

The Market

International Journal of Business

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We seek to promote new and productive interaction between various business disciplines and fields. We consider articles that express new and innovative ideas in business, paying particular attention to developments in Cyprus and the broader Eastern Mediterranean area.

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	PAGE
EDITORIAL	1
ARTIFICIAL INTELLIGENCE AND COPYRIGHT PROTECTION	2
AI-generated content and the question of copyright	3 - 20
<i>Y. Werzansky-Orland</i>	
BUSINESS AND FINANCE	21
A new fintech-friendly country: The fintech ecosystem of Cyprus	22 - 25
<i>K.R. Bell</i>	
BUSINESS AND LAW	26
Corporate sustainability due diligence: A legal disruption to business operations	27 - 32
<i>L. Karaolis</i>	
FOREIGN BUSINESS	33
Foreign business communities: A relational sociology study	34 - 42
<i>I. Corvino</i>	
HUMAN RESOURCE MANAGEMENT	43
Exploring the barriers to pursuing a maritime career in Cyprus	44 - 63
<i>P. Daniel and L. Karaolis</i>	
HUMAN RESOURCE MANAGEMENT AND ORGANISATIONAL BEHAVIOUR	64
Job satisfaction in the legal profession: The case of Cyprus	65 - 82
<i>A. Damianou and L. Karaolis</i>	
INTERNATIONAL TRADE	83
China-EU trade relations: The impact of European anti-dumping investigations on Chinese enterprises	84 - 101
<i>Y. Zhai, D. Watson and X. Zhu</i>	
MANAGEMENT	102
A new management manifesto for a VUCA world: An invitation	103 - 116
<i>E.P. Antonacopoulou</i>	
MARKETING AND ONLINE GAMING	117
Online games, female gamers and marketing: New business opportunities and challenges	118 - 131
<i>A. Terekhova and C. Constantinou</i>	
STRATEGIC COMMUNICATIONS, GEOPOLITICS AND CRISIS MANAGEMENT	132
Western strategic communications and the formation of geopolitics amidst the Ukrainian crisis	133 - 142
<i>P. Hadjipavlis and C. Constantinou</i>	
USE OF EVIDENCE AND NEURODIVERSITY AT WORK	143
Is a little knowledge a dangerous thing? A stakeholder perspective on the use of evidence about neurodiversity at work	144 - 151
<i>A. McDowall, N. Doyle and M. Kiseleva</i>	
AUTHORS	152 - 157

Dear Readers,

We are delighted to welcome you to the fifth issue of *The Market: International Journal of Business*.

The Market is a scholarly, peer-reviewed, and open access research journal published annually by the Cyprus Centre for Business Research – CIM-Cyprus Business School. The journal publishes articles that express new and innovative ideas in business, and pays particular attention to developments in Cyprus and the broader Eastern Mediterranean region. It publishes the results of research endeavours that show strong future prospects and articles that address the betterment of human life, as well as business practices. The expert, dedicated editorial team solicits and welcomes articles from scholars at all career stages and on topics germane to all fields of business, either with a local or an international outlook.

Thanks to the good work of our team, and thanks to the quality of submissions, *The Market* is hosted on the world's top platforms, ProQuest and EBSCO, two of the world's most-used databases for scientific journals.

The Market aims to provide opportunities for the promotion of new dynamic business ideas to enhance research in all business fields – from management, strategy, accounting and finance to HR, energy, cyber security, marketing and shipping. In light of its deliberate broad appeal, *The Market* also welcomes contributions on emerging fields – for example, political marketing, a relatively new area that is increasingly gaining traction worldwide. In fact, an article in this issue combines political marketing with geopolitics and crisis management (strategic communications). The goal of *The Market* is to create an increased awareness of important scholarly achievements and to host break-through research.

In our fifth issue, we have once more ensured coverage of a range of contemporary and pressing issues and topics. These include articles linking business with law, finance, marketing and online gaming, as well as articles that offer valuable insights into foreign business communities, international trade and management. There is also an article on the use of evidence and neurodiversity at work. Salient issues, including artificial intelligence and copyright protection are examined too.

In addition to these topics, and demonstrating its commitment to a new generation of scholarship, *The Market* continues to publish the top dissertations of CIM-Cyprus Business School Master's students. This issue features an article on human resource management and organisational behaviour -specifically, relating to job satisfaction in the legal profession in Cyprus- by a CIM alumnus, whose MBA dissertation received a distinction. It also features an article on human resource management by an MBA alumna with a specialisation in shipping. This article specifically explores the barriers to pursuing a maritime career in Cyprus, and is drawn from an MBA dissertation which also received a distinction.

The Market will continue to welcome articles in all fields related to business. In line with the successful sixth Annual Academic Conference organised last September by the Centre, this fifth issue of the journal runs under the umbrella theme *Achieving transformation for greater good: Equality, Diversity, Inclusion and Sustainability*.

We hope that you will enjoy reading *The Market* as much as we have enjoyed assembling it. We thank you for being with us on this journey, and we look forward to reading your research paper and/or research note next time!

Dr Constantinos Constantinou
Editor-in-Chief

ARTIFICIAL INTELLIGENCE AND COPYRIGHT PROTECTION

AI-generated content and the question of copyright

By

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Abstract

The rise of AI-generated content has prompted a heated debate over whether such works are eligible for copyright protection. Supporters argue that since AI-generated works require human input, they should be eligible for copyright protection. On the other hand, opponents contend that since such works are not created by humans, they do not qualify for copyright protection. This article explores both sides of the debate and considers the far-reaching implications of allocating copyright to AI-generated works, including issues of ownership and control, as well as the potential impact on the creative industries. Ultimately, this article argues that as AI-generated content becomes more prevalent, policymakers must grapple with the question of how (and if) to allocate copyright to these works in a way that is fair and equitable to all stakeholders involved and proposes a model for determining authorship in non-human generated works.

Keywords: Artificial Intelligence (AI); Copyright Law; Intellectual Property; Machine Learning; Ownership of AI-generated Content; Policy Implications of AI in Copyright.

Table of Contents

I. Introduction

II. What is AI-generated content?

- a) Definition and examples of AI-generated content
- b) How AI-generated content is created
- c) Advantages and disadvantages of AI-generated content

III. Copyright law and AI-generated content

- a) Overview of copyright law and its application to AI-generated content
- b) Protected works and authors
- c) Copying v. inspiration

IV. Can a non-human be an author of a protected work?

V. Should AI-generated content be protected by copyright law?

1. Arguments for copyright protection of AI-generated content

- a) Human involvement in the process of AI-generated content
- b) The potential value of AI-generated content
- c) The need to incentivise innovation and creativity in the AI industry

2. Arguments against copyright protection of AI-generated content

- a) Lack of human authorship in AI-generated content
- b) Potential infringement of existing works
- c) Copyright protection for AI-generated content could stifle innovation

VI. Conscious and willful involvement v. copyright eligibility – A proposed model for determining authorship in non-human generated works.

VII. Conclusion and recommendations

VIII. References

I. Introduction

Artificial intelligence (AI) has transformed the way we live, work and interact with technology. AI-generated content has been making waves in the creative industries for several years now. From news articles and social media posts to music and artwork, AI is increasingly being used to generate various forms of content. However, this rise of AI-generated content has raised a fundamental question: who owns the copyright in such works?

The question of copyright in AI-generated works has become a topic of intense debate, with opinions divided on both sides of the argument. Some argue that AI-generated works require human input, and therefore, they should be eligible for copyright protection. On the other hand, others contend that since such works are not created by humans, they should not qualify for copyright protection. This issue is further complicated by the fact that different jurisdictions around the world have varying laws and regulations on this matter.

The purpose of this article is to explore the question of copyright protection for AI-generated content. We will examine both sides of the debate, including arguments for and against copyright protection. We will also delve into the implications of allocating copyright to AI-generated content and the challenges associated with implementing such protection.

The article begins by defining what AI-generated content is and how it is created. It then provides an overview of the general concepts and principles of copyright law and its application to AI-generated content, while comparing and contrasting the copyright legislation and court rulings in different jurisdictions.

The article will then explore the implications of allocating copyright to AI-generated content. It will discuss the impact on content creators and creative industries, as well as the challenges in implementing copyright protection for AI-generated content. Finally, it will offer a new and different approach, which asks which tools can assist us in determining whether proprietary rights should be allocated to the creating entity of the work and to what extent. This, the author hopes, may provide recommendations for policymakers, legal scholars and content creators.

As AI-generated content continues to become more prevalent, it is crucial to examine the issue of copyright protection for such content. The author hopes that this article will provide policymakers and legal scholars with a framework for thinking about this complex and rapidly evolving issue, and help inform discussions on how and whether to allocate copyright in non-human generated works in general and in AI-generated ones in particular.

II. What is AI-generated content?

The technical foundation for AI systems is machine learning (Veale & Brass, 2019). The ability of a computer to learn on its own, inductively, from a database is known as machine learning. In 'machine learning' systems, human involvement is limited to writing the algorithms that direct the computer's learning and creating a database that will serve as the basis for learning, as opposed to 'non-learning' systems, in which a programmer personally feeds the computer the information necessary for the operation of the software. The computer can apply its findings to new data that was not previously presented to it after it 'trains' on the database that was created for it (Knight, 2020). This fresh data can be added to the database later and used as a foundation for learning.

AI has become increasingly sophisticated, and its applications are now permeating all aspects of society, including the creative industries. AI-generated content refers to any content that has been generated wholly or partially using machine learning algorithms or other AI techniques. Such content can range from news articles

and social media posts to music, artwork, and even videogames. The use of AI-generated content has exploded in recent years, as it allows creators to produce content more efficiently and quickly, and it has the potential to disrupt entire industries (Bankins & Formosa, 2023; Kaur et al., 2021).

Definition and examples of AI-generated content

AI-generated content refers to any form of digital content that has been created, wholly or in part, by AI algorithms. This content can take many forms, including text, images, video, audio and software code. The use of AI in content creation is becoming increasingly popular, as it can help to automate many time-consuming tasks and enable the creation of vast amounts of content in a short period of time (Anantrasirichai & Bull, 2022).

In the realm of visual content, AI algorithms can be used to create new images or videos by generating variations of existing content. For instance, an AI algorithm called Artbreeder can generate new images by combining features of existing artworks. Similarly, an AI system called GANsynth can generate new audio by using machine learning to analyse and synthesise sounds. It can appear magical to use generative AI. Image generators, including DALL·E 2, Midjourney and Stable Diffusion, may create amazing images in a variety of genres, from pencil drawings and pointillism to old photographs and watercolors. The end results can be quite interesting because they are produced at a faster and higher quality than those typically achieved by humans.¹

The fact that text generators can compose essays, poetry and summaries in addition to being skilled mimics of style and form makes their talents even more impressive (Appel et al., 2023). One of the most common forms of AI-generated content is natural language text. AI algorithms can be trained on large datasets of text, such as books or articles, and can use this data to generate new text that mimics the style and tone of the original. For example, OpenAI's GPT-3 language model can generate text in a variety of styles, including news articles, short stories, and even poetry. Another example is AI-generated chatbots, which can carry out conversations with users in a natural-sounding way.

AI-generated content is also being used in fields such as journalism, where algorithms can be used to automate the creation of news articles or other forms of content (Henestrosa et al., 2023). For example, the Associated Press uses an AI system called Wordsmith to generate news articles on topics such as earnings reports and sports events (Cong, 2023).

How AI-generated content is created

The creation of AI-generated content involves the use of machine learning algorithms to analyse and generate new content based on existing data. These algorithms can be trained using a variety of techniques, including deep learning, natural language processing, and computer vision. AI makes a huge contribution to society because it can come up with original ideas thanks to software that mimics how human neural networks are set up. These networks are made up of a number of circuits that can cooperate to analyse data and produce unique works that are different from previous works (Hristov, 2017).

One of the most common methods for creating AI-generated content is through the use of generative adversarial networks (GANs). GANs consist of two neural networks: a generator network that generates new content, and a discriminator network that evaluates the content generated by the generator. The two networks are trained together, with the generator attempting to create content that can fool the discriminator into believing that it was created by a human. Over time, the generator becomes more skilled at creating content that is indistinguishable from human-created content (Goodfellow et al., 2014).

¹ The author has no photography or drawing experience (not to say talent), and yet, one could be impressed by the image in Fig. 2 that was made by an AI system responding to the author's prompt.

Another approach to generating AI content is through the use of language models, such as OpenAI's GPT-3. These models are trained on massive amounts of text data and can generate new text based on the patterns and structures they have learned. For instance, GPT-3 can be used to generate novel news articles, poetry or even entire books.

In the field of art, researchers have developed AI algorithms that can analyse existing artworks and generate new pieces that mimic the style of the original. For example, a team at Rutgers University developed an AI algorithm called Artbreeder that can generate new images by combining features of existing artworks. Similarly, researchers at the University of Tübingen developed an AI algorithm that can generate new music based on the style of existing pieces (Elgammal et al., 2017).

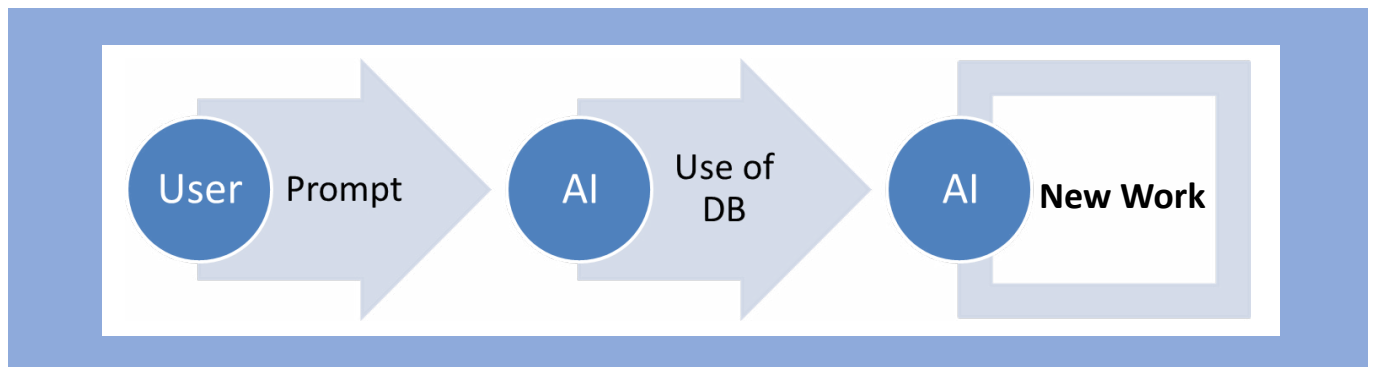


Fig. 1: AI Generation Process

For example, the author used a free and accessible visual AI system and gave it the following textual prompt: 'A realistic photograph of Elvis Presley, wearing a tutu dress and KISS makeup'. Readers can see one of the AI's outputs in the following Fig. 2 below.



Fig 2: Example of Process (Author's Prompt)

Advantages and disadvantages of AI-generated content

AI-generated content has both advantages and disadvantages when compared to content created by human writers or creators (Nadimpalli, 2017). One of the main advantages is the speed at which content can be produced. AI algorithms can generate large amounts of content in a short period of time, which can be especially useful for tasks such as content marketing or social media posting. Additionally, AI-generated content can help to reduce the workload for human writers or creators, freeing them up to focus on more creative tasks (Carvalho & Ivanov, 2023). Another advantage of AI-generated content is its potential to personalise content for individual users. AI algorithms can analyse user data to determine their preferences and interests, and can use this data to generate content that is tailored to their needs (Kang & Lou, 2022). This can lead to a better user experience and higher engagement with the content.

However, there are also some disadvantages to AI-generated content. One of the main concerns is the lack of originality or creativity in the content. AI algorithms are programmed to generate content based on patterns in existing data, which can result in content that lacks originality or a unique perspective. Additionally, AI-generated content may not be able to capture the nuances of human language or emotions, which can result in content that feels impersonal or robotic. Another concern is the potential for bias in AI-generated content. If the algorithms used to create the content are trained on biased or unrepresentative datasets, the content they generate may perpetuate those biases. For example, an AI algorithm trained on a dataset of predominantly male-authored books may generate biased content that excludes or ignores female perspectives.

III. Copyright law and AI-generated content

The intersection of copyright law and AI-generated content poses unique challenges and raises important questions regarding the ownership, protection and legal status of content created by artificial intelligence systems. As AI technologies advance and become increasingly capable of producing original and creative works, the traditional framework of copyright law is in need of adaptation and clarification. This article investigates the intricate relationship between copyright law and AI-generated content, exploring the key issues, debates and legal perspectives surrounding the allocation of copyright in works created by non-human entities. By examining the evolving landscape of copyright law in various jurisdictions and considering the implications of granting copyright protection to AI-generated content, we aim to shed light on the complex legal and ethical considerations at stake.

Overview of copyright law and its application to AI-generated content

Copyright law serves as a fundamental framework for protecting creative works, granting exclusive rights to authors and creators. However, with the rise of AI-generated content, questions arise regarding the application of copyright law to works produced by non-human entities. To understand how copyright law applies to AI-generated content, it is essential to examine the underlying principles and key concepts of copyright law.

When pondering the question of copyright over AI generated works, it is necessary to discuss a few terms and definitions in the realm of copyright as a branch of intellectual property law. First and foremost, like any other law, copyright laws are being legislated by houses of representatives in independent countries and therefore are basically territorial. However, it is important to note that out of the need for certainty and clarity for authors and owners in their works around the world, various international treaties have been signed and ratified in their member states.² This situation has resulted in a kind of harmonisation with regard to intellectual property

² To name a few: The Berne Convention for the Protection of Literary and Artistic Works (1886. Last amendment was in 1979); The Buenos Aires Convention (1952); and The World Intellectual Property Organization Copyright Treaty (1996).

rights in general and copyrights in particular. In order not to burden the reader with the nuances and variations between copyright laws in different countries, this article will present general principles in copyright law, and when explanation of a certain concept is required, examples from specific countries will be highlighted.

Protected works and authors

Copyright laws usually protect a defined list of ‘works’, namely artistic works (including drawings, paintings, sculptures, engravings, lithography, maps, diagrams, architectural works, photography and useful art work such as fonts) and dramatic works (including a play, a cinematic work and choreography). Copyright laws usually do not grant protection to ideas, facts, raw data and processes, and literally exclude them. Protected ‘works’ are created by ‘authors’. Generally speaking, the author of a certain work is considered to be its first owner. An exception to this rule can be found in employment relations and supplier-customer relations. Usually when a few authors create a new work, they will be considered co-authors, regardless of the degree of contribution that each of them made to the work.

Copying v. inspiration

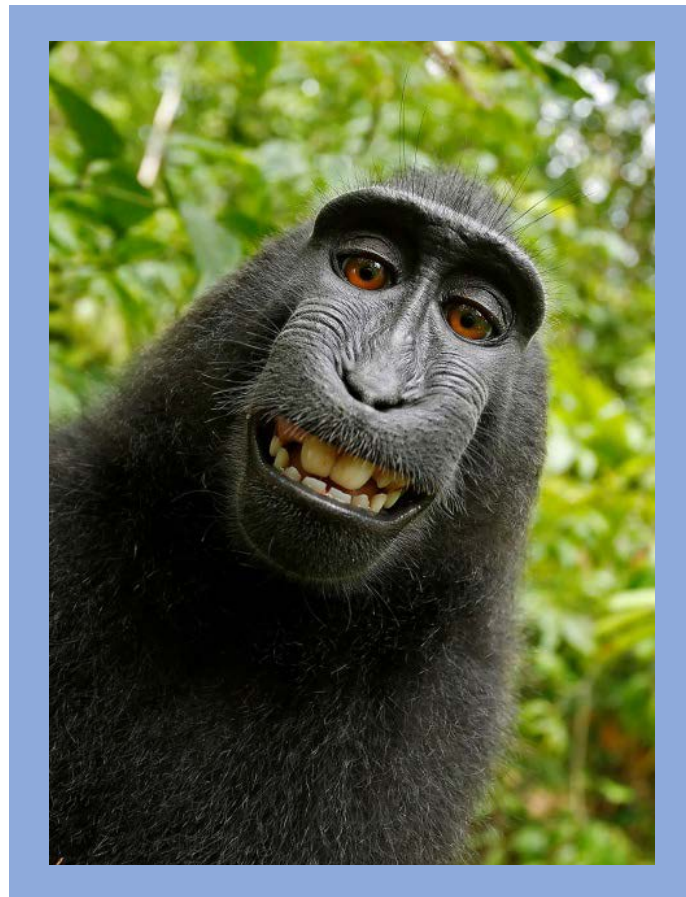
Generally, there are two main threshold requirements in order for a work to be protected by copyright law, it has to be ‘original’ in the sense that the author created it themselves and did not copy it; and it must be displayed in some ‘material form’ (i.e. to be expressed in a way that others can experience it and know what the author’s work is. For example, to write a text or to create a painting the author conceived in his mind). There is a clear difference between copying a work (in whole or in part) and being inspired by previous existing works. Copying is forbidden (as it means that the work is not original), whereas inspiration is not only allowed, it is encouraged (Abdus Salam, 2022). Copying a work involves directly reproducing a substantial and original part of the original work without adding significant new creative elements or transformative changes. This is generally considered a violation or infringement of copyright, as it doesn’t involve the creation of a new, distinct work. Even if the copied portion is incorporated into a larger work or presented in a slightly altered form, it can still be considered infringement if the core elements that define the original work are reproduced (Scheffler et al., 2022). Receiving inspiration from a work involves using elements, ideas, concepts or themes from an existing work as a starting point to create something new and original. Inspiration may come from various sources, including literature, music, art and other creative works. To avoid copyright infringement, the new work should go beyond mere imitation and should add significant creative and transformative elements that result in a substantially different creation (ibid). Thus, an author who wishes to make use of characteristics found in previous pieces in their work, is not prevented from looking at those works (photos, sculptures, etc.), gaining inspiration from them and in this way creating a new, independent and original work.³ When a work is only utilised as a springboard for more elaborations, there is no infringement because the first author’s personal touch is less prominent than the second author’s creative interpretations and modifications. From this angle, the AI-generated output more closely resembles inspiration than copying due to the numerous intermediary actions carried out by the AI algorithm (Iaia, 2022).

