

ÍNDICE

Introduction: Human Dignity and Law 19

PERSONA: BEARER OF RIGHTS AND ANTHROPOLOGY FOR LAW

Franciszek Longchamps de Bérier

- I. LEGAL BACKGROUND OF THE CONCEPT OF PERSONA 24
- II. TWO CONTEXTS OF THE PRECEPT "EVERY LAW NEEDS TO BE CREATED FOR THE SAKE OF MEN" 26
- III. HOMO AND PERSONA AS LEGACIES OF ROMAN CIVILIZATION 38
- IV. A DISPUTE OVER THE ESSENCE OF MAN 48
- V. INDIVIDUAL BEARER OF RIGHTS 52

CONTEMPORARY THREATS TO HUMAN DIGNITY: ITS INTERFACES AND EROSION

Marla do Céu Patrão Neves

- I. ETYMOLOGICAL AND HISTORICAL CONCEPTUALIZATION OF HUMAN DIGNITY: ITS SOCIAL, ANTHROPOLOGICAL, ONTOLOGICAL, ETHICAL AND LEGAL DIMENSIONS 56
- II. HUMAN DIGNITY: AN AXIAL PRINCIPLE UNDER PERSISTENT THREAT 58
- III. EMERGING CHALLENGES TO HUMAN DIGNITY 61
- IV. BIOTECHNOLOGIES AND THE ARTIFICIALIZATION OF THE HUMAN FROM THERAPEUTIC PURPOSES TO SOCIAL INTERESTS 62
 1. Animal rights and biocentric egalitarianism from spiritual specificity to biological homogenization
 2. The technological convergence and the production of humanoids from labor collaboration to social substitution 72
- V. IN FAVOR OF HUMAN DIGNITY 74
- VI. BIBLIOGRAPHY 75

THE DIGNITY OF NATIVE AMERICANS AND AFRICAN SLAVES IN THE SPANISH CROWN FROM THE MORALISTS' POINT OF VIEW (15th TO 18th CENTURIES)

Guillermo F. Arquero Caballero

- I. INTRODUCTION 77
- II. ON THE DIGNITY OF THE NATIVE AMERICANS 80
 1. The right of Native Americans to their freedom and lands 80
 2. The respect of Native Americans as mature people 85
- III. ON THE DIGNITY OF SLAVES 90
 1. The moral limits of enslaving 90
 2. The problem of African slavery 92
 3. The respect to human dignity of slaves 95
- IV. CONCLUSIONS 99

DIGNIFIED WORK AND DEHUMANIZATION OF WORK. SOME REFLECTIONS ON THE PREHISTORY OF LABOR LAW

José María Puyol Montero

- I. INTRODUCTION 101
- II. ON THE CONCEPT OF WORK 105
- III. HUMAN DIGNITY, WORK AND FREEDOM 109
- IV. HUMAN DIGNITY AT WORK 116
 1. The recognition of human dignity 116
 2. The process of dehumanization of labor 119
- V. THE RECOGNITION OF THE FIRST SOCIAL RIGHTS 121
- VI. CONCLUSION 129

HUMANS AS A SERVICE: ETHICS IN THE SHARING ECONOMY AND THE ANCIENT MODEL

Grzegorz J. Blicharz

- I. INTRODUCTION 134
- II. DIGNITY OF MAN AND DIGNITY OF WORK: ENDANGERED BY LEGAL

CATEGORIZATION?	136
III. OVERARCHING CONCEPTS OF OPUS – OPERAE AND THE MEANING OF HUMAN LABOR	144
IV. HUMANS AS A SERVICE: FREEDMEN AND THE GIG ECONOMY	152
V. CONCLUSIONS	160

THE ENVIRONMENT AS A PUBLIC CONCERN: KEYNOTES ON ECOLOGICAL CITIZENSHIP

Hugo S. Ramírez-García

I. FOREWORD	163
II. CITIZENSHIP TODAY: RESHAPING ITS MEANING AND PRACTICE	165
III. SUSTAINABLE CITIZENSHIP: A MATTER OF VULNERABILITY	167
IV. SUSTAINABLE CITIZENSHIP AND SUBSISTENCE PERSPECTIVE	170
V. FINAL REMARKS	174

DIGNITY AND THE PROJECTION OF THE RED QUEEN EFFECT IN HEALTHY EMERGENCY PUBLIC POLICIES DURING THE COVID-19 CRISIS

María Luisa Gómez Jiménez

I. INTRODUCTION	176
II. LET'S NUDGE!	177
III. SEARCHING FOR RED LINES	178
IV. AI AND PUBLIC LAW: WHERE IS FEASIBLE IS ALSO LEGITIMATE? DAAD, AUTOMATIC DECISION PROCESS, IN THE ACTUAL REGULATION OF PUBLIC ADMINISTRATIVE PROCEDURE	
1. Approaching a "critical" definition	180
2. Regulating Artificial Intelligence: Nudging Robots?	183
3. The actors and the policymakers: the liability of AI	184
V. FROM A PHYSICAL TO A PSYCHOLOGICAL PROJECTION OF THE RESILIENCE INTO A SOCIO-POLITICAL DEBATE: IS THERE LEGAL RESILIENCE?	185
VI. THE RED QUEEN EFFECT IN ADMINISTRATIVE LAW, AFTER THE TECHNOLOGICAL SINGULARITY: AN APPROACH	190
VII. A REFLECTION, AND A PROPOSAL ON THE COVID-19 CRISIS AND ITS IMPACT ON HUMAN DIGNITY REGARDING HEALTH AND HOUSING POLICIES	191
VIII. BIBLIOGRAPHY	193

HUMAN DIGNITY IN THE DIGITAL AGE. MAY WE DWELL (IN) THE VIRTUAL?

