If the answer is yes, what should we do with the old one, should we destroy or rebuild it?

We will answer these questions, by using research methods specific to law, in order to emphasize the conclusion of our paperwork, that according to which the measures related to good administration taken by the public authorities must express both the letter of the law and the spirit of the law, taking into account the general interests of the society.

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