³ PCA 7774/09 *Weinberg v. Weishoff* (28.8.2012).

IV. Can a non-human be an author of a protected work?

Up to this point, we have discussed some of the basic principles in copyright law, as they are being implemented in most situations where humans are involved in the creative process. The next step is to try and understand what happens where non-humans (animals or machines) are supposedly involved in it.

The ‘monkey selfie’ case involves a series of events that revolved around a photograph taken by a Celebes crested macaque using a camera owned by British nature photographer David Slater in 2011. The monkey, named Naruto, took selfies by triggering the camera while playing with it. The most famous selfie, often referred to as the ‘monkey selfie’, captured Naruto’s grinning face and became widely circulated on the internet:



The legal debate arose when the photograph was published by Slater in a book and on various websites. The question at the heart of the issue was: who owned the copyright to the selfie? David Slater claimed the copyright, arguing that he had set up the camera equipment and enabled the conditions for the photo to be taken. However, animal rights activists and organisations argued that Naruto, as the ‘creator’ and first author of the photograph, should hold the copyright.

In 2015, the People for the Ethical Treatment of Animals (PETA) filed a lawsuit in the United States on behalf of Naruto, asserting that the macaque should be recognised as the copyright holder and should benefit from the photo’s commercial use.⁴ PETA argued that Naruto was the one who pressed the shutter button and, therefore, deserved the rights to the photograph.

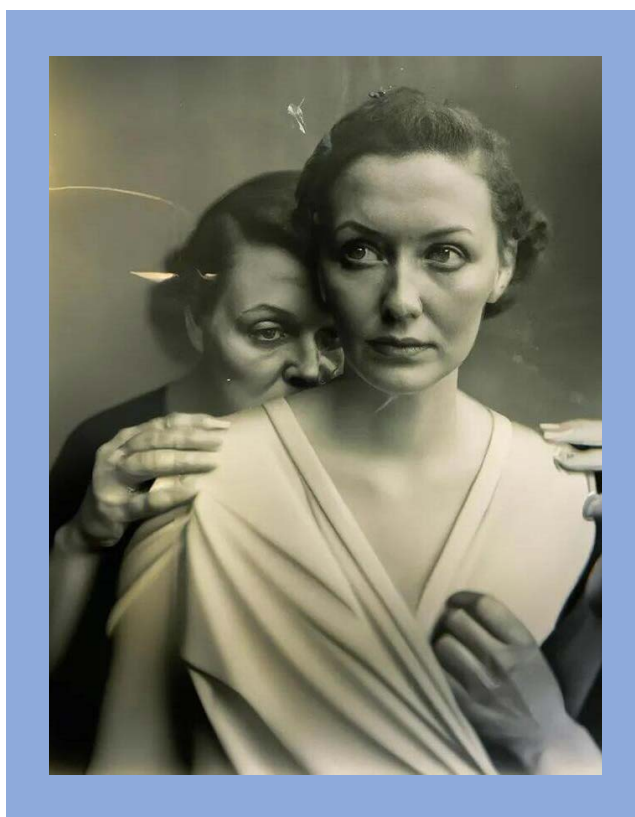
The Ninth Circuit Court of Appeals ultimately ruled that animals cannot be considered ‘authors’ and copyright holders, highlighting the human authorship requirement under U.S. copyright law. This case shed light on the limitations of existing copyright law in relation to AI-generated works and the necessity for legislative updates or judicial interpretations to encompass AI creations (Hristov, 2017).

⁴ Naruto v. Slater - 888 F.3d 418 (9th Cir. 2018).

The U.S. Copyright Office, in the third edition of its compendium, draws attention to the ‘human authorship’ requirement.⁵ In section 306 of this document, it states that an original work of authorship must be the result of human creation. Consequently, claims generated by ‘nature, animals or plants are explicitly deemed ineligible for registration. The Compendium provides a specific illustration of a ‘photograph taken by a monkey’ as an example of a work that falls outside the scope of registrable creations. This rationale was applied in a recent case regarding the question of whether an AI program can be considered an ‘author’ under US copyright law.⁶ In a brief ruling, the court held that copyright law should not stretch its protection as to ‘protect works generated by new forms of technology operating absent any guiding human hand’, that U.S. copyright law ‘protects only works of human creation’ and that ‘In the absence of any human involvement in the creation of the work’, it should not receive the protection of the law.

A similar case was brought before the UK Supreme Court by the same appellant and was decided recently.⁷ The UK Patent Act of 1977 states that only a ‘natural person’ could be considered an inventor. The court ruled that the Patent Act ‘permits only one interpretation: an inventor ... must be a natural person, and DABUS [the name given by the appellant to the AI system; YWO] is not a person at all’. The AI system ‘is not a person, let alone a natural person, and it did not devise any relevant invention’, the court added. Therefore, the court concluded that a patent that lists a non-human entity as an inventor would violate fundamental principles of intellectual property law in the United Kingdom. It is interesting to note though, that the court made it clear that the question on appeal was admissibility of the patents the appellant sought for on behalf of the AI system, not whether artificial intelligences are capable of inventing.

In March 2023, the following photograph was announced as the winner in the Creative Category of the Sony World Photography Awards:



⁵ The Compendium serves as an administrative manual offering statutory responsibilities and instructions to both the staff of the U.S. Copyright Office and the general public.

⁶ Thaler v. Perlmutter, No. 22-1564 (D.D.C. August 18, 2023).

⁷ Thaler v Comptroller-General of Patents, Designs and Trade Marks [2023] UKSC 49.

The person who filed the photograph ‘Pseudomnesia: The Electrician’ to the competition was German photographer Boris Eldagsen. Not long after winning the award, Eldagsen announced that he was renouncing the prize, since the photo he had submitted to the competition was not taken by him but was created using AI. Practically, the photo was created using a prompt (textual command) and was edited between 20-40 times with different AI techniques using OpenAI’s DALL-E2 image generator. In his message, Eldagsen thanked the judges for choosing his photo and making this moment historic, as it is the first photo created by artificial intelligence to win a prestigious and international photography competition. He added that in his opinion, images created using artificial intelligence and real photographs should not compete with each other and that separate competitions should be created for AI-based images, because in his opinion artificial intelligence is not photography (Wagon, 2023).

In the European Union, the EU Copyright Directive, adopted in 2019, introduced provisions that have implications for AI-generated content.⁸ Article 13 (now Article 17) of the directive places certain obligations on online platforms to prevent the unauthorised dissemination of copyrighted material, including AI-generated works. It requires platforms to implement measures such as content filtering technologies to prevent copyright infringement. This provision aims to strike a balance between protecting copyright holders and ensuring freedom of expression, but it has also raised concerns about potential limitations on user-generated content and the challenges of accurately identifying AI-generated works.

Other jurisdictions have taken varied approaches to the issue. In Australia, for example, the Copyright Act does not explicitly address AI-generated content, leaving it to be interpreted within existing copyright principles. However, the Australian Law Reform Commission has conducted inquiries into copyright reform, including the consideration of AI-generated works. In its report, it acknowledged the need for legislative clarity and recommended amendments to ensure appropriate protection and attribution for AI-generated creations (Australian Law Reform Commission, 2014).

In Canada, the Copyright Act does not explicitly mention AI-generated content, but the Supreme Court of Canada has provided guidance on the interpretation of copyright law in the context of technological advancements. The court’s decision in *CCH Canadian Ltd. v. Law Society of Upper Canada* established the principle of technological neutrality, emphasising that copyright law should be flexible enough to accommodate new technologies, including AI.⁹

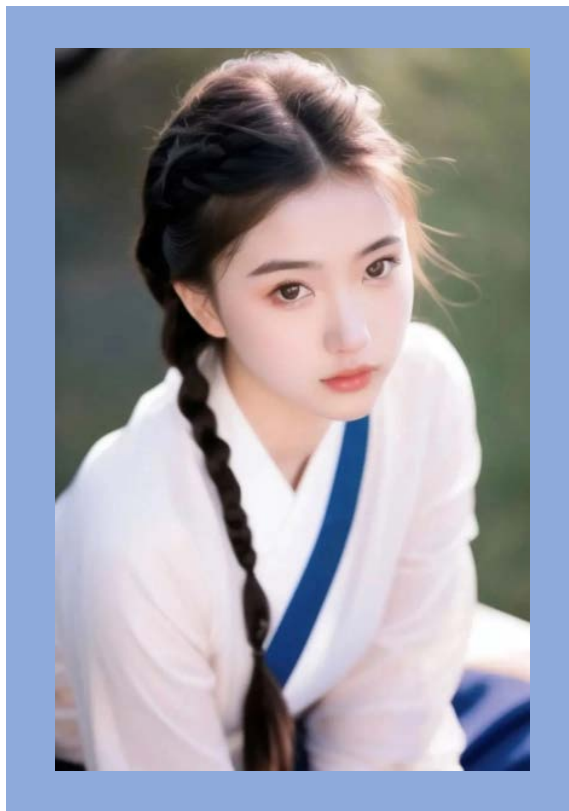
A unique and different approach to the question of authorship in AI-generated content was presented recently in a ruling by a Chinese court.¹⁰ In that case, the Plaintiff used ‘Stable Diffusion’, an image generating AI system located in the United States, to create a few images. One of these images was given the title, ‘Spring Breeze Brings Tenderness’ and he shared it on the well-known Chinese social media network Little Red Book:

The image ‘Spring Breeze Brings Tenderness’ can be found on the next page.

⁸ Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC.

⁹ *CCH Canadian Ltd v. Law Society of Upper Canada*, [2004] 1 SCR 339.

¹⁰ Beijing Internet Court (2023) Jing 0491 Min Chu No. 11279.



The Defendant, a Chinese blogger, used the Plaintiff's AI-generated image as an illustration in an article he published; however, the Plaintiff's credit and watermark were removed from the image. Soon after, the plaintiff filed a lawsuit against the defendant for copyright infringement and authorship violations.

According to Article 3 of the Chinese Copyright Law, in order to determine if the subject of the plaintiff's claimed image is potentially a copyrightable work, the Court has to consider four elements:

1. Whether it falls under the realm of literature, art or science;
2. Whether it is original;
3. Whether it is expressed in a certain form; and
4. Whether it is an intellectual achievement.¹¹

The Court, implementing these elements to the facts of the case, ruled that by its appearance, the image should not be distinguished from photos and paintings commonly seen by people and that it is obvious that it falls under the realm of art. With regards to the element of 'originality', the Court ruled that the Plaintiff's aesthetic choices and arrangements as well as his personal judgements were reflected in the image through his prompt texts, layout setting instructions and parametrical composition. As he continued to adjust and correct the outcome through prompts and parameters until the image at hand was created, the image satisfies the 'originality' requirement. In general, demands made using AI-generating systems tend to increasingly reflect an individual's personalised expression the more distinct they are from those made by others, and the more precisely described the visual aspects and layout are. In this instance, the image at issue differs noticeably from earlier creations. Finally, the Court held that from the time the Plaintiff had the idea for the image until the moment it was finally chosen, the Plaintiff engaged in specific intellectual efforts, including planning the way the characters were presented, picking appropriate prompts, placing the words in the right order, establishing pertinent criteria, and deciding which image best fit the requirements. The plaintiff's intellectual contribution is reflected in the involved image, satisfying the "intellectual achievement" requirement.

¹¹ Copyright Law of the People's Republic of China (as amended up to the Decision of February 26, 2010, of the Standing Committee of the National People's Congress on Amending the Copyright Law of the People's Republic of China).

These examples highlight the ongoing legal discussions and evolving approaches to AI-generated content in different jurisdictions. As AI technology continues to advance, it is crucial for lawmakers, courts and policy-makers to address the unique challenges posed by these creations and ensure that copyright laws provide adequate protection, attribution and incentives for both human creators and AI systems.

In a parenthetical clause, the author would suggest differentiating between these two types of ‘nonhumans’. Whereas one of them is created by humans, operates according to human directions and prompts and does not have consciousness nor an independent will (artificial intelligence), the other is a living being capable of presenting its volition and is considered to be as conscious as humans (Werzansky-Orland, 2019). Of course, this does not mean that every arbitrary, accidental work created without clear and express intention (as happened in the case of Naruto) should receive the protection of copyright law.

V. Should AI-generated content be protected by copyright law?

The question of whether AI-generated content should be protected by copyright law has sparked diverse opinions and perspectives within the legal and intellectual property communities. The debate revolves around the recognition of AI systems as autonomous creators and the implications of extending copyright protection to their outputs. Various arguments have emerged, highlighting both the justifications for and against granting copyright protection to AI-generated works. When it comes to AI-generated content, the question arises as to who should be considered the ‘author’ or ‘creator’ deserving copyright protection. Traditional copyright law attributes authorship to human beings who exercise skill, judgement and creativity in the creation of works. However, AI-generated content is often the result of complex algorithms and computational processes, raising uncertainties about the role of human involvement in the creative process.

1. Arguments for copyright protection of AI-generated content

a) Human involvement in the process of AI-generated content

One viewpoint supporting the allocation of copyright in AI-generated content emphasises the underlying creative input of human programmers and developers (Matulionyte & Lee, 2022). Proponents argue that copyright law should reflect the collaborative efforts involved in the creation of AI systems (Craig, 2022; Hristov, 2017). They contend that humans play a crucial role in training, curating datasets and designing algorithms, making them instrumental in the production of AI-generated works. Therefore, granting copyright protection to AI-generated content would recognise the contributions of human creators, ensuring a fair and equitable distribution of rights and incentives.

b) The potential value of AI-generated content

The potential value of AI-generated content also supports the case for copyright protection. AI algorithms have the capacity to generate innovative and valuable works across various domains, including art, music, literature and design. These works have the potential to be commercially exploitable and contribute to cultural, artistic and economic advancements. Copyright protection ensures that creators and rights holders have the exclusive rights to reproduce, distribute, display and perform their AI-generated content. By granting legal protection, copyright incentivises the creation of high-quality AI-generated content and enables creators to derive economic benefit from their works through licensing, sales or other forms of exploitation (Hugenholtz & Quintais, 2021).

c) The need to incentivise innovation and creativity in the AI industry

Furthermore, copyright protection is essential to incentivise innovation and creativity in the AI industry. The development of AI technologies requires substantial investments in research and development, infrastructure and talent. Copyright protection provides a means for companies and individuals to recoup their investments and generate revenue from AI-generated content. By granting exclusive rights to creators and right holders, copyright fosters a competitive environment that encourages continued innovation and advancement in the field of AI. It promotes a balance between protecting the interests of creators and providing a framework for the responsible use and development of AI technologies (Sag, 2019).

2. Arguments against copyright protection of AI-generated content

Some scholars hold the opposing opinion that copyright protection should not extend to AI-generated content (Ballardini et al., 2019). They express concerns about the potential negative impact on creativity and innovation, fearing that granting copyright protection to AI-generated content may stifle derivative works, collaborations and transformative uses.

a) Lack of human authorship in AI-generated content

The lack of human authorship in AI-generated content forms a prominent argument against copyright protection. Copyright law traditionally attributes authorship to human creators who exercise skill, creativity and judgement in the creative process. AI-generated content, on the other hand, is produced by algorithms and computational systems without direct human intervention. AI systems can autonomously generate content without human intervention in the creation of the works, challenging the traditional notion of authorship. This raises questions about the appropriateness of granting copyright protection to works that lack the essential element of human authorship. Therefore, some scholars are against granting any copyright in the AI generated content and argue that copyright should be limited to human-authored creations to preserve the original intent and purpose of copyright law (Zurth, 2020).

b) Potential infringement of existing works

AI systems can process and analyse vast amounts of data, including copyrighted works. This raises concerns that AI-generated content may inadvertently incorporate elements of existing copyrighted works, potentially leading to copyright infringement. The output of generative AI can be text, image, audio, video and more. The unique qualities of generative AI works include controllability, variety and uniqueness. Generative AI works can be applied to many other things, including education, entertainment and innovation. Generative AI, however, also presents certain infringement risks that must be taken care of. For example, text generating AI tools can replicate existing data and works without permission and use them in the generated responses they give to the end user, in a way that constitutes unlawful copying of such works, and thus infringing the copyrights of said works (Zhao, 2023). Also, AI image generating tools have the potential to produce novel artworks by using textual specifications that draw inspiration from pre-existing works. This means that potentially these AI systems could create 'derivative works', which are considered infringements as well, if they lack the proprietors' consent and approval (ibid).

c) Copyright protection for AI-generated content could stifle innovation

It is critical to acknowledge the potential for AI-generated creativity to cause a major market upheaval in the creative industries. Particularly vulnerable to this disruption are fields like text generating oriented professions, graphic designers and music composers. Human creators are challenged by AI algorithms' capacity to produce high-quality creative outputs rapidly and affordably (Frosio, 2023). Granting copyright protection to AI-generated content could create a situation where AI systems become gatekeepers to creativity, limiting the ability of humans to freely build upon and adapt AI-generated works. This could hinder innovation and slow down the progress of AI technology (ibid). Furthermore, if the market's dominant stakeholders restrict access to the datasets required to create AI systems, this may raise antitrust issues as it may restrict competition and creativity (Lucchi, 2023).

These divergent opinions reflect the complexities and nuances surrounding the application of copyright law to AI-generated content. Balancing the interests of human creators, AI systems, and society as a whole requires careful consideration of legal, ethical and policy implications. As AI technology continues to advance, discussions on the proper allocation of rights in AI-generated content remain vital to shape the future of copyright law and foster innovation (Buccafusco & Sprigman, 2016).

VI. Conscious and willful involvement v. copyright eligibility – A proposed model for determining authorship in non-human generated works.

AI systems are becoming more and more integrated into our daily lives, work and leisure activities, requiring less and less human involvement. The rate of change, the reluctance to stifle innovation, as well as the theoretical and practical difficulties AI presents for existing regulatory frameworks, all contribute to the difficulty of regulating these advancements (Chesterman, 2021). Because of the constant unbalanced race between the law and technology (one in which technology is always at least one step ahead), we need to understand how current legal tools can be modified to fit with the constantly changing technological reality (ibid). However, does that mean that AI systems deserve to be considered legal personalities?

This question sometimes arises in the context of copyrights – can an AI system be given a right to intellectual property that it has created? We have seen that courts in different jurisdictions have recently answered this question in the negative (Gaon, 2021). Some scholars claim that attributing legal personality to artificial intelligence systems is a screen that protects those who may be the real party responsible for the flaws in the conduct of such systems (Newitz, 2022; Novelli et al., 2022). Others claim that granting rights and responsibilities to AI systems may create a legal precedent, blurring the line between human and machine accountability and that it could also raise questions about the ethical implications of AI decision-making and the potential for bias or discrimination in the legal representation of AI (Newitz, 2022).

The author refrains from commenting on or dismissing the rulings and opinions of those older and wiser than him. However, the author believes that there is room to look at the issue of assigning rights to non-humans (animals or machines), including proprietary rights, from a different, new perspective. As mentioned above, the law and technology are in constant competition; when on the one hand legislative processes take a long time and depend on political processes and on the other hand, technology advances exponentially and is not subject to political or other restraints. This state of affairs means that technology always reaches the finish line before the law. It is the author's opinion, that this situation requires rethinking to try to adjust and balance the law and technology in a way of 'legal disruption', that is 'the disruption of law by technology' (Kaminski, 2017).

Technology can lead to a reevaluation of the fundamental assumptions of the law, including the definition of authorship in terms of copyright (ibid).

The author believes that in order to answer the question of whether AI-generated content should be eligible for copyright protection and become a proprietary subject matter, the main focus should be on just a few factors, namely the actual creator of the work (who or what made the output) and if the output work was made arbitrarily or consciously and willfully (i.e. whether the entity who produced the work made it on purpose or by way of chance). Another factor to be considered is whether the creating entity copied the output work, or did it create a completely new and original work. Having said that, receiving inspiration from previously existing works cannot and should not constitute a violation or infringement of copyright. Inspiration is something that cannot be ignored in the realm of art and creativity. It is the 'sine qua non' of copyright law¹², whether the new works are created by a human, another animal or a machine. Works which are produced by an AI system according to a prompt, cannot be granted copyright protection, as they were not produced by a conscious and willing entity.