Luca Valera

I. THE REASONS WHY IT IS NECESSARY TO RETHINK THE PROBLEM OF VIRTUAL ENVIRONMENTS	198
II. TWO PRELIMINARY CLARIFICATIONS: "VIRTUAL" AND "VIRTUAL ENVIRONMENT"	199
III. BODY, VIRTUAL BODY, AND INTER-ACTION	203
IV. DWELLING (IN) TECHNOLOGICAL (VIRTUAL) ENVIRONMENTS	207

QUESTIONS AND ANSWERS ON HUMAN DIGNITY AND THE LEGAL APPROACH DURING PERIOD OF COVID-19 PANDEMIC, VIOLENCE AND THE ABUSE OF POWER THAT AFFECTS VULNERABLE PEOPLE. BASED ON EXCHANGES OF LETTERS WITH THE UNITED NATIONS AND THE EUROPEAN COMMISSION, NOTING THE TRENDS IN THE UNITED STATES

Liviu Olteanu

I. INTRODUCTION AND QUESTIONS	214
1. Introduction	214
2. Questions Directed towards the High Officers of the United Nations and the European Commission	215
II. HUMAN DIGNITY IN PRESENT TIMES – AN UNSOLVED WORLDWIDE PROBLEM	216
1. COVID-19, Global Leadership and its Relationship with Human Dignity	216
2. COVID-19 and the "Scapegoats" Issue: A Populist Approach of the "New Normal"	218
3. COVID-19 and Famine Affecting Lives of the Most Vulnerable: Children, Women, Refugees, Migrants, Minorities	220
4. COVID-19, Used as a Pretext for Emergency Laws and Repressive Measures	221
5. COVID-19 Pandemic, Used as an Opportunity for a New Reset of Global Governance and a New World Order	221
III. A SELECTION OF ANSWERS ON THE QUESTION OF HUMAN DIGNITY FOR ALL PEOPLE AND FOR THE VULNERABLE	222
1. The UNITED NATIONS' Response to COVID-19 and Human Dignity	223

2. The EUROPEAN UNION Response on Religious Freedom and COVID-19 Crisis	225
3. COVID-19, Surveillance and Human Dignity	226
4. Religious Minorities, Hate Speech and COVID-19	228
5. Refugees, Migrants and COVID-19	230
6. Human Rights Activists, Political Opponents and COVID-19	231
7. Doctors and Health Workers	232
IV. HOW TO FOSTER HUMAN DIGNITY AND CONFRONT PANDEMICS, VIOLENCE AND THE ABUSE OF POWER	233
1. Recognizing That All People Have Inherent Dignity, Equal and Inalienable Rights	233
2. Condemnation of Abuses of Law-Enforcement, Power and Violence	234
3. Disapproving of Double Standards and Making a Difference for the Marginalized and Vulnerable	234
4. Two Unforgettable History Lessons That Are Complementary: (1) Accepting Diversity & (2) Rejecting Uniformity	235
5. Raising Our Voices Against Injustices, Everywhere and at All Times Refusing to Remain Neutral	236
6. Let's Express Our Support and Find the Means to Foster Human Dignity and Law	237
V. CONCLUSION	238
1. Will the Future Be Drawn Around "Power" or Dignity?	238
2. In Search of Global Leadership That Respects the Freedom of Choice of Every Human Being	238
3. Dignity Must Remain at the Heart of Law and Global Policy	239
4. Final Remarks	240

THE EU NAVAL OPERATION AGAINST HUMAN SMUGGLERS AND TRAFICKERS IN THE MEDITERRANEAN: LIGHTS AND SHADOWS

Carlos Espaliú Berdud

I. INTRODUCTION	242
II. Results of Operation Sophia	250
III. The role of THE UN in the shipwreck of Operation Sophia	254
IV. ITALY'S ROLE IN THE DRIFT AND SHIPWRECK OF OPERATION SOPHIA	257
V. THE ROLE OF THE Libyan Coast Guard IN THE SHIPWRECK OF THE EU NAVAL OPERATION	263
VI. CONCLUSIONS	266

WE CAN READ YOUR MIND: FREEDOM OF THOUGHT AND LAW IN THE AGE OF NEUROTECHNOLOGY

Federico de Montalvo Jääskeläinen

I. INTRODUCTION	269
II. LAW FOR NEUROSCIENCES AND NEUROSCIENCE OF LAW	272
III. NEUROSCIENCE AND HUMAN RIGHTS: THE IMPACT OF NEUROSCIENCE DEVELOPMENT IN THE RIGHT TO FREEDOM OF THOUGHT	276
IV. FREEDOM OF THOUGHT Vs. COGNITIVE LIBERTY. ARE WE TALKING ABOUT THE SAME LIBERTY?	282
V. NEUROSCIENCE AND LAW: IS IT POSSIBLE TO ACCEPT A LEGAL SYSTEM WITHOUT FREE WILL?	284

DEATH WITH DIGNITY. A POLISEMIC APPROACH

Dr. Francesc Torralba

I. PREFACE	289
II. DYING WITH DIGNITY IN THE TECHNOLOGICAL SOCIETY	290
III. HERMENEUTICS	294
1. First meaning	295
2. Second meaning	295
3. Third meaning	296
4. Forth meaning	297
5. Fifth meaning	297
6. Sixth meaning	297
7. Seventh meaning	298
8. Eight meaning	298
IV. CONCLUSIONS	299
RCC Study Group "Studies on Life and Human Dignity"	301