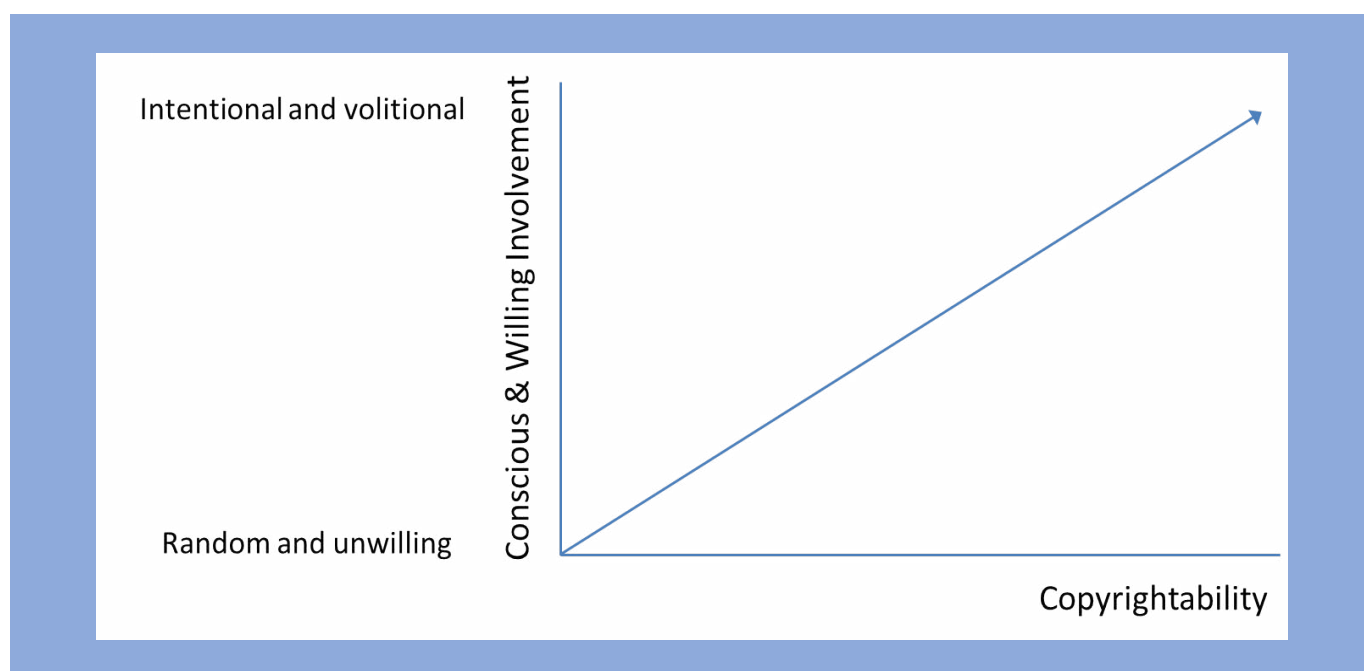


Fig. 3: Willful Involvement v. Copyrightability

Copyright is fundamentally a human-centric concept, grounded in the exercise of human creativity and expression. As long as AI systems lack consciousness, intentionality and the ability to experience emotions, AI-generated works do not possess the essential qualities that copyright law seeks to protect. However, the author does hold the opinion that if it could be proved to a certain extent that willful, conscious thought was put into the process of creating a new work by a non-human entity (animal or machine), and that it was not made by random act of chance, then we have to consider the allocation of copyright to said entity. For example, if in the case of Naruto the monkey, it could be proved that it understood the action of pressing the button in order to capture its own image, the author believes that it would be much harder to dismiss the notion that only because it was not human was it not eligible to hold the copyright to that photograph.

¹² See: *Feist Publications, Inc. v. Rural Telephone Service Co.*, 499 U.S. 340, 345 (1991).

In this article the author has argued that copyrights should not be allocated in AI-generated content to any party, including the programmer, the owner of the program, or the end user who drafts and defines the prompt. This is because copyright laws usually do not grant protection to ideas, and AI-generated content is simply the output of an algorithm that has been trained on a large dataset of data. Additionally, the end-user cannot obtain copyright on the newly generated work, as they only defined the prompt for the AI system. The prompt in this case is equivalent to an 'idea'. Finally, works which are generated by an AI system according to a prompt cannot be granted copyright protection, as they were not created by a conscious and willing entity.

The author has also argued that the AI's use of previous existing works in the process of creating a new work does not infringe copyrights. This is because receiving inspiration from a previous existing work involves using elements, ideas, concepts or themes from such works as a starting point to create something new and original. Copying a work is forbidden, whereas receiving inspiration is not only allowed, it is encouraged. An author, who wishes to make use of the characteristics found in previous pieces in his work, is not prevented from looking at those works, receiving inspiration from them and in this way creating a new, independent and original work. The scanning and use by the AI system of previous works should not be considered as an infringement of those works, since they are not used 'as is' and they are not copied, but used in a way of receiving inspiration from them, in the process of creating a new work.

This is a complex issue with no easy answers, and it is likely to be debated for many years to come. However, this article has provided a strong argument for why current copyright laws should not be applied to AI-generated content.

It should be noted that the programmer or the owner of the AI system or the website which enables end-users to use the AI system might prevent others from various uses of the generated content. This might be preventing commercial use, or reserving the right to use the generated content themselves for any reason, by drafting terms and conditions for the use of the system by its end-users. For this reason, it is always best to read the terms of use of the system or website in order to understand the scope of permitted use and the obligations and rights that apply to the end user.

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A new fintech-friendly country: The fintech ecosystem of Cyprus

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Abstract

In the fintech world, where digital transactions and digital investments occur in a plethora of jurisdictions worldwide, Cyprus is pioneering new methods of conduct. This is due to a favourable corporate tax rate, the global impact of the COVID-19 pandemic, the support of fintech innovation, and reliable regulatory frameworks which the EU incentivises to develop new fintech companies.

Keywords: Cyprus; Fintech; Digital Payments; Digital Investments; EU; Digital Assets; Forex.

Introduction

Financial technology¹ in Cyprus is a rapidly changing world because of the plethora of forex brokerages and the demand for digital assets. In the last four years in general, and before the impact and acceleration of technology due to COVID-19, financial transactions via the Internet have become common practice for individuals worldwide. But what are the compliance and regulatory rules for this newfound group of investors? What happens when a Cypriot citizen invests with a forex company, or when a Cypriot invests in new digital assets and the Cyprus-registered company where they invested does not follow the European Union (EU) investment protocols and legal issues arise?

While financial technologies strive to advance, regulatory and compliance laws can aid innovation and help investors and businesses thrive. Since the Internet holds severe risks, the digitisation of assets presents a paradigm shift for numerous Cypriots (Baba et al., 2020). In order to keep the fintech ecosystem of Cyprus in perpetual advancement, Cyprus must deliver clear regulatory-interpretive tools that align with the technological challenges that exist. This will create an ideal environment for both the investor and the financial businesses involved.

It is worth investigating how a Cypriot fintech company can allow the investor to yield better year-on-year (YoY) returns in comparison with a fintech company outside the jurisdiction of Cyprus (Antoniou & Tringides, 2022). The basis for the above rests in the fintech ecosystem of Cyprus.

Business and Tech-Friendly Environment

Cyprus has been a member of the EU since 2004² and has one of the lowest EU corporate tax rates at 12.5%.³ The Cyprus regulatory regime maintains complete compliance with the stringent requirements of the EU and the Organisation for Economic Co-operation and Development (OECD).⁴ This advantageous tax rate, combined with a long list of double tax treaties, positions Cyprus as one of the preferred jurisdictions to incorporate a fintech company.

The possibility of achieving an effective tax rate which is significantly lower than 12.5% is attainable, with assistance from the preferential IP Box regime introduced in 2012. The regime was created to encourage innovative research and development. As fintech companies grow, create trademarks and trade names, apply copyrights on software, and make requests to use technology, know-how, and financial knowledge, including secrets of the trade and confidential information, this ensures an attractive jurisdiction for legal entities such as fintech companies to register as a corporation in Cyprus (Milogolov, 2020).

¹ Financial technology firms are also known as fintech companies (Kowalewski & Pisany, 2023).

² Specifically, Cyprus became a full EU Member State on 1 May 2004. For additional details, see: https://european-union.europa.eu/principles-countries-history/country-profiles/cyprus_en.

³ For more info: <https://www.cyprusprofile.com/page/doing-business/taxation?lang=en>.

⁴ For further details about OECD: <https://www.oecd.org/about/>.

Access to the European market, a well-developed financial infrastructure, a highly skilled and technically trained workforce, and qualified specialists in technical fields ensure Cyprus is an attractive country to locate or relocate a fintech company. Moreover, the Cypriot workforce is well-versed in the technological nuances that exist in the fintech sector in Cyprus, which makes this country an ideal environment to operate a successful fintech company long term.

A Comparative Perspective: Digital Assets and Forex

In the digital age of the Internet, where there are a diverse range of asset classes in existence, there is worldwide interest in forex trading and in trading digital assets such as cryptocurrency (for payment processing and investment portfolios). It is important to try to distinguish between forex trading and trading in digital currencies, and to understand how each asset class can benefit the Cypriot market. This of course assumes that the cryptocurrency investing complies with Crypto Asset Services Provider (CASP) regulation in Cyprus.

The regulatory framework for cryptocurrency in Cyprus is comprised of the CySEC Directive for the Register for Providers of Services Regarding Crypto Assets, the AML/CFT law, and the CySEC Directive for the prevention and suppression of money laundering and terrorist financing. CASP and further operations include rules, *inter alia*, in relation to identifying and reporting suspicious transactions, determining the economic profile of clients, conducting Know Your Client (KYC) and other due diligence practices, conditions in relation to CASPs registration, fitness and probity of CASP beneficiaries and persons maintaining a management position, the operational and organisational requirements, client transaction monitoring, defining the core source of funds, completing a clear risk assessment in relation to clients' activities and taking accurate measures of client activity and crypto-assets in question (Fauzi & Paiman, 2020).

Over the years, and with the arrival of COVID-19, forex trading experienced an incredible surge as forex traders searched for new markets and opportunities. The forex brokers have taken on a role of managing more new client accounts and larger monthly trading volumes. Investors have moved away from the traditional stock market and sought to find new income sources in the forex market. During the pandemic there were numerous investors who got a good return on their investments, despite the volatility of the forex market (Azzam, El-Masry & Yamani, 2023).

Cryptocurrency: Is it the Future?

The controversy in the cryptocurrency community between parties from different jurisdictions is a discourse of how cryptocurrency will impact the future of investing and payments.

The key question is whether cryptocurrency payment transactions and cryptocurrency investments are viable opportunities for Cypriot consumers to take advantage of. Unfortunately, there are no guarantees on what the future holds and how cryptocurrency will grow and develop in Cyprus.

The current tax framework for cryptocurrency and crypto assets is under development and changing rapidly, due to legislation in the EU. Crypto assets are tricky to account for because with volatility and speculation the crypto market is changing by the minute, which leads to different perspectives on how to accurately tax cryptocurrency in Cyprus. One perspective is that cryptocurrency should be taxed as trading income and would therefore be subject to the corporate tax rate of 12.5%. The other school of thought is to treat cryptocurrency as a financial instrument, which would mean that the proceeds from their sale would incur zero taxation in Cyprus (Pele et al., 2023).

Cypriot consumers should be aware of and understand how cryptocurrency exchanges and cryptocurrency payment processors operate without any misconceptions. Although the terms of use and privacy policies are stated on these fintech companies' websites, how Cypriot consumers can benefit, capitalise and profit from these new digital asset classes still remains unclear (Bekiros & Georgoutsos, 2008).

In the case where a cryptocurrency exchange or cryptocurrency payment processing company operates in Cyprus, and consistently profits from the Cypriot market, the vested interest in protecting Cypriot consumers when using cryptocurrency to invest long-term or conduct transactions should be standard practice. However, Cypriot consumers have a lot of unanswered questions regarding compliance and regulatory rules for crypto investments and payments. Moreover, because there is a fast-paced ever-changing environment in the fintech sector, especially in the crypto world, along with the increase in cryptocurrency trade transaction volume, there's not enough clear guidance from tax and legal professionals on how a Cypriot consumer can navigate the uncertainties of the crypto market (Pele et al., 2023).

There is unease with the situation in which a Cypriot consumer is not able to understand how cryptocurrency trading is taxed and how it operates, making trading online full of uncertainty. Budgets of trade are used as a measurement by the Cyprus Income Tax Office to quantify cryptocurrency trading activity. However, in other jurisdictions like the UK, budgets of trade consider nine different types of criteria to review, assess, argue, and document cryptocurrency activity to conclude whether the distribution of cryptocurrency is an isolated event free of taxation or a continuous trading activity which is taxed. In cryptocurrency trading in Cyprus only two of the nine forms of criteria are considered: the number of transactions and profit-seeking motive to determine the tax treatment (Kusunoki, 2021).

Conclusion

In the global financial world, where the Internet is the common denominator of how forex brokerages, cryptocurrency exchanges and cryptocurrency payment processors conduct business, there is a constant need for trust in the exchanges, payment processors and brokerages, the reliability of the platforms, and the security of protecting assets, because of the volatility of these different markets. Since the markets are trading and active for 24 hours worldwide, there are certainly more opportunities for potential security breaches and cyber-attacks.

However, irrespective of the inherent risks involved, cryptocurrency investors must understand the pros and cons that come with using the fintech-friendly ecosystem in Cyprus. Despite the ongoing changes in the market, the Cypriot investor must take into account the circumstances of each cryptocurrency, forex investment or digital asset and consider the market positioning, by strictly following regulatory and compliance laws in the EU and Cyprus that regulators have proposed.

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Corporate sustainability due diligence: A legal disruption to business operations

By

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Abstract

Set against the backdrop of the EU's transfiguration to a climate-neutral and green economy, this paper explores the proposed adoption of a Corporate Sustainability Due Diligence directive by the European Commission. In particular, the paper examines the rationale for, and implications of, the proposed directive, with reference to the factors which have catalysed the importance of Corporate Sustainability Due Diligence (CSDD). The paper also examines whether the proposed directive contributes towards 'disruptive sustainability' in the sense of augmenting business practices which adversely impact the environment and human rights.

Keywords: Corporate Sustainability; Due Diligence; European Union; Ecocide; Human Rights; Disruptive Sustainability; Adverse Impacts; Corporate Governance; Green Economy; Climate Law.

Introduction

As the proposed directive on CSDD¹ advances through the legislative process, the reasons for its adoption and the implications of its subsequent implementation are ripe for consideration. This consideration will entail analysis of so-called *adverse impacts* on the environment and human rights; the concept of due diligence; legal harmonisation of due diligence across Member States; corporate accountability; and whether the proposed directive meets the criteria of disruptive sustainability.

Reason I: Tackling Adverse Impacts on the Environment

As the title of the proposed directive makes explicit, its target is corporate sustainability. The concept of sustainability is, despite its contested meaning and scope, inextricably linked to the environment.² Accordingly, the imposition of legal obligations on businesses operating in the EU regarding sustainability ought to be viewed against the Union's growing environmental landscape.³

As part of its European climate law,⁴ the EU has committed to establishing a European Green Deal, which necessitates a transition to a climate-neutral and green economy.⁵ Stripped to its core, the European Green Deal is a response to atmospheric warming and environmental degradation, such as polluted air, forests and oceans as well as planetary species at risk of extinction.⁶ In a bid to tackle these anthropogenic threats, the European Green Deal seeks the eradication of greenhouse gases within the next two decades in tandem with economic growth severed from non-renewable resource usage⁷ i.e., coal, oil, and natural gas in favour of renewable resources such as biofuel, hydroelectricity, wind and geothermal energy.⁸ It is axiomatic that the conduct of corporations will determine the trajectory of this ecological transition.

¹ Commission, 'Proposal for a Directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive' (Communication) COM (2022) 71 final.

² For a comprehensive overview of sustainability see: Travis Gliedt and Kelli Larson, *Sustainability in Transition: Principles for Developing Solutions* (Routledge Oxford 2018).

³ See e.g., Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 [2020] OJ L198/13; Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage [2004] OJ L 143, p. 56–75.

⁴ See: Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') [2021] OJ L243/1.

⁵ Communication from the Commission on the European Green Deal, COM/2019/640 final.

⁶ Ibid (n5) p2.

⁷ Communication from the Commission on the European Green Deal, COM/2019/640 final.

⁸ See further: K. Moustakas, M. Loizidou, M. Rehan, A.S. Nizami, 'A Review of Recent Developments in Renewable and Sustainable Energy Systems: Key Challenges and Future Perspective Renewable and Sustainable Energy Reviews' [2020] 119 Renewable and Sustainable Energy Reviews 109418.

European climate law also penetrates the realm of criminal liability. Notwithstanding initial trepidation, the European Parliament has embraced the concept of ‘ecocide’⁹ and unanimously endorsed a draft Environmental Crime Directive (ECD)¹⁰ prohibiting severe environmental damage. The draft ECD refers to, and draws heavily on, the notion of ecocide formulated by the *Independent Expert Panel for the Legal Definition of Ecocide*,¹¹ who broadly defined ecocide as ‘unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment’¹². Crucially, the draft ECD obliges Member States to transpose into national law the crime of ecocide and hold companies liable for environmental crimes listed in the ECD.¹³

The proposed CCSD directive fits squarely into this burgeoning legislative landscape by requiring EU companies to evaluate, mitigate and curtail adverse environmental impacts, such as greenhouse gas emissions and ecosystem degradation risks, across their value chains.

Reason II: Tackling Adverse Impacts on Human Rights

As with all domains of EU law, the importance of human rights looms large, in that in addition to its green aspirations, the EU has pledged to harmonise business practices so as to mitigate adverse impacts on human rights. Akin to environmental protection, therefore, the proposed directive should be viewed against the backdrop of a now well-established EU human rights landscape.¹⁴

As EU lawyers can attest, the founding Treaties made no textual reference to respect for human rights, as the EU was originally envisaged as an economic organization focused on trade. Over time, however, a human rights dimension to the EU legal order materialised, due in large part to the early case law of the Court of Justice (the *uncodified* dimension) and the subsequent creation and legally binding application of an EU bill of rights, namely, the EU Charter of Fundamental Rights (the *codified* dimension). The evolution of EU Treaty law, sprinkled with revisionist history, now purports that the Union was ‘founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights’¹⁵. Taken as a whole, it is trite law that all acts (of the EU Institutions and Member States) that fall within the material scope of EU law must comply with human rights. In the realm of corporate sustainability due diligence, the remit of human rights encompasses commercial practices which utilise, *inter alia*, forced labour, child labour and exploitation of workers.¹⁶

⁹ For detailed overviews of the concept of ecocide, see: Darryl Robinson, ‘Ecocide — Puzzles and Possibilities’ (2022) 20 *Journal of International Criminal Justice* 313-347; European Law Institute, ‘Report on Ecocide, Model Rules for an EU Directive and a Council Decision’ (18 April 2023) <https://www.europeanlawinstitute.eu/fileadmin/user_upload/p_eli/Publications/ELI_Report_on_Ecocide.pdf> accessed 17 September 2023.

¹⁰ European Parliament, ‘Report on the Proposal for a Directive of the European Parliament and of the Council on the Protection of the Environment through Criminal Law and Replacing Directive 2008/99/EC’ <https://www.europarl.europa.eu/doceo/document/A-9-2023-0087_EN.html> accessed 17 September 2023.

¹¹ Stop Ecocide Foundation, ‘Independent Expert Panel for the Legal Definition of Ecocide: Commentary and Core Text’ (June 2021) <<https://static1.squarespace.com/static/5ca2608ab914493c64ef1f6d/t/60d1e6e604fae2201d03407f/1624368879048/SE+Foundation+Commentary+and+core+text+rev+6.pdf>> accessed 17 September 2023.

¹² Kate Mackintosh, ‘European Parliament Votes Unanimously for Ecocide’ (*Opinio Juris*, 10 April 23) <<http://opiniojuris.org/2023/04/10/european-parliament-votes-unanimously-for-ecocide/>> accessed 17 September 2023.

¹³ See further: Michael G. Faure, ‘Tackling Environmental Crimes under EU Law: The Liability of Companies in the Context of Corporate Mergers and Acquisitions’ (Committee on Citizens’ Rights and Constitutional Affairs, 2021). <[https://www.europarl.europa.eu/RegData/etudes/STUD/2021/693182/IPOL_STU\(2021\)693182_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/693182/IPOL_STU(2021)693182_EN.pdf)> accessed 17 September 2023, p59; European Law Institute, ‘Report on Ecocide, Model Rules for an EU Directive and a Council Decision’ (18 April 2023) <https://www.europeanlawinstitute.eu/fileadmin/user_upload/p_eli/Publications/ELI_Report_on_Ecocide.pdf> accessed 17 September 2023, p13.

¹⁴ Commission, ‘EU Action Plan on Human Rights and Democracy 2020-2024’ (Joint Communication) COM (2020) 5 final; Commission, EU Strategy on the Rights of the Child’ (Communication) COM (2021) 142 final.

¹⁵ Consolidated Version of the Treaty on European Union [2012] OJ C326/1.

¹⁶ Commission, ‘Proposal for a Directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive’ (Communication) COM (2022) 71 final, p7.

The Proposed Directive

In light of the above, the overriding purpose of the proposed directive is to require companies to conduct due diligence processes, across their value chains *vis-à-vis* commercial activities, by identifying and mitigating adverse impacts – actual and potential – on the environment and human rights, whilst fostering sustainability into their business practices, policies and strategies.¹⁷

Aside from ameliorating adverse impacts on human rights and the environment, there is also a hefty economic motive anchoring the proposed directive, namely, to remedy a fragmenting EU single market on due diligence regulatory frameworks. According to the European Commission, in the absence of EU legislative intervention via harmonisation of due diligence standards, EU companies have to navigate divergent legal frameworks across Member States, absorb administrative costs, and adopt voluntary standards of corporate governance.¹⁸ Stated simply, unharmonised due diligence rules reduce legal certainty and increase costs for EU companies.

On the one hand, many large companies have voluntarily implemented due diligence practices, albeit for mixed reasons i.e., to reduce harm, but also to mitigate any reputational damage arising from not conducting business in a sustainable or ethical manner, thus assuaging concerns from shareholders and socially conscious consumers. On the other hand, voluntary action has on the whole failed to reduce negative externalities in certain sectors inside and outside the EU.¹⁹ According to a recent report led by the British Institute of International and Comparative Law²⁰, only one-third of businesses surveyed specified that their companies undertook due diligence in relation to human rights and environmental impacts.

Another function of the proposed directive is to impose corporate accountability in relation to adverse impacts. This is to be achieved by mandating company remediation of adverse impacts.²¹ Pragmatically, designated supervisory authorities with investigatory powers will be established by Member States to ensure EU companies comply with their due diligence obligations.²² In terms of bite, if an investigation of a ‘substantiated concern’ does not lead to remedial action by an EU company regarding a suspected breach, then the supervisory authority may impose pecuniary sanctions that are commensurate to a company’s financial turnover.²³

Due Diligence

Due diligence is the glue binding corporate sustainability with corporate governance. The key provisions relating to due diligence are enshrined in Articles 5 to 11 of the proposed directive.

At a glance, Article 5 requires companies to transpose due diligence into their policies (e.g., codes of conduct). Article 6 mandates the identification of actual and potential impacts, whilst Article 7 necessitates the prevention of potential adverse impacts (e.g., by implementing pre-emptive action plans and seeking contractual assurances from commercial partners regarding adherence to codes of conduct). Article 8 obliges companies to curtail adverse impacts (e.g., lawful termination of business relationships in the event of severe adverse impacts). Articles 9, 10, and 11 pertain to the procedural aspects of due diligence to be overseen by Member

¹⁷ Ibid Article 5.

¹⁸ Ibid p2.

¹⁹ See further: Claire Methven O’Brien, Olga Martin-Ortega, Commission Proposal on Corporate Sustainability Due Diligence: Analysis from a Human Rights Perspective (European Parliament, May 2022) p1 <[https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/702560/EXPO_IDA\(2022\)702560_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/702560/EXPO_IDA(2022)702560_EN.pdf)> accessed 17 September 2023.

²⁰ Lise Smit, Claire Bright, Francisca Torres-Cortés et al, ‘Study on Due Diligence Requirements through the Supply Chain – Final Report (2020)’ <<https://data.europa.eu/doi/10.2838/39830>> accessed 17 September 2023.

²¹ Commission, ‘Proposal for a Directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and amending Directive’ (Communication) COM (2022) 71 final, Article 18.

²² Ibid Article 18.

²³ Ibid Article 20.

States. These encompass a complainant procedure i.e., for persons affected by adverse impacts, to submit complaints based on reasonable grounds to companies (Article 9); periodical assessments to be conducted by companies on at least an annual basis (Article 10); and a yearly communication, to be published via website, of a firm's due diligence compliance (Article 11).

Scope

Perhaps the most pressing issue, from a business perspective, is the scope of application of the proposed directive. At the top of the pecking order, the proposed directive captures large EU corporations with over 500 employees and a global net turnover in excess of €150 million. Next in line are EU companies that do not meet the above threshold, but which generate more than €40 million and have a workforce in excess of 250 employees. However, the proposed directive only applies to these mid-tier companies two years after the proposed directive's transposition deadline has elapsed and only if they are operating in one or more high-impact sectors.

Sectors classed as high impact include the manufacture and trade of textiles, food, fisheries, agricultural raw materials, live animals, and the extraction of mineral resources.²⁴ Third country companies (i.e., non-EU) are also caught by the proposed directive. Large third-country companies which amass over €150 million in the EU are bound by due diligence. Equally, 24 months post implementation of the proposed directive, third country companies which generate over €40 million, 50% of which stemming from high impact sectors, will also be bound.

Towards Disruptive Sustainability

At this juncture, it is prudent to take stock of the above analysis and consider whether the proposed directive meets the criteria of disruptive sustainability. To do so, however, we ought to first reflect on the concept of sustainability. While it is beyond the scope of this paper to provide a disquisition on the concept, there are several aspects that are brought into sharp focus.

The concept of sustainability, an ostensible precursor to sustainable development, gained global traction in the 1980s. Perhaps the most well-known articulation of the concept stems from the infamous 1987 UN Brundtland Report, which defines sustainability as "meeting the needs of the present without compromising the ability of future generations to meet their own needs".²⁵ At a conceptual level, the so-called 'three pillars of sustainability' (environmental, social, and economic) are often advanced as a normative framework within which sustainable practices operate.²⁶ The environmental pillar pertains to reducing planetary harm, wasteful processes, and preserving biodiversity, whilst the social pillar relates to ensuring employees are treated equitably and with dignity. The economic pillar hinges on striking a tender balance between the pursuit of profits on the one hand and the promotion and adherence to ethical practises on the other.

Taken as a whole, sustainable practices across the three pillars confer ecumenical advantages, including the protection of natural resources, reduced pollution, increased consumer trust, job creation, innovation and technological advancement, and enhanced resilience to global challenges. Moreover, implementation of the three-pillar structure engenders an ideological paradigm shift, insofar as it, *prima facie*, crystalises the notion of a triple-bottom-line target for companies.²⁷

²⁴ Ibid p33.

²⁵ Gro Harlem Brundtland, 'Report of the World Commission on Environment and Development: Our Common Future' (20 March 1987) <<http://www.un-documents.net/our-common-future.pdf>> accessed 17 September 2023, p27.

²⁶ See further: Ben Purvis, Yong Mao, Darren Robinson, 'Three Pillars of Sustainability: in search of Conceptual Origins' (2019) 14 Sustainability Science 681–695.

²⁷ See further: Cristina Gimenez, Vicenta Sierra, Juan Rodon, Sustainable Operations: Their Impact on the Triple Bottom line' (2012) 140(1) International Journal of Production Economics 149–159.

Conversely, it would be remiss not to flag the fact that despite sustainability now being ubiquitous, it is not always well-received, particularly by smaller companies, and it continues to be met with a dose of academic scepticism.²⁸ Notwithstanding its laudable aims, it is not hard to discern why certain companies have been reticent to embrace sustainable practices wholesale. Some of the common disadvantages of incorporating sustainable practices which have been invoked include high initial costs, slow returns on investment, and logistical challenges to their implementation. In addition, many firms have ostensibly gained competitive advantages by engaging in greenwashing, which entails fraudulent claims of being sustainable, to attract consumers.²⁹

Yet, perhaps the most insightful critique is not that sustainability goes too far or that it is costly to implement or that its meaning is contested, but that it does not go far enough. It has long been argued that 'sustainability may simply encourage the sustaining of the unjust status quo' insofar as if we take the term literally, 'it involves making only those changes that are required to maintain that status'.³⁰ It has also been mooted that sustainability ought to be severed from economic growth and that the solution for Europe is 'to look beyond the language of sustainability and recognise that infinite growth is incompatible with the finite resources of the planet'.³¹

Perhaps therefore, the yardstick, linguistically and quantifiably, for the proposed directive should not be sustainability *per se*, but rather disruptive sustainability. Drawing on fledgling literature which refers to the concept, albeit obliquely, disruptive sustainability can be understood as 'a high intensity effect...demonstrated as a long-term change, unlocking the stability and operation of incumbent technology and infrastructure, markets and business-models'.³² As regards the proposed directive, the salient issue is whether mandatory due diligence will have the effect of dislodging existing business models, serving as a driver of change.

Utilising the metric of disruptive sustainability, several positive and negative observations can be made. Firstly, although the proposed directive does not make explicit reference to whistleblowers, Article 23 stipulates that Directive (EU) 2019/1937, also known as the EU Whistleblower Directive, shall be applicable to persons who report environmental and human rights breaches. Thus, persons who flag adverse impacts, via the envisaged complaints procedure, fall within the ambit of protection pursuant to the EU Whistleblower Directive. Protection in this context entails 'the anonymity, safety, physical and legal integrity of whistle-blowers'.³³ The disruptive potential here is that persons working for companies will often be the first to witness adverse impacts. Armed with whistleblower protection, workers can play a decisive role in exposing, preventing and curtailing business operations which counteract sustainability.

²⁸ Cristina I. Apetrei, Guido Caniglia, Henrik von Wehrden, Daniel J. Lang, 'Just Another Buzzword? A Systematic Literature Review of Knowledge-Related Concepts in Sustainability Science (2021) 68 *Global Environmental Change* 1-33.

²⁹ See further: Magali A. Delmas and Vanessa Cuerel Burbano, 'The Drivers of Greenwashing' (2011) 54(1) *California Management Review* <<https://journals.sagepub.com/doi/abs/10.1525/cmr.2011.54.1.64>> accessed 17 September 2023.

³⁰ Peter Marcuse, 'Sustainability is Not Enough' (1998) 10(2) *Environment and Urbanization* <<https://journals.sagepub.com/doi/10.1177/095624789801000201>> accessed 17 September 2023.

³¹ Sergio Scandizzo, 'On the Meaning of Sustainability' (LSE, 7th November 2022) <<https://blogs.lse.ac.uk/euoppblog/2022/11/07/on-the-meaning-of-sustainability/>> accessed 17 September 2023; See also: David Harvey, 'The Nature of Environment: Dialectics of Social and Environmental Change' (1993) 29 *Socialist Register* <<https://socialistregister.com/index.php/srv/article/view/5621>> accessed 17 September 2023; Imoh Imoh-Ita, 'Contested Sustainability: Understanding the Inertia of Sustainable Development Paradigm' (2016) 2(3) *International Journal of Research in Environmental Science* <<https://www.arcjournals.org/pdfs/ijres/v2-i3/1.pdf>> accessed 17 September 2023.

³² Paula Kivimaa, Senja Laakso, Annika Lonkila, Minna Kaljonen, 'Moving Beyond Disruptive Innovation: A Review of Disruption in Sustainability Transitions (2021) 38 *Environmental Innovation and Societal Transitions* <<https://www.sciencedirect.com/science/article/pii/S221042242030143X>> accessed 17 September 2023.

³³ Claire Methven O'Brien, Olga Martin-Ortega, 'Commission Proposal on Corporate Sustainability Due Diligence: Analysis from a Human Rights Perspective' (*European Parliament*, May 2022) <[https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/702560/EXPO_IDA\(2022\)702560_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/702560/EXPO_IDA(2022)702560_EN.pdf)> accessed 17 September 2023.

Another development leading towards disruptive sustainability pertains to two amendments made to the proposed directive, which require the adoption and transposition of a transition plan to ensure business models and strategies align with the Paris Agreement of limiting climate warming.³⁴ The disruptive potentiality here is the imposition of obligations upon directors and board members to augment existing business strategies to include plans to tackle adverse impacts. Moreover, to incentivise a transition towards climate change, companies with a workforce in excess of 1,000 employees should enact a policy whereby a portion of director remuneration is correlated with the attainment of the targets set *en route* to that transition.³⁵

One aspect of the proposed directive that falls short of disruptive sustainability, however, is its scope of application. While the scope of the proposed directive covers roughly 14,000 EU companies and 4,000 third-country companies³⁶, SMEs, which comprise 99 per cent of all companies in the EU, are exempt. The proposed directive therefore deviates from the *UN Guiding Principles on Business and Human Rights* (UNGPs), which applies to all companies, irrespective of size.³⁷ Understandably, the rationale for the deviation is that the imposition of due diligence obligations on SMEs would constitute disproportionate financial and administrative burdens. However, the large number of EU companies excluded from due diligence obligations significantly militates against the emancipatory potential of disruptive sustainability.

Conclusion

It has been posited that the proposed directive fits into a pre-existing landscape of EU human rights and climate law. If adopted, the directive would harmonise due diligence rules across the EU, thus mitigating legal uncertainty and high costs for large and mid-tier companies, and ultimately re-orientate the EU towards its goal of a climate neutral and resource efficient green economy. By redressing the *ad hoc* nature of voluntary implementation of due diligence requirements while also targeting adverse impacts on human rights and the environment, particularly in high-risk sectors, the proposed directive fortifies the EU's sustainability credentials.

The proposed directive may also serve as a means of aligning with the concept of disruptive sustainability, insofar as it has the potential to re-configure existing business practices, leading to long term change. Factors pointing towards disruptive sustainability include the imposition of corporate accountability for adverse impacts, via the establishment of a complainant procedure, coupled with *de facto* whistleblower protection for workers who report unsustainable practices. Furthermore, companies will be expected to orientate their business strategies with the Paris Agreement on climate change via the adoption of a transition plan whilst linking director remuneration to the attainment of targets set as part and parcel of that transition.

³⁴ European Parliament, 'Report on the Proposal for a Directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence and Amending Directive (EU) 2019/1937', Amendment 68 <https://www.europarl.europa.eu/doceo/document/A-9-2023-0184_EN.html> accessed 17 September 2023.

³⁵ Ibid Amendment 69.

³⁶ Commission, 'Proposal for a Directive of the European Parliament and of the Council on Corporate Sustainability Due Diligence' and amending Directive' (Communication) COM (2022) 71 final p16.

³⁷ British Institute of International and Comparative Law, 'The New European Directive on Corporate Sustainability Due Diligence' (01 March 2022) <https://www.biicl.org/documents/11164_ec_directive_briefing_bright_and_smit_1_march_update.pdf> accessed 17 September 2023.

Foreign business communities: A relational sociology study

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This article investigates the evolving paradigms of work, economy and relationships in contemporary society. Drawing on a multi-disciplinary approach that encompasses history, sociology, economics and philosophy, the author explores the transition from meaningful, collaborative work to mechanised and profit-driven systems. It examines the impact of these changes on society and the role of relationships and trust within immigrant entrepreneurial networks, such as Foreign Business Communities (FBCs). The study emphasises the trust often outweighing formal contracts, and the importance of reciprocity and embeddedness in these networks. It highlights the Chinese concept of 'guanxi' and its emphasis on trust and collective well-being, contrasting it with the profit-centric mindset prevailing in contemporary economies. The author advocates for a shift towards a more humane and community-oriented approach to economics and social interactions and the need to balance individualism with the concept of personhood, where relationships, collaboration and a sense of community are essential components of a more meaningful and interconnected society. In essence, this study calls for a reevaluation of modern economic and social models, with a focus on fostering trust, collaboration and human-centric values over individualistic and profit-driven pursuits.

Keywords: *Relations; Business/Business Community; Meaning; Otherness; Economy; Work.*

Introduction: Crisis of Meaning

In recent decades, the concepts of economy and work have been stripped of their original meaning to promote a supposed rationalisation aimed at making human efforts more efficient and exchanges more fluid. Western culture has developed a view of reality in which the value of time, things and services is always quantifiable and compressible into the smallest amount of time. What has been forgotten is the value of work in service to society as a social, cultural and political act, which implies a conception of the economy as a framework in which to facilitate exchanges. As the economy has assumed a value in itself, superior to the sense of the social, the latter has lost the ability to create a positive environment. Gallino (2011) emphasises that work is both a means to protect individual and collective existence and a duty. He highlights a fundamental point: work is essential in the search for meaning, because it can answer the question of who we are, both singularly and collectively, and is therefore part of the identity-building process. Meanwhile, the dehumanisation of the economy, translated into procedures and algorithms, seems capable of shaping mechanical lifestyles that many find reassuring precisely because they depersonalise. Modernity has negatively affected the balance between competitiveness and collaboration, creating an economy skewed towards the formation of calculating mechanisms concerning mere advantage: "On the other hand, changes in work have weakened both the desire and the ability to collaborate. In theory, every company is in favour of collaboration; in practice, the modern organisational structure inhibits it, a fact recognised in managerial analyses of the so-called 'silo effect,' the isolation of individuals and departments into separate, poorly communicating units where valuable information that would be beneficial to other areas of the company or institution piles up" (Sennett 2012, p. 18).

The immigrant entrepreneur is in some ways less modern, understands the value and potential benefits of the network, and does not perceive the rationality of form as something more valuable than a trust-based relationship. Collaboration, in many cases, is not just the tool but the final goal, because it can ensure the creation of a stable and positive environment. The case of immigrant entrepreneurial networks (Foreign Business Communities - FBCs) which have a different focus and leads to varied reflections on the meaning of the economy and the ability to create a community based on trust among individuals and groups. This paper aims to highlight the differences between the two business models, the first being indigenous/Western and the other more typical of foreign communities, especially Chinese communities. This is achieved by comparing models that share the need for efficiency but conceive relationality differently. Market and community are two sides

of the same coin, linked by a co-generative mechanism, which is why they do not diverge and are capable of highlighting the process of cultural construction and change in society. Credibility, trust and collaboration are at the core of group experience and they are a way of protection. Simmel (1984) had already suggested the need for a paradigm shift in understanding social and relational phenomena when he wrote that mutual trust requires an act of faith because trust is “something less and something more than knowledge” (Simmel 1984, p. 143). We should probably reflect more on sociability as he understood it, namely as the act of associating, which is a value in itself and a precondition for the existence of any society. The importance of recognition and trust emerges, a combination that is increasingly gaining ground in literature about the topic. It is something that is not very modern, yet crucial, contrary to “the general belief in Western societies that dependence on others is considered a sign of weakness; our institutions seek to promote autonomy and self-sufficiency; the autonomous individual appears to us as free. But observed from the perspective of cultures different from ours, a person who takes pride in not asking for help from anyone appears as a deeply impaired human being, whose life is dominated by the fear of being absorbed into the collective” (Sennett 2012, p. 52, 53). This coveted freedom from others lacks the characteristics useful for holding a society together and perhaps is not even capable of strengthening the entrepreneurial fabric. In these contexts, a community of individuals is revealed, different from the society of people, taking up Campanella’s definition (2015): “We will define the individual as one who lives ‘in oneself,’ that is, closed in on oneself, non-relational, and the person as one who lives ‘for oneself,’ who remains open in encounters with otherness, with one’s social community to which one does not give oneself totally but only to the extent that one can participate. In short, the being who lives for one’s personal fulfillment, in relation to others” (Campanella 2015, p. 12). Work has become imbued with concepts such as competitiveness, maximisation and unrestrained flexibility to the point where it has lost its main meaning: collaboration between individuals and groups to meet human and social needs, create well-being, and protect against risks, forgetting that “rationalism that ignores beings, subjectivity, affectivity, life, is irrational. Rationality must recognise the importance of affection, love and repentance. True rationality recognises the limits of logic, determinism and mechanism” (Morin 2001, p. 22).

Western politics has pursued a ‘security’ rationalism that could neutralise economic risks and dangers by promoting the proliferation of protocols and regulations that anesthetise the ability to create bonds between people while favouring those between organisations or businesses. Exploring different models could give impetus to new reflections, also related to the new behavioural economics. This brings back to our attention the writings of the fathers of economics in which the market is made up of people, and the state itself is an expression of the community and how everyone can influence or be influenced by non-rational factors. It is necessary to focus on factors such as emotions, bonds, identities and recognition (Corvino, 2021) to build a flourishing community and economy, overcoming otherness and inequalities.

Methodology

The methodology of this article encompasses a multidisciplinary approach to examining the evolving concepts of work and economy, along with their socio-cultural and psychological implications. The article engages with a broad range of scholarly perspectives, weaving together ideas from sociology, economics, psychology and philosophy. The article’s methodology relies on historical and theoretical analysis to unpack the transformation of work and economy from their original sociocultural and humanistic contexts into more mechanised, quantifiable and depersonalised forms. The author refers to various scholars such as Gallino, Sennett, Morin and others to illustrate how the dehumanisation of the economy and the erosion of meaningful work have created imbalances between competitiveness and collaboration.

The study centers around the immigrant entrepreneurial networks, particularly Foreign Business Communities (FBCs), emphasising the importance of relationships, trust and collaboration within these networks. The author discusses the concept of 'guanxi,' a Chinese term highlighting the trust-based, non-utilitarian nature of these networks. The paper explores the advantages of these networks, notably their ability to protect the group and offer employment opportunities, emphasising the value of trust over formal contracts. The author integrates sociological concepts such as embeddedness, underlining and emphasising the overlap between social and economic ties, and the significance of collective solidarity. The study also investigates the differentiation between individualism and personhood, citing philosophical and sociological thinkers like Buber, Levinas and Mounier to highlight the importance of recognising the primacy of relationships over individualism. In sum, the methodology combines historical analysis, interdisciplinary insights and theoretical perspectives to discuss the evolving dynamics of work, economy and relationships within the context of modern society. The author argues for a more balanced and human-centric approach to economic and social interactions, emphasising the importance of trust, collaboration and a sense of community over individualistic and profit-driven paradigms.

The Idea of Work

Throughout history, work has been perceived as a necessary, salvific sacrifice, capable of redeeming the soul by exerting the body and mind, an upward drive that could elevate humanity from the mere pursuit of its instincts and animality by shaping it through the discipline and rigor required to share a common path with society. The construction of the common good, or goods useful to society, has more recently been replaced by the pursuit of profit at the expense of the relationship with others and society, which is also exemplified in unethical behaviour towards colleagues. The work environment, once a place of socialisation where one could learn to manage relationships and network, tends now to become predominantly conflict-ridden, while any balance in the distribution of earnings and resource utilisation is nullified in the relentless race for profit. D'Andrea (2005) identified the mythical undertone of the idea of infinite growth in the economic-production system in the distorted reception of *Bildung* the concept of endless personal development that combines the idea of self-realisation and a career through work: "Economy requires an ideally inexhaustible driving force: from what has been affirmed, these are the same characteristics that define the subjective aspiration to self-fulfillment, that is, the path of *Bildung*. The two dynamics had to be linked, presenting acquisitive behaviour as the contemporary variant of the progression through spiritual stages that leads to the realisation of one's inner project. In this way, the vectors would have mutually reinforced each other in a virtuous spiral capable of surpassing even the rosiest expectations" (D'Andrea, 2005, pp. 187-225). This is the historical moment when work ceased to be an effort on behalf of the community (at least initially) and became a sign and recognition of personal development. Modern thought has become imbued with selfishness, granting individuals the opportunity to pursue their own good even at the expense of society. Solidarity, which is a necessary ingredient of social bonds, becomes the prerogative of a third sector that still struggles to be perceived, even in its productive activities, as a business, as work. Work becomes a commodity, it needs to be sold in response to demand, yet it is also a means for self-realisation and the creation of identity, which will be shaped alongside the status and role that work itself bestows. Work has become a singular issue, and alienation has surpassed the boundaries of the goods produced or services rendered and now also affects relationships with society: "We need to find a 'third way' between the economy and society that, without disavowing the classical paradigms that led to the affirmation of the economic in the modern world, can integrate these into a broader vision of modern culture and its ideals" (Mongardini, 1997, p. 205).

At the moment when the community abdicates in favour of conflict-driven and anti-collaborative profit, the sense of equality and justice is endangered, which could lead to problems of social cohesion that could also affect the concept of rights and citizenship. According to Polanyi (1974), such a society would lose the ability

to grow in terms of economic development, because only more egalitarian societies, built on a sense of trust, justice and equality, are capable of channeling the efforts and energies necessary to face new enterprises, which are the expression of a higher purpose: “One of the most serious mistakes of the dominant economic theories of recent decades has been to underestimate the contextual value. This mistake derives from considering the economy and society as separate systems [...]. Strong inequalities undermine the economy because they create political instability, thereby increasing investment risk, social insecurity and the erosion of trust – a basic resource of productive social capital” (Gherardi 2014, p. 56).

Western society is drowning in “mathiness¹”, where relationships and sociability are disregarded because they belong to a pre-rational type of thinking, a mere hindrance. It is too easily forgotten that “work is, first of all, a means to reproduce life, to produce means of sustenance aimed at reproducing individual, family and collective existence... However, it is also a way to transform the world, to make it more suitable for our needs, requirements, pleasures and emotions” (Gallino 2011, p. 1). The centrality of the theme of work in the development and questioning of personal and collective identities, as well as modern civilization, is evident. Institutions and social organisations have shifted their focus from the idea of work linked to order and the realisation of positive potential to mere personal individualistic enterprise. Work has transitioned from being a tool for survival and for personal and community purpose and enhancement, to a place of eternal competition, conflict and division.

The Relationship; the Heart of Foreign Business Communities (FBC)

Working within an FBC is not an individual matter; the network, connections and relationships are more significant than many other factors. In fact, more than an entrepreneurial or work network, we are dealing with a community that stays together for work-related reasons. The FBC is a collection of companies and individuals that belong to a homogeneous group, often a city or a country, and are engaged in related work activities that are centered in a particular territory (CeSPI, 2014). The most valuable asset of this business community is the relational capital; human capital is evaluated not based on its absolute superiority but on how much can be derived from it through the trust and collaboration relationship that drives both parties to give their best (Corradi & Pozzi, 2005a). One of the major advantages is the ability to enter a protected economic dimension that can facilitate integration processes, allowing for employment opportunities through contacts and knowledge already accumulated by others, minimising the risks of unethical behavior. Trust and collaboration, even at the expense of profit maximisation, are the basis of what is called ‘guanxi,’ the main characteristics of which can be found in all FBC.

Literally, ‘guanxi’ means connection, and the mechanisms underlying it are much more than a system of favour exchanges: it is a system of relationships in which participants are bound together through acts of trust and respect, along with material favours and work courtesies aimed at building the well-being of the entire group. According to Yang (1994), one of the most interesting aspects is the cumulative effect of the network, whereby the larger the network expands, the better the opportunities there will be for all members. Each of these members are driven by a strong sense of gratitude that stays with them forever. For this reason, members will repay favours received with something more than proportional exchange, tending to subvert the principle of maximisation. Yang defines it as “propensity for escalation” (Yang, 1994, p. 143). In the diagram below (Diagram 1) the idea of ‘guanxi’ is elaborated by Chen and Chen (2004) with regards to the quality of this concept.

Diagram 1 can be found on the next page.

¹ See “Prospect theory: Decision Making Under Risk”, Kahneman e Tversky (1979).

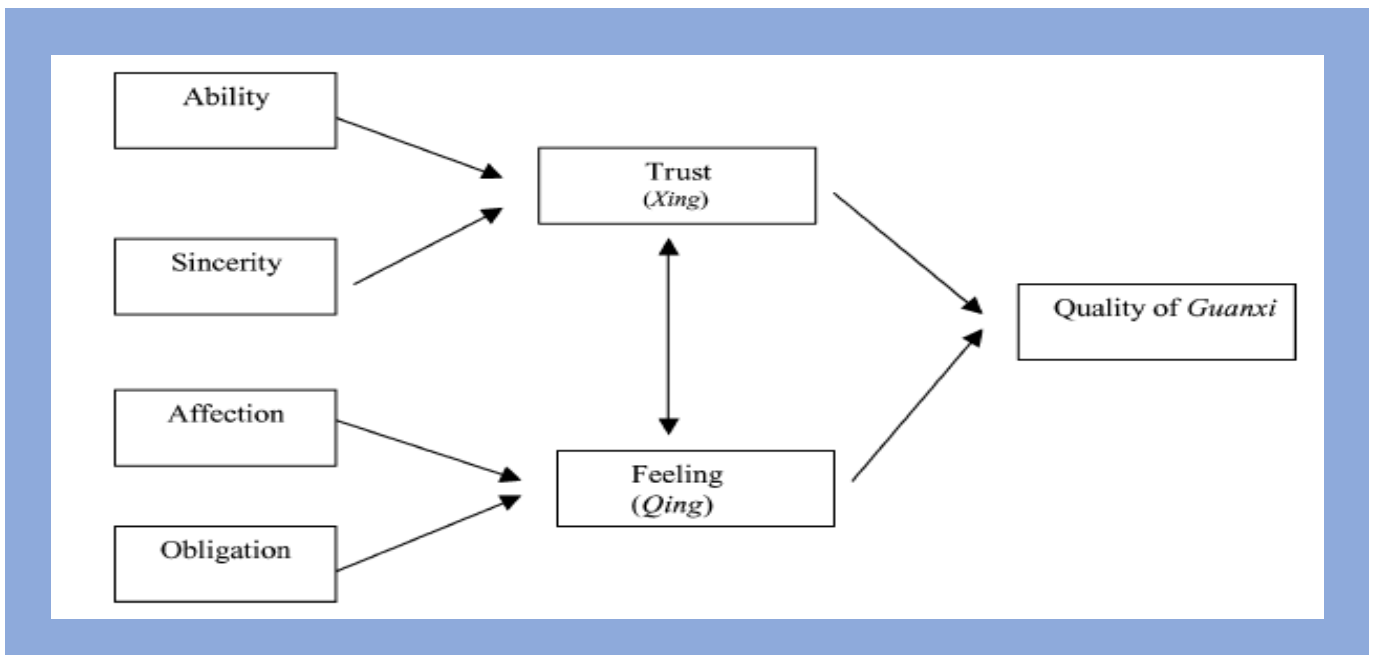


Diagram 1: *Guanxi* Quality: Trust (*Xing*) and Feeling (*Qing*). (Chen & Chen, 2004, p. 313)

Reciprocity is a fundamental principle in this type of network (Gouldner, 1960); each individual is obligated to help those who have helped them without causing harm, establishing a climate of mutual obligation that extends into the future. Reciprocity is a cornerstone concept around which sociality is structured, providing the foundation for the development of relationships and the prosperity of businesses. It should not aim, as previously emphasised, to gain more than what is given in material terms. Being part of the network is something for which gratitude is maintained, and it cannot be quantified in returning favours. Everything is based on an unequal (in a positive sense) exchange, which should be measured more based on one's good fortune than what has actually been received: "Both sides will practice trying to do more, improving with every new effort, in a system of escalating favours" (Hampden-Turner & Trompenaars, 1997, p. 179).

In the Weberian dichotomy between rational action regarding purpose and rational action regarding value, we find the dilemma of a changing society. The tendency to rationalise and maximise every action is an exercise that tends to surpass the boundaries of ethics, sociality and relationality, while rational action regarding value is perceived as almost a contradiction in terms, incompatible with the need to plan, control and mechanise every exchange, thereby eliminating the variables associated with human action. An antithesis is proposed between work, which is necessarily mechanical, and human feelings. No emotions, an anti-rational manifestation, should obscure clarity of thought, perhaps as a Paretian residue of a more animal past that we desperately seek to remove. The difficulty in defining the economic world and its rules stems partly from this. Purely rational mechanisms, aimed at achieving results and protecting interests, erode the principles of togetherness. Trust among members in FBC has a higher value than written contracts; mutual protection and support are so powerful that they sometimes overturn the rules of the theory of disadvantage, according to which low human capital corresponds, especially in the case of foreigners, to professional segregation. Instead, there is a regeneration of the environment that transforms the main weakness (being foreigners with little knowledge of the environment) into the greatest strength (being able to benefit from an inclusive and protective network that shares its valuable capital: relationships and knowledge of the territory). Although FBC is an economic phenomenon, it is based on the social dimension, grounded in community solidarity, collaboration and mutual trust. Networks primarily aim to protect the group; the stronger and more effective the bonds, the more the group will need them. These networks seem to be stronger when foreigners are part of the first generation,

while over time, socialisation processes and the group's reduced vulnerability cause this strength to diminish. It may be the case that second and subsequent generations devalue the value of the bond in favour of the 'more modern' rationalism, perceiving relationality as too costly and perhaps outdated. It is essential to reconsider the meaning of work and coexistence, especially in the light of new studies in behavioural economics integrating the interpretation of relational phenomena to build a more human world.

Embeddedness is a fundamental concept in network literature and a key point that expresses the difference between different business models. It refers to the overlap between social and economic ties or the sum of social ties within other types of ties (Kilduff & Brass, 2010). Networks facilitate the development of economic initiatives, both local and international, including local actors or institutions (Newburry & Yakova, 2006), nurturing relationships based on trust and collaboration. Although social ties create useful channels of contact between 'useful' individuals in business, this connection is not over utilised in a utilitarian manner, but is configured in an environment that relies on shared values, even at the expense of profit (Granovetter, 1985). Systematic studies on this type of social and business bond highlight how collectivist cultures, compared to individualistic ones, view the bond resource more positively and are therefore more inhibited by the risks of opportunistic behaviour (Luo, 2007). These bonds do not change even with the emergence of a form of otherness related to the place of residence. In fact, those who emigrate maintain the economic-relational approach with their compatriots and are even facilitated in building a new business elsewhere due to the ease of acquiring local experience through personal connections found through the migration chain (Au & Fukuda, 2002).

There is a growing demand for studies on this type of economic network as it seems to be an effective translation of traditional behaviours and economic rationality. Certainly, this kind of economic community may encounter problems when being fitted into systems different from its own since, in some cases, formalities and contracts are dispensed with, contrary to the regulations of many countries. Moreover, in countries where control institutions are weak, openly illegal behavior could be found (Begley, Khatri, & Tsang, 2010). The Western world does not believe that this type of model is the answer to every type of issue regarding the management of economic relationships, but being able to look at communal cases is thought to be useful in understanding how much is lost in an endless struggle based solely on competition. Such studies are not limited to oriental or foreign communities, and in recent years, some scholars have become passionate about studying FBC that included Italians abroad in the post-war years (Corradi & Pozzi, 1995b). It is not intended to pit old Europe or the West against the rest of the world, but to remember that economy and relationships can still go hand in hand without the former losing its effectiveness. The perspective of economic networks has played a leading role in sociology, leading to significant advances in economics, psychology and interdisciplinary research. Such work has provided valuable insights by adopting a network perspective rather than an individual one.

Being in Relationship: Individuals and Persons

According to Illiceto (2008, p. 91), the individual is marked by the fact that "while indivisible inside, is divisible outside". This reduction that modernity brings about diminishes the relational dimension to give rise to a subject who not only distinguishes themselves from others but also separates from them, in open social opposition. Nevertheless, as Buber (1993) has already affirmed, the relationship is the foundational principle of knowledge itself, reaffirming the primacy of the 'I-Thou' relationship over the 'I-It' experience, in the sense that the experience of the world is preceded by relationships. The need to rethink the relationship as a critique of modern subjectivism is an old issue, yet there is still a struggle to reconfigure the subject as a person. According to Buber (1970), we cannot understand human beings without relationships because without them, we cannot speak of a human being; in other words, there is no 'I' without a 'Thou'. The relationship creates the conditions for the potential realisation of well-being that goes beyond the mere material sphere, allowing

the self-realisation of a more self-aware subject, conscious of themselves and others, while remaining an identity in relation (Mounier, 1947). Identifying personalistic models in various practices may be the true way to realise Mounier's dream and make personalism so practical that it can be forgotten. Mounier's intention, by reasserting the centrality of the person is, in fact, to stimulate practical, political and moral actions that can lift humanity from its moral and material poverty and its loneliness. He, following in the footsteps of Buber, Levinas and the entire history of sociological thought, strongly asserts that the 'We' is not just the mere sum of parts or individuals, and that one cannot overlook the power of encounters. The 'crisis' that so many thinkers have dealt with continues to drag on. In times when the fragmentation of the social fabric manifests itself as a result of a loss of ethical and moral references, the most common reaction is to withdraw into an even more desperate individualism. Yet, valuing positive collective relational experiences can be the key to opening up to the Other and alterity, overcoming the boundaries that separate individuals from the realisation of shared and more collaborative society. Rediscovering reciprocity, gratuitousness and giving would be valuable in promoting a less selfish and materialistic society, one where the Buberian individualistic 'I-It' focused on experience and utility could decrease in favour of an 'I-Thou,' here individuals are self-aware as subjects who can pursue goals of solidarity, participation and social justice, thus achieving a community renaissance. "Amartya Sen, the Indian economist and philosopher, as well as the social doctrine of the Church, has repeatedly reminded us that providing more extensive material resources alone is insufficient for the overall development of individuals; it is necessary to create conditions of freedom, increasing individuals' ability to make choices" (Danese, 2006, p. 264).

Even Latouche (2013) warns that, in the face of globalisation, it becomes urgent to promote a society where economic values are no longer the only central values. The economy should be downsized to become a means to obtain tools that make living possible, rather than an ultimate end of existence. Such warnings can be traced back to the early 20th century (Small, 2021) and even earlier among the writings of the Luddites and many other contributions that identified the tendency to accumulate wealth stubbornly excluded from redistribution as a trend that could seriously harm society. The polarisation of resources can only lead to increased inequality and a weakening of democracy, which is increasingly unable to separate economic power from political power, becoming unsustainable for the community. Mounier had already warned against the counterfeits of democracy, which, since its inception, had been stifled by money and had remained unrealised in both fact and spirit. Creating a global world of positive and peaceful relationships may seem like a utopia, but simply reflecting on how it can help us lead a qualitatively better life could be a stimulus for a crucial change in building a new society. Remembering that "Individualism takes the 'I' as an isolated reality, originating in separation from the world and other 'I's. It exalts this separation, attributing to us the sophisticated task of cultivating our difference and autonomy, fragile miracles in the ocean of barbarians [...] personalism is disavowed the moment we place ourselves in the desolate 'cogito,' even trying to emerge from it toward the world of humans" (Mounier, 1975, p. 61). An individualistic world cannot have the structure to endure over time as it grows in parallel with the level of conflict, being an expression of a division between 'I' and 'Thou', a division that never ends, which can find a thousand reasons and justifications to create an environment where inequality prevails, a world of misunderstanding and deconstruction of the sense of community and society (Corvino, 2021).

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HUMAN RESOURCE MANAGEMENT

Exploring the barriers to pursuing a maritime career in Cyprus

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Widespread challenges in pursuing a maritime career in Cyprus have been observed despite the sector's high profitability and regional eminence. This article seeks to uncover the primary obstacles to embarking on a maritime career in Cyprus and examines potential ways of overcoming them. Utilising quantitative and qualitative data, pursuant to the distribution of a survey to maritime industry experts in Cyprus, the results indicate that insufficient information, awareness and education are the dominant obstacles to pursuing a maritime career. Furthermore, the results bring into sharp focus the need for incorporating maritime education into the national, pre-university curriculum as well as fostering collaboration between schools, maritime institutions and the government. This study also provides recommendations for promoting maritime careers in Cyprus.

Keywords: Cyprus; Maritime; Education; Barriers; EU; Awareness.

1. Introduction

1.1. Background

The maritime industry is a crucial element of the European Union's economy (known as the 'blue economy'), contributing significantly to job creation and reaching a Gross Value Added (GVA) of €495 billion (Fernandez Gonzalez et al., 2014). With each worker contributing around €88,000 to GDP, the maritime sector within the EU surpasses the EU average, confirming its substantial economic strength and impact on the region's financial well-being.

Cyprus, the third-largest island in the Mediterranean, has experienced notable growth in its merchant maritime sector, becoming one of the world's major maritime powers with the third-largest fleet in Europe and the 11th largest globally. Positioned as a modern maritime hub, Cyprus is Europe's largest third-party ship management centre, additionally ranking among the top three globally. The maritime transport sector is the second-largest within Cyprus's 'blue economy,' contributing 36 percent of the added value and showing potential for further growth with a projected annual employment growth rate of 4.3 percent between 2016 and 2026 (Nisiforou et al., 2022).

The Shipping Deputy Ministry's Annual Report of 2022 highlights the growth in Cypriot shipping earnings, reaching €574 million in the first half of 2022. Additionally, Cyprus hosts 250 shipping companies, providing 9,000 job opportunities, and employs over 55,000 seafarers on vessels flying the Cypriot flag (Shipping Deputy Ministry, n.d.).

Despite these successes, Cyprus faces challenges in maritime education and Cypriot employment in the sector. Surprisingly, only 340 students chose to study maritime in the past year, reflecting a deficiency in maritime education awareness and potential obstacles to maritime career pursuits. The presence of just three maritime schools in Cyprus, and only limited awareness among citizens, contributes to this situation.

Addressing these challenges is not only crucial for the maritime industry but also holds practical significance in reducing youth unemployment in Cyprus, with over 13,800 registered unemployed individuals as of March 2022 (Srinivasan, 2021).

1.2. Aims and objectives of the study

The threefold aims of this study are (i) to investigate factors influencing the choice of pursuing a maritime career, (ii) to address challenges in the industry, and (iii) to improve methods for promoting interest in maritime careers in Cyprus. More generally, the objectives include understanding entry barriers, assessing the impact of maritime education, and exploring normative strategies for promoting interest in maritime careers in Cyprus.

2. Literature review

In addressing the multifaceted challenges within the maritime industry, several interconnected factors can be discerned. The industry has witnessed substantial technological advancements since the 1970s, driven by the expansion of international trade. Despite these breakthroughs, the importance of human engagement remains pivotal, emphasising the necessity of investing in human capital (Dragomir, 2013; Becker, 1993). While discussions on automation do persist, human personnel continue to play a vital role, particularly post-9/11, underscoring the importance of identifying the 'right talent' (Lau et al., 2018; Dragomir, 2013).

The seafaring industry, despite being a global labour market, faces disparities and challenges, necessitating upskilling due to emerging technologies (HSBA, 2018). The 21st-century seafarer shortage calls for proactive succession planning and the integration of human resource practices (Tsalichi & Theotokas, 2020; Caesar, Cahoon & Fei, 2015; Caesar, 2013). A critical challenge facing the maritime industry is a talent shortage and a lack of motivation among the younger generation, requiring adjustments in maritime programs and higher education settings (He et al., 2019; Dragomir, 2013).

In navigating career and training choices, environmental factors and personal variables such as self-efficacy, outcome expectations, and the presence of influential figures come into play (Fernandez Gonzalez et al., 2014).

The decision-making process is complex, involving economic rationality, structuralist models and hybrid models (Paton, 2007). Perceptions of positive or negative aspects significantly impact career choices, with barriers categorised into family, institutional, financial/environmental, social and internal/individual factors (Fouad et al., 2010; Swanson & Swanson Woitke, 1997). The post-secondary education phase is pivotal, with job opportunities being a decisive factor in educational and career choices (Edirisinghe et al., 2016).

Additional challenges in the maritime sector include a shortage of professionals, due to a lack of awareness, misconceptions and resistance to change (Røed-Vikøren, 2023; Behforouzi et al., 2017; Sampson, 2004; Chapman, 1981). This issue is compounded by significant factors negatively influencing maritime employment, such as the separation from home and family, insecurity derived from unfamiliar working conditions, and concerns about work safety at sea (George, 2013).

In Europe, the sector faces a critical challenge with the declining number of seafarers, marked by issues like reduced ship manning, crew fatigue, overregulation, an aging workforce, and the imperative to empower women in seafaring (Tsalichi & Theotokas, 2020; ILO, 2019). The sustainability of the maritime sector hinges on securing qualified seafarers and attracting new talent, a priority recognised by both the International Labour Organization (ILO) and the International Maritime Organization (IMO).

Exploring perceptions of maritime and career choices reveals a diminishing interest, influenced by various factors, including family dynamics, career prospects and industry significance (Thai et al., 2013; Mack, 2007; Barnett et al., 2006). This decline is further shaped by educational factors and career aspirations (Jensen et al., 2015).

Individual aspirations, in conjunction with considerations of financial support and motivation, play a pivotal role in shaping decisions related to maritime education (Ampong, 2018; Kanev et al., 2017; Mitroussi & Notteboom, 2015).

Seafarers navigate fragmented career trajectories, necessitating a continuous learning approach for adaptation (Dragomir et al., 2012). Yet, the maritime environment introduces its own set of challenges, including health issues and an alarming trend of suicides, both of which call for comprehensive interventions (Dragomir et al., 2012; Roberts & Marlow, 2005). The distressing pattern of seafarer suicides underscores the immediate

need to address mental health challenges within the industry. Key concerns include issues like low wages, challenging working conditions, disrupted family life and inadequate facilities (Dragomir et al., 2012). These concerns highlight the urgency for a holistic approach to enhance the overall well-being of maritime professionals.

Studies conducted in Oman (Behforouzi et al., 2017), Riga (Gonzalez et al., 2014), and the Philippines (Aguado et al., 2015) reveal common obstacles or motivational factors influencing students and young individuals in pursuing a maritime career, such as inadequate advertising, limited awareness and personal choices by family input and educational reputation.

2.1. Maritime industry in Cyprus

Cyprus has emerged as a global maritime hub, overcoming challenges from political upheaval and Turkish restrictions. Key milestones, such as the establishment of the Department of Merchant Shipping, international offices, and EU accession, mark its resilient growth. Modernised maritime legislation, an attractive tax system, and high service standards for shipping companies contribute to Cyprus's maritime success.

Cyprus is prominently positioned in the realm of ship management, owning and overseeing a formidable fleet of nearly 1,700 vessels, confirming its place among the top global ship-management centres. This influential presence extends beyond its maritime assets, as Cyprus actively participates in international organisations, underscoring its presence on the global stage. Domestically, the Ministry of Shipping plays a pivotal role in ensuring a skilled maritime workforce, through its oversight of seafarer training. This dual commitment, both on the international and domestic fronts, solidifies Cyprus's standing as a key player in the maritime industry, boasting not only an impressive fleet but also a strategic approach to cultivating expertise within its workforce.

The current body of literature falls short in providing a nuanced understanding of the motivations and barriers faced by persons in Cyprus, and especially the youth, when considering maritime careers. This research endeavours to bridge this gap by considering the various factors that drive individuals, particularly the younger demographic, towards pursuing careers in the maritime industry, understanding obstacles, and proposing strategies to enhance the profession's appeal. The goal is a comprehensive understanding of dynamics and measures to improve the attractiveness of maritime professions in Cyprus.

3. Methodology

Primary data collection involving a mixed-method approach, utilising a survey questionnaire with closed and open-ended questions has been adopted. The mixed-method design captures quantitative data on participant characteristics and qualitative insights into career motivations. The study focuses on maritime industry experts, comprising diverse professionals, students, sailors and instructors. The questionnaire, executed through Google Forms over a period of three months, elicited responses from 58 participants, ensuring diverse representation.

4. Findings

This chapter presents the findings of research derived from both closed-ended and open-ended questions. The questionnaire used was composed of five thematic sections titled: Personal and Demographic Information, Maritime Education and Awareness, Career/Education Choice, Perception and Awareness of Maritime Industry, and lastly Potential Obstacles. The results are organised in accordance with the research question.

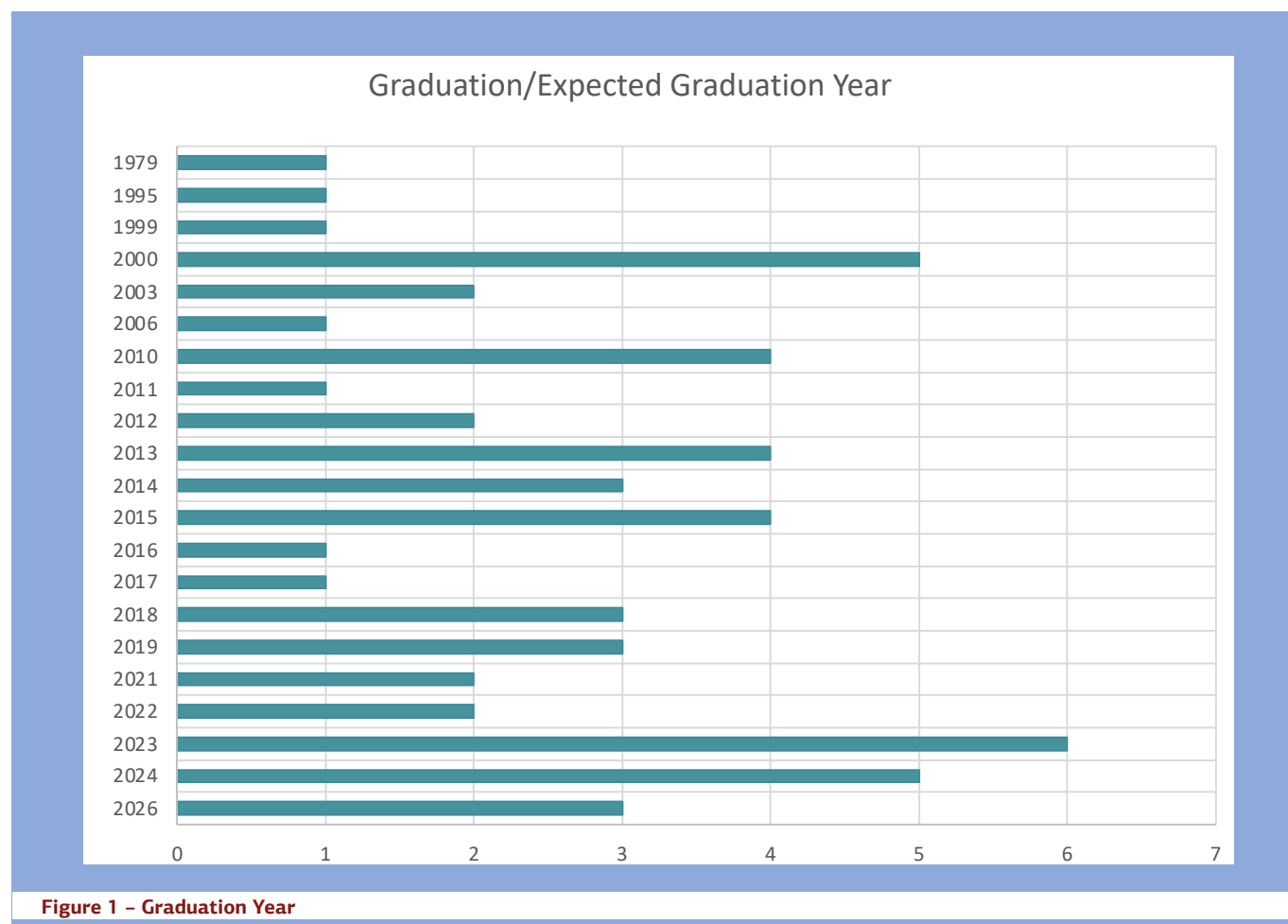
4.1. Personal and demographic information

In the first part of the survey, participants responded to five questions regarding the characteristics of a population, namely gender, age, nationality, graduation year, and current occupation. All questions were set to 'required.' The gender of the participants, although not playing a significant role in the context of the present research, was utilised to illustrate how responses might vary based on gender. While gender is not a focal point of this study, its consideration allows for potential differentiation in the responses.

Both the age and nationality of the participants were deemed essential information, to ensure that the researcher targeted the correct audience for collecting relevant data and results. Information related to graduation year and current occupation was linked to the participants' tertiary education and their awareness concerning the maritime industry.

The results of the survey revealed that 56.9% of the participants were males, while the remaining 43.1% were females. The majority of the respondents, 69%, fell within the age range of 18-35 years, while the remaining 31% were between 36 and 61.

In relation to the nationality of the participants, three of the respondents did not hold Cypriot citizenship (two of them were German, while the third was Ukrainian). The graduation year/expected graduation year of the participants fluctuated from 1979 to beyond 2026, as illustrated in Figure 1 below.



Finally, as the intended purpose, the professions/occupations of the participants were diverse, spanning various sectors within the maritime industry. The vast majority consisted of students following maritime studies (12.1%) and professionals in the maritime industry (69%). Detailed results are presented below in Figure 2.

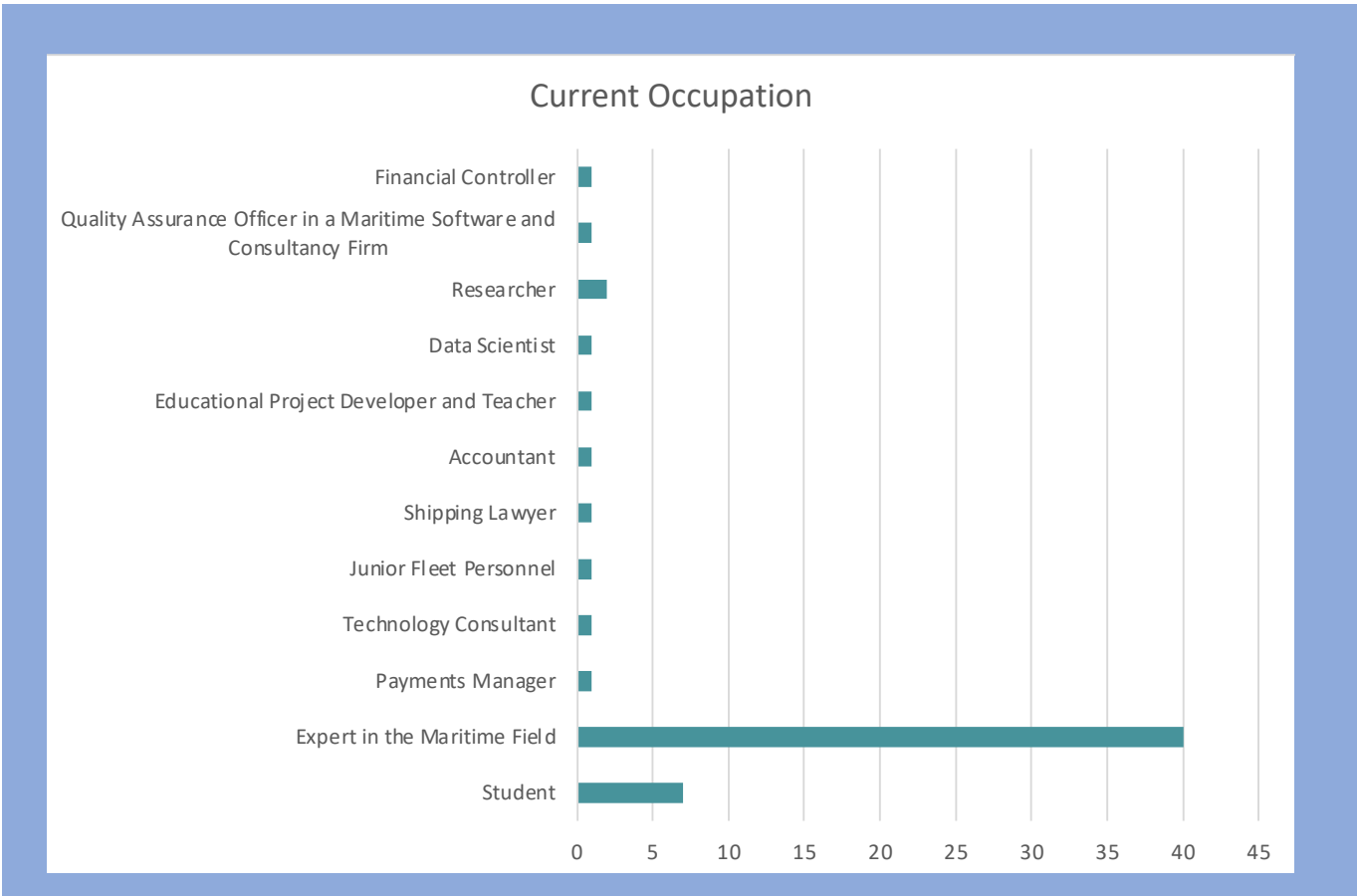


Figure 2 – Current Occupation

4.2. Maritime education and awareness

In the second thematic section of the questionnaire, questions were formulated to gather information on the availability of maritime education in Cyprus and the educational background of the participants at the secondary/tertiary level. Additionally, participants were asked about the presence of individuals engaged in maritime activities in their surroundings and the primary sources they relied on for gaining knowledge about their maritime careers.

The results revealed that the available education and training opportunities in the maritime sector in Cyprus are rated as only average. A significant portion of the participants (46.6%) selected level 3 on a scale ranging from 1 (poor) to 5 (excellent). It is noteworthy that only four individuals stated that the availability of education and training programs in the maritime sector was very good, and only two described it as excellent (Figure 3).

Figure 3 can be found on the next page.

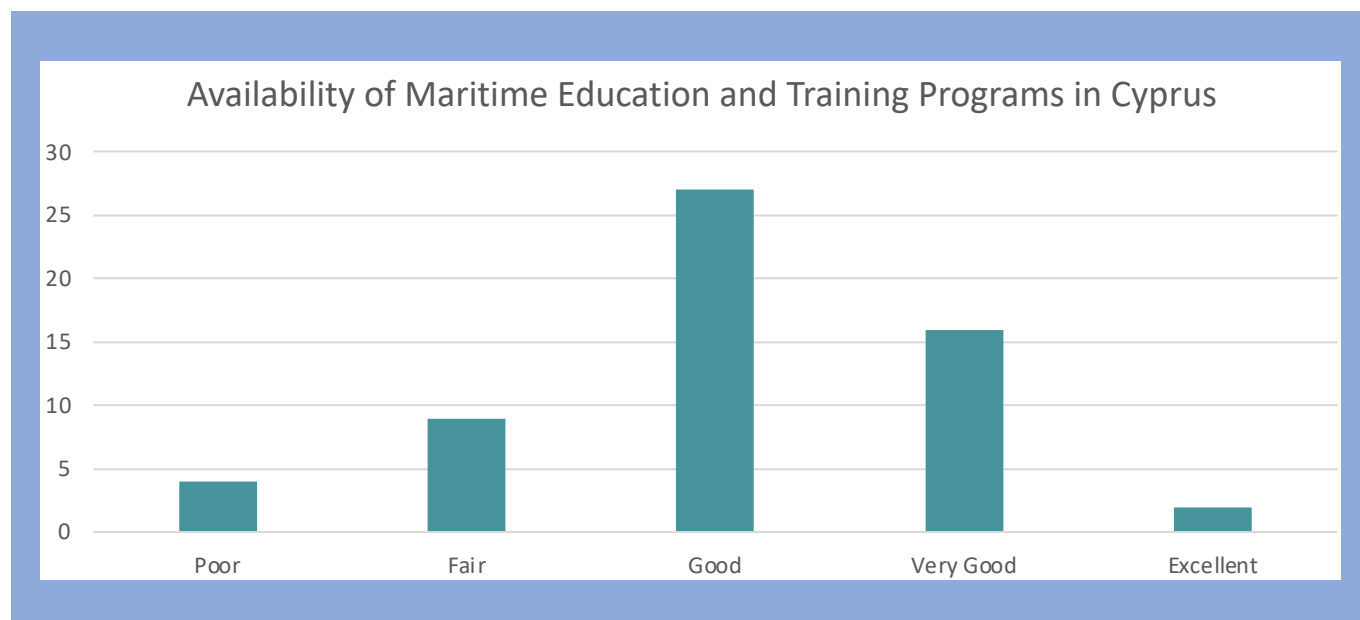


Figure 3 – Availability of Maritime Education and Training Programs in Cyprus

Regarding the degree of knowledge and information about the maritime industry acquired during their secondary education, participants responded as follows: 29 individuals stated that they did not receive any education/knowledge, 10 individuals received minimal, 8 individuals received a moderate level of education/information, 3 individuals received a fairly good extent, while 8 individuals mentioned receiving satisfactory education and information regarding the maritime industry.

Following from the above question, participants who indicated that they did not receive any knowledge about the maritime industry, or did not receive it to a satisfactory extent, were asked to respond to whether, if their school had offered resources and opportunities to learn more about the maritime industry, they would have been interested in exploring them. Out of the 44 respondents, 42 answered positively, while only 2 answered negatively. The remaining 12 did not respond to the question.

In response to a question regarding whether participants had contact with individuals already involved in the maritime industry or with individuals who could provide them with relevant insights during their education, 39 of the respondents answered affirmatively, while 19 answered negatively. Additionally, when asked about their awareness of maritime career opportunities after their secondary education, 21 participants responded that they were not informed at all, 13 were minimally informed, 10 were moderately informed, 11 were quite well-informed, while only 4 were very well-informed.

In the final question of this thematic section, participants were asked about their primary source of information regarding maritime career opportunities. The majority of responses indicated that information came from friends and family or from the internet. It is noteworthy that only 15.5% of the participants received relevant information from teachers or professionals in the field. The results are presented in detail below (Figure 4).

Figure 4 can be found on the next page.

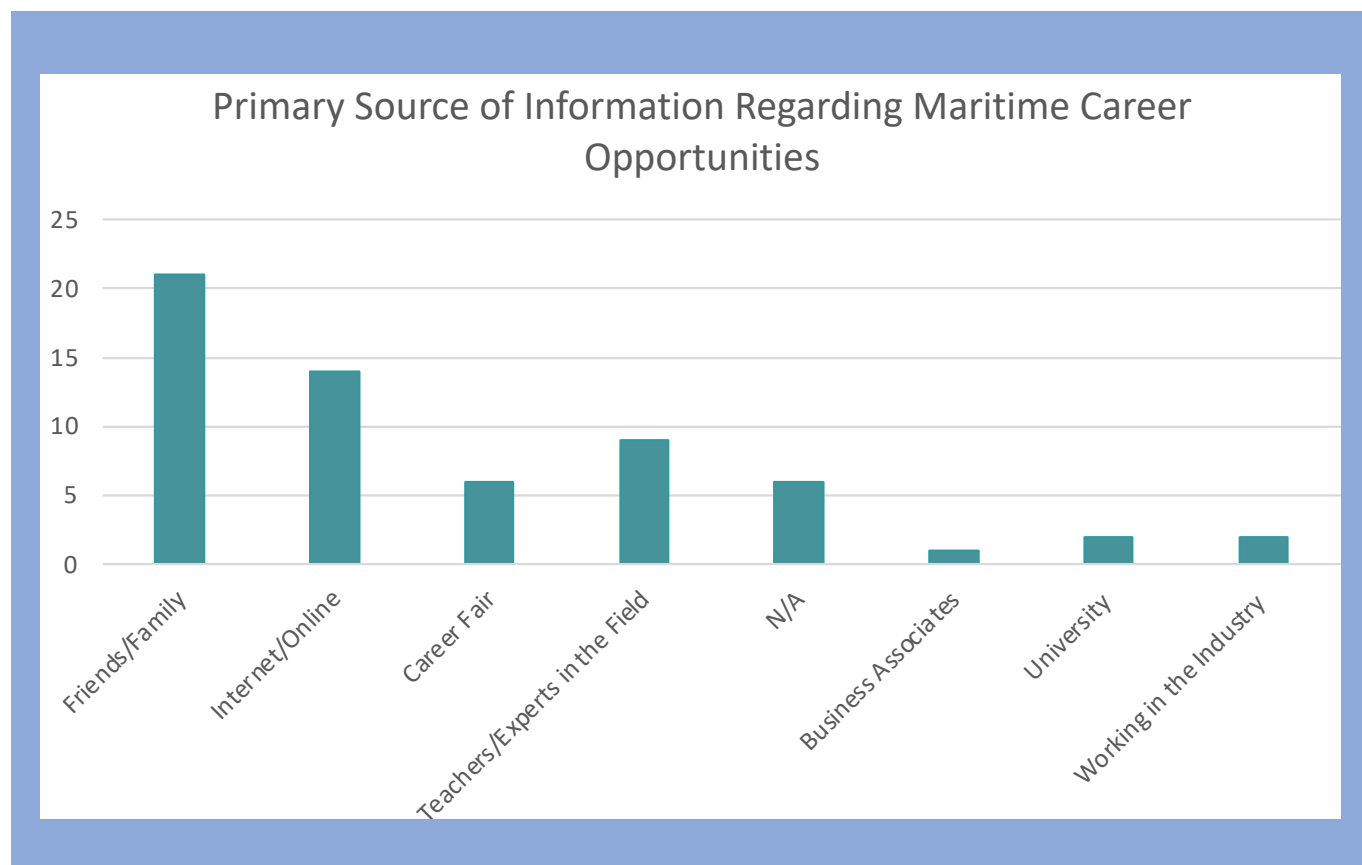


Figure 4 – Primary Source of Information

4.3. Career/Education choice

The subsequent section of the questionnaire focused on the participants' choices regarding their education after graduating from school and their career paths. In the first question of this section, participants were asked about the factors influencing their career choices. The majority of participants indicated that they chose the maritime industry either due to personal preference or because they believed there were available job positions (Figure 5).

When asked further, based on their current experience, whether they would recommend pursuing a maritime career to someone else, and for what reason, the majority of participants (50 individuals) responded positively. In contrast, only 6 individuals answered negatively, and 2 participants indicated that it depends on each individual separately. The positive responses were based on the reasons outlined in the chart below (Figure 6), while the negative responses are depicted in Figure 7.

Figures 5, 6 and 7 can be found in the next pages.

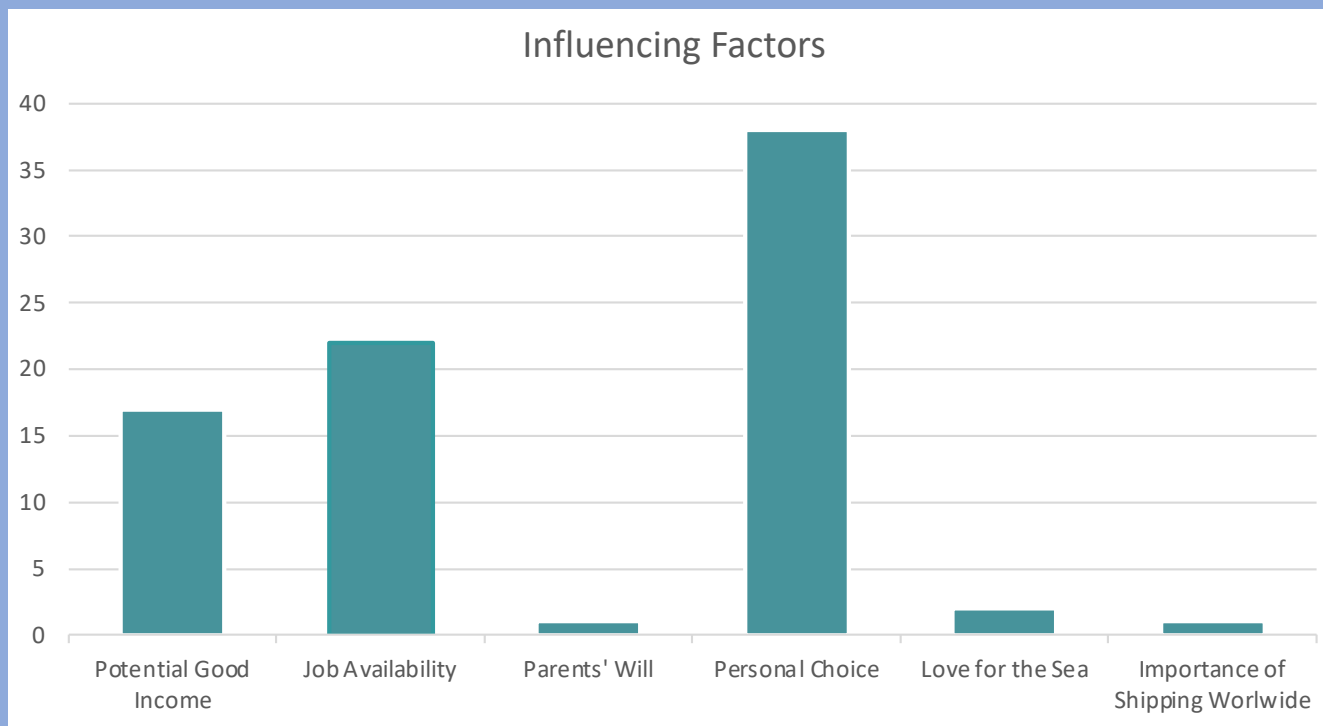


Figure 5 – Influencing Factors

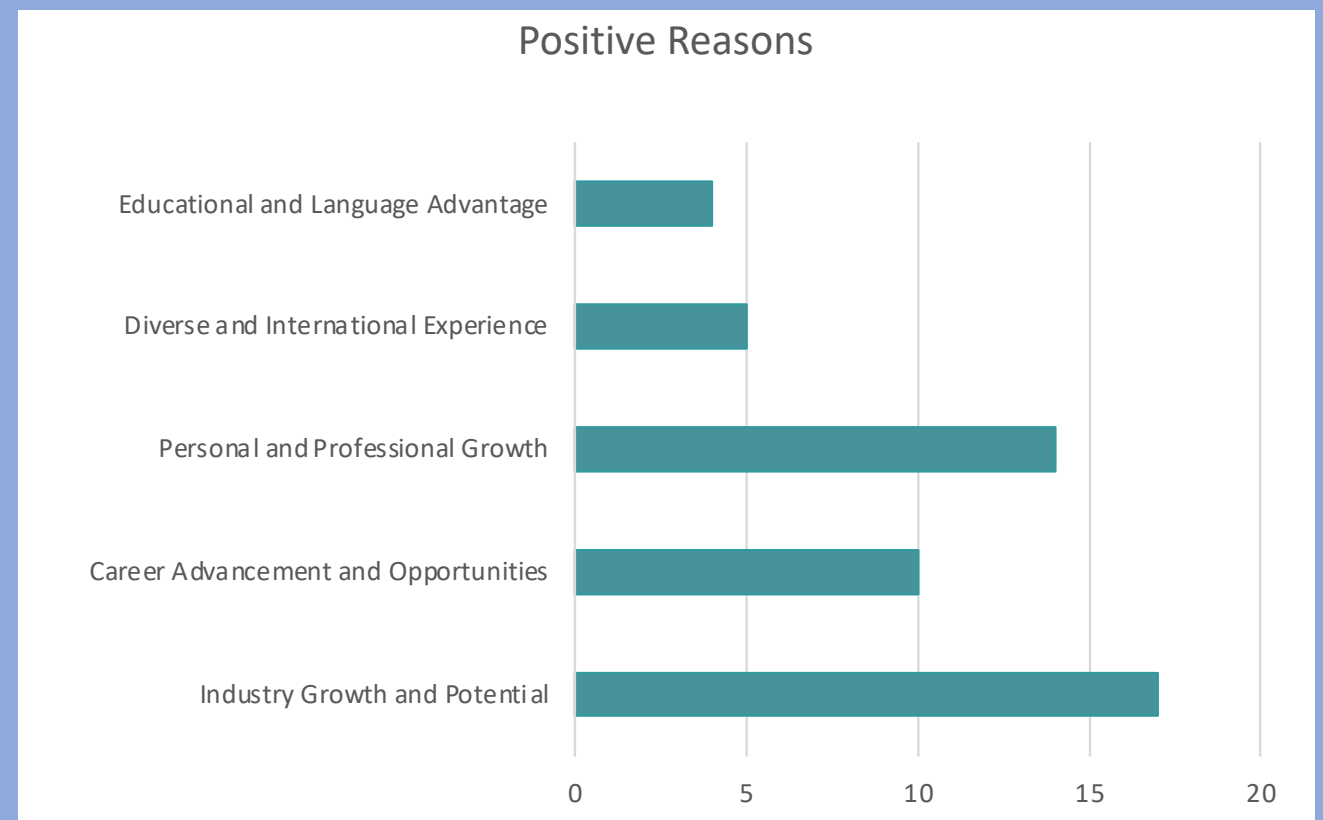


Figure 6 – Positive Reasons

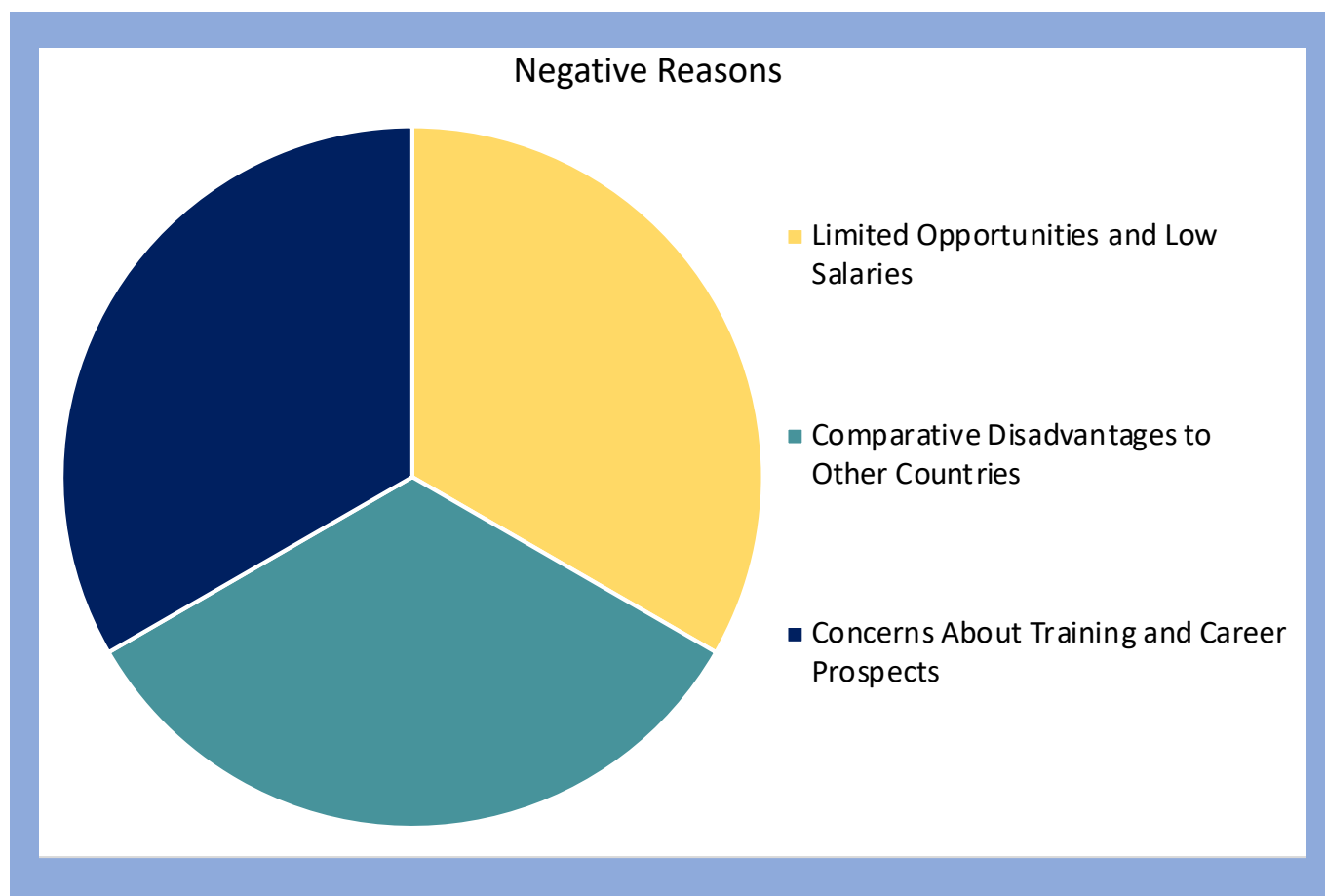


Figure 7 – Negative Reasons

In addition to the previous question, participants were asked to evaluate whether they believe they have made the right career choice and to provide the reasons for their perspective. All participants responded positively, with the exception of one individual who remained uncertain and another who expressed occasional uncertainty.

Regarding the question about contemplating a career change, the majority responded negatively. However, among those who expressed a positive inclination (a total of 18 individuals), some elaborated on the reasons motivating their consideration of a career change or potential future motivations, as outlined in Figure 8.

Figure 8 can be found on the next page.

Motivations for Potential Career Change

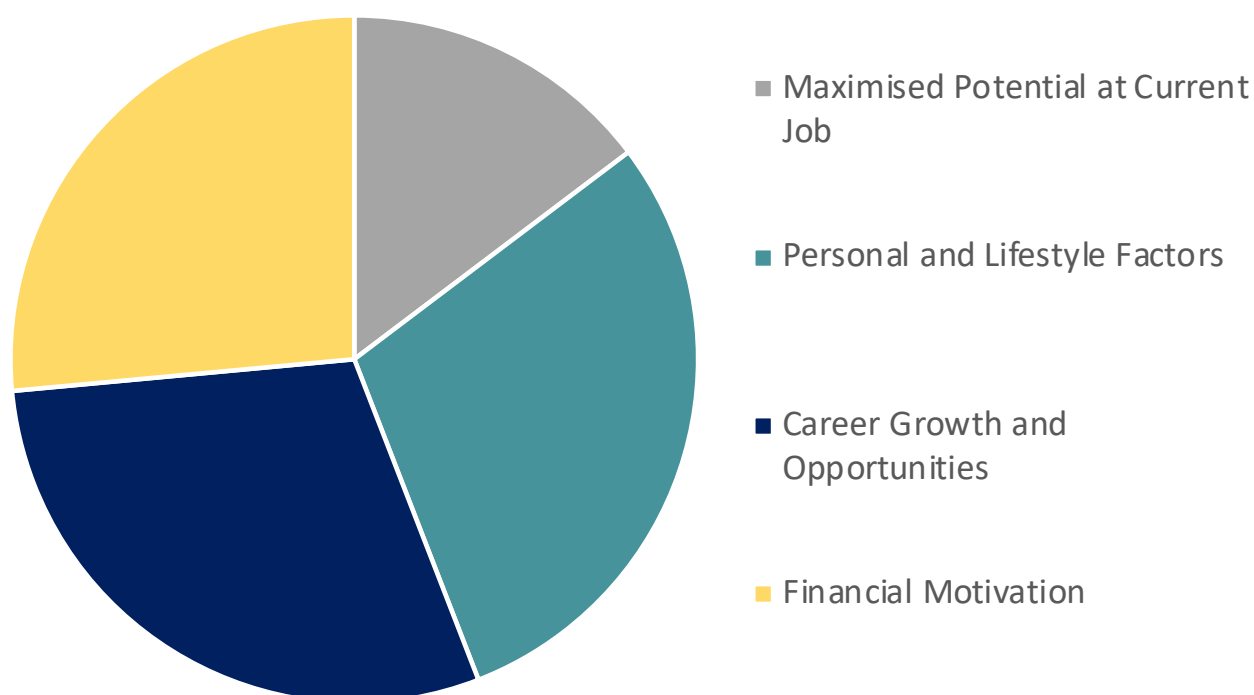


Figure 8 – Motivations for Potential Career Change

4.4. Perception and awareness of maritime industry

In the subsequent sections, participants were first questioned about whether any members of their family were engaged in maritime careers, and if so, to specify their exact occupation. Out of the total respondents, 45 answered negatively, while 13 responded positively. Those who responded positively indicated that individuals within their family circle have been, or are currently, involved in maritime sectors or professions, including seafaring, ship management, ship ownership and maritime industry management.

In the following question, their opinion on the level of job stability and security within the maritime industry in Cyprus was sought, and the results of their answers are illustrated below in Figure 9.

Figure 9 can be found on the next page.

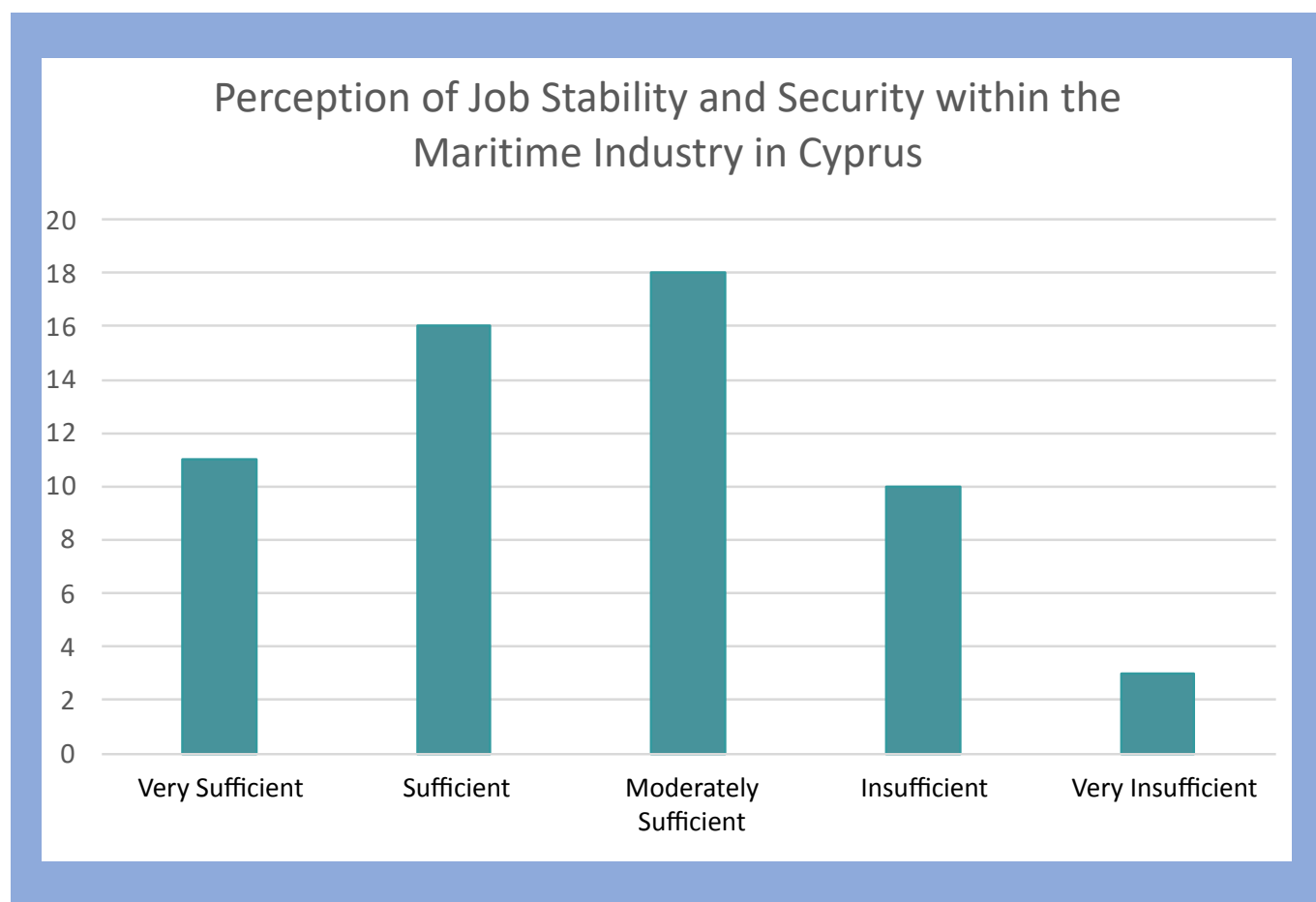


Figure 9 – Job Stability and Security

The following two questions were both related to the communication about, and perception of maritime careers in Cyprus. 43.1% of the participants believe that employment opportunities were moderately promoted by the maritime industry to young people, while 27.6% considered them to be effectively promoted.

In response to the question regarding the extent to which the broader Cypriot public understands maritime careers, 23 participants responded to a moderate degree, 21 to a not-so-good degree, 11 to not at all, and 3 to a fairly good degree.

For question number 20, participants were asked whether or not there are any misconceptions about maritime careers in Cyprus. The misconceptions identified can be categorised as follows:

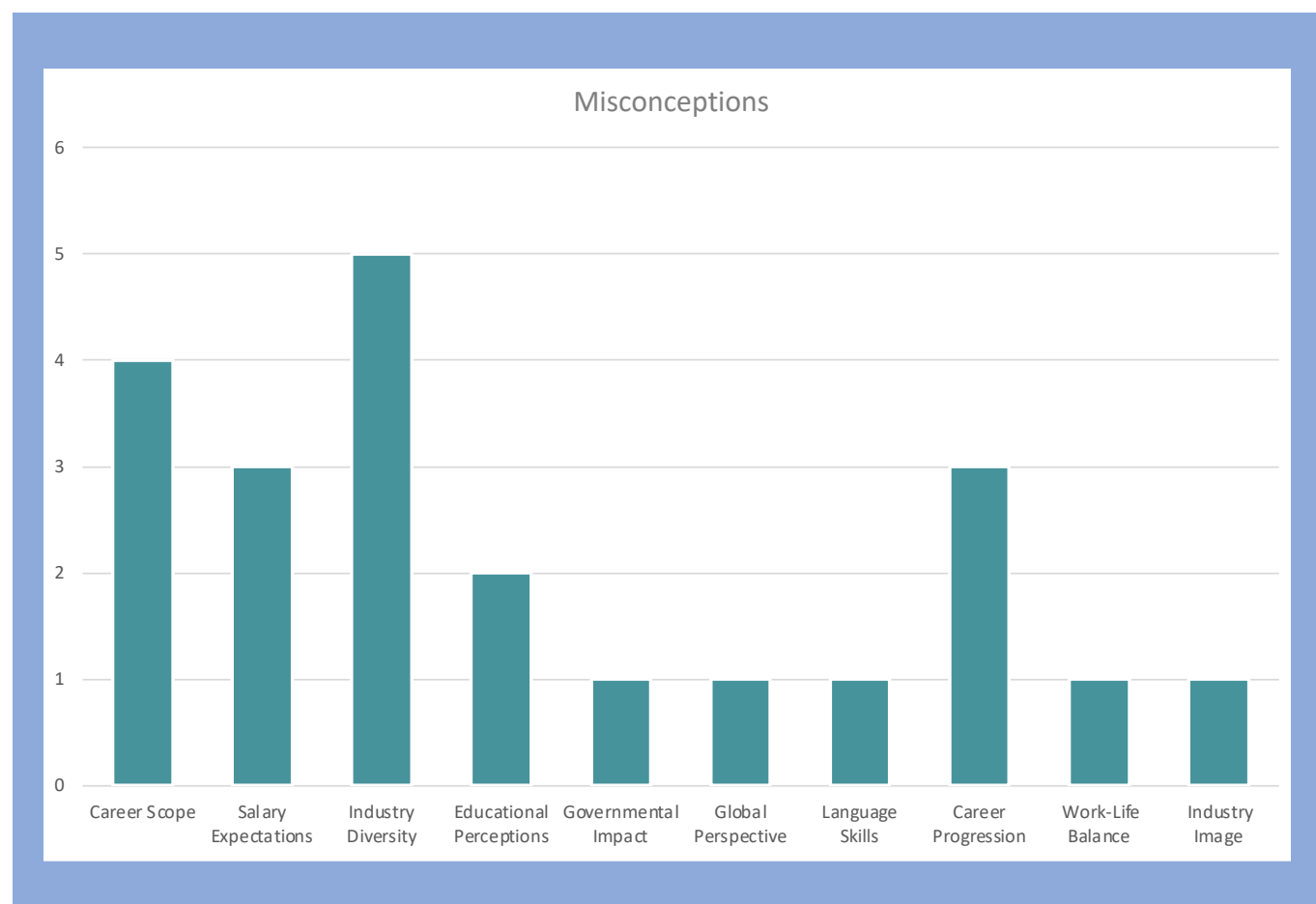


Figure 10 – Misconceptions

In response to the question regarding their beliefs on whether incorporating maritime education into school curricula could improve awareness and understanding of maritime careers among the younger generation, 94.8% of the responders answered yes. On the question of whether a maritime career is generally viewed as prestigious or desirable within the public perception in Cyprus, 69% of the responders also answered yes.

In the final question of this section, participants were asked if, based on their experience, they believe there are sufficient opportunities for career growth and advancement in the maritime industry in Cyprus. The majority of them (43.1%) responded that there are opportunities to a moderate extent, while 34.5% answered that opportunities exist to a fairly good extent. It is noteworthy that none of the participants indicated that there are no such opportunities at all.

4.5. Potential obstacles

In the first two questions of the concluding thematic section titled 'Potential Obstacles,' participants were given specific role and personal barriers related to entering a maritime career. They were then asked to identify which of these barriers applied to them. The responses were as follows:

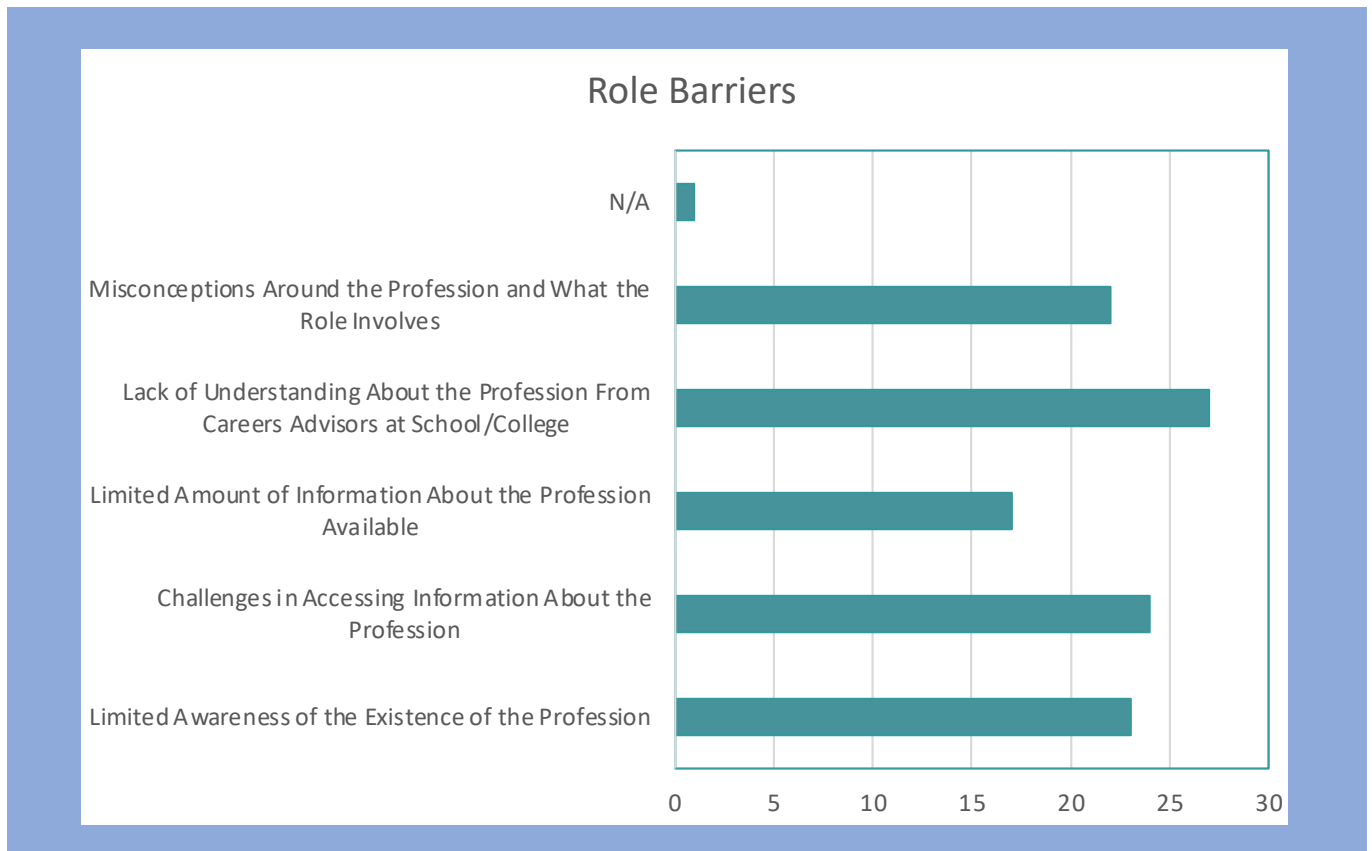


Figure 11 – Role Barriers

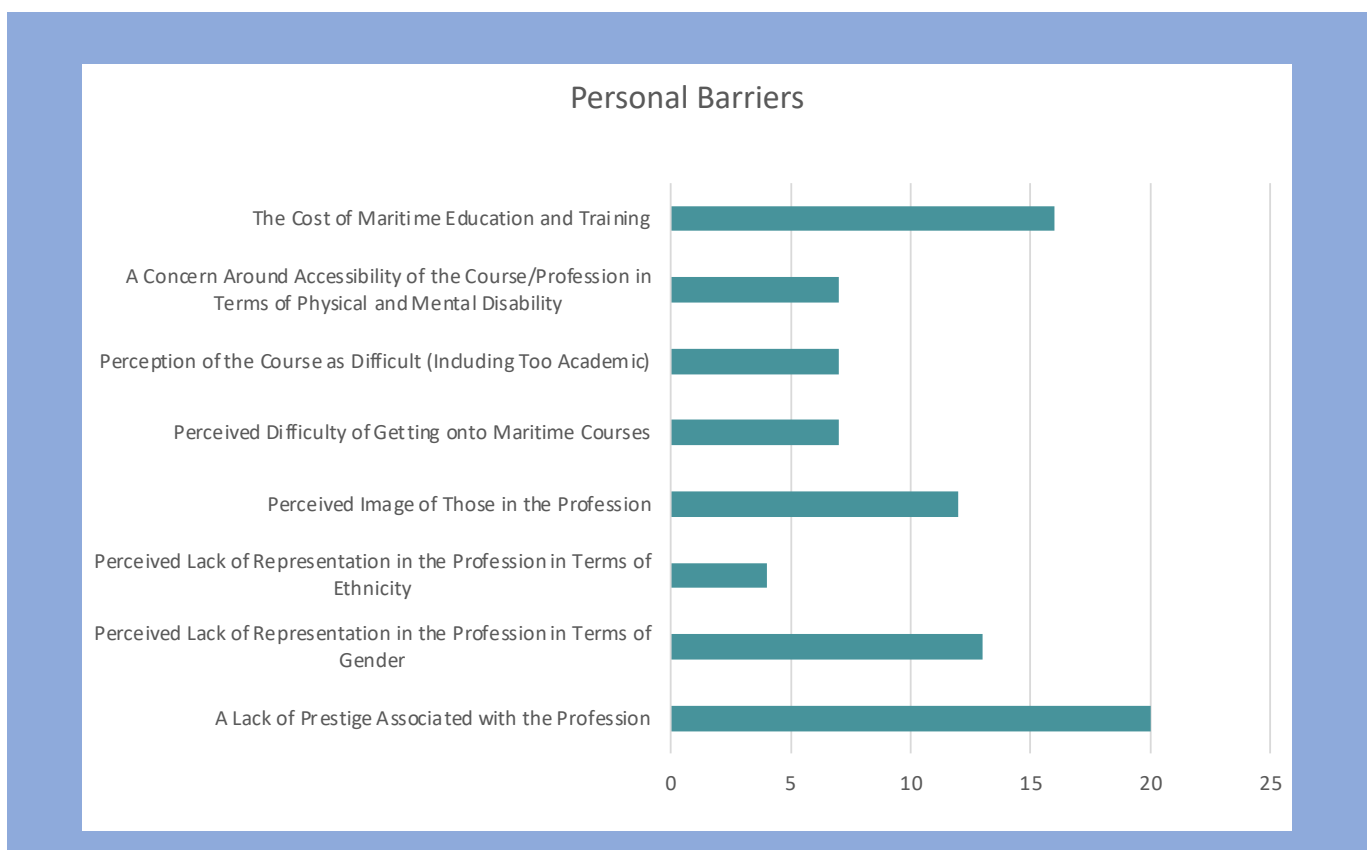


Figure 12 – Personal Barriers

Question 26 addressed the presence of any regulations or policies perceived as obstacles to pursuing a maritime career in Cyprus, with the predominant response being negative.

Subsequently, participants were asked to share information about specific educational barriers or limitations that affected their ability to pursue a maritime education in Cyprus. Their responses are outlined below:

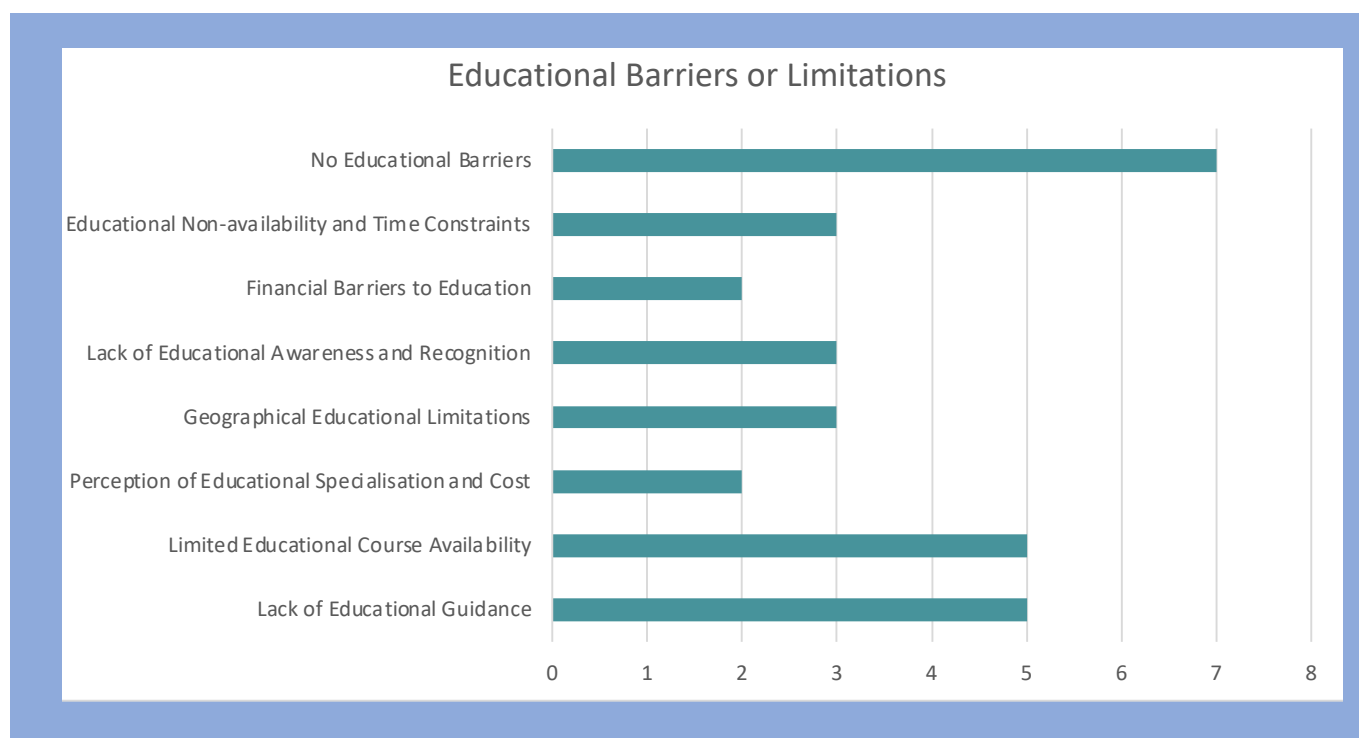


Figure 13 – Educational Barriers or Limitations

In the following question, participants were asked about the presence of any additional potential barriers to pursuing a maritime career in Cyprus, and their responses were as follows:

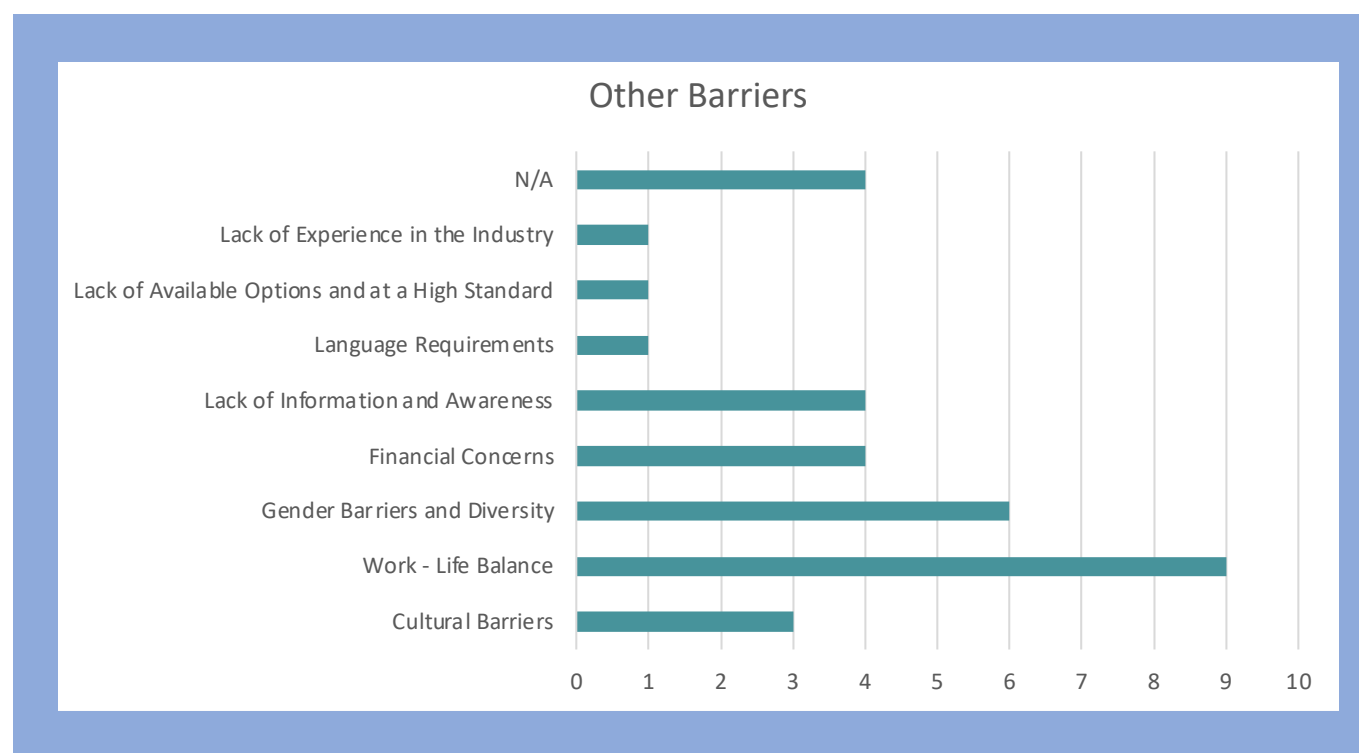
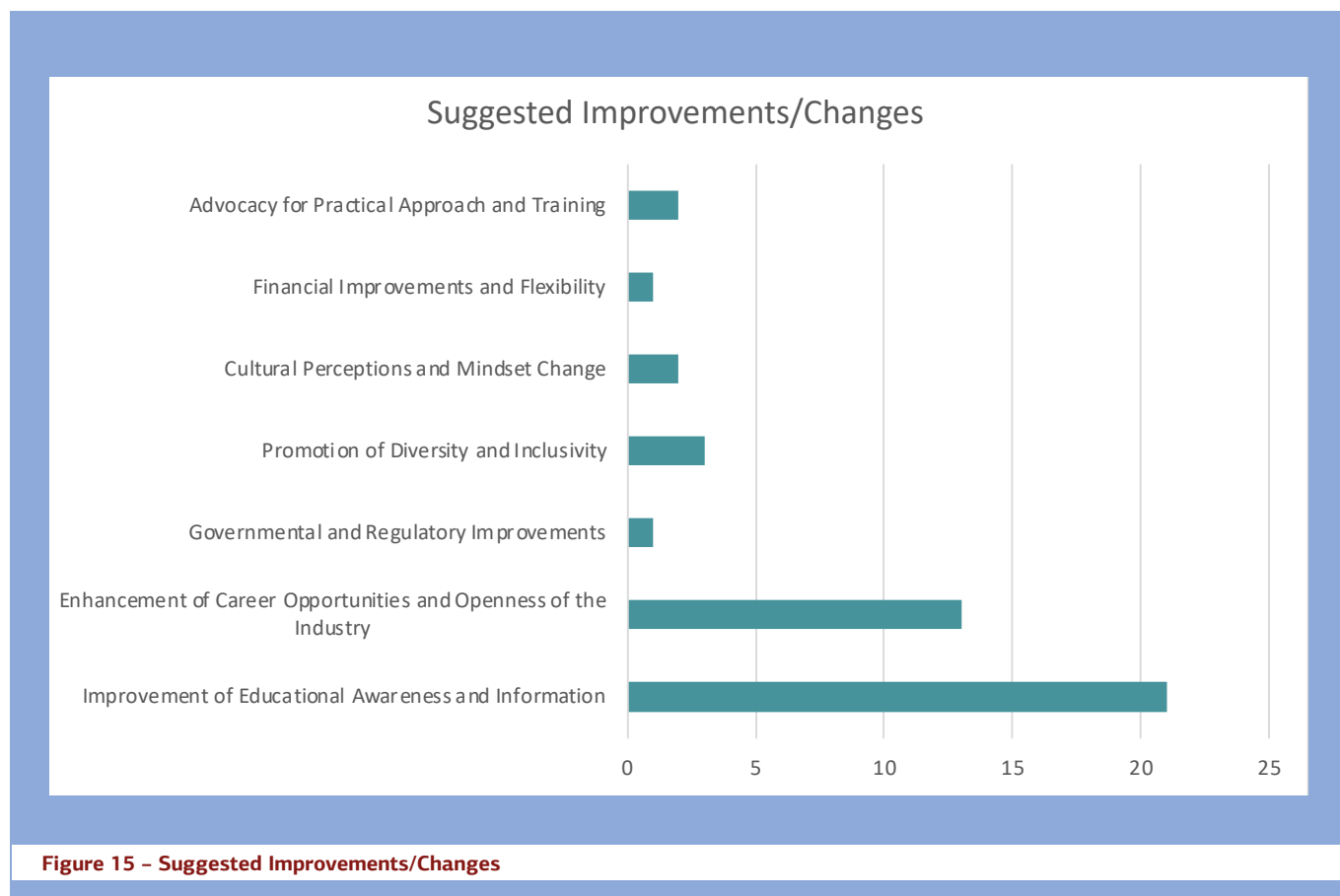


Figure 14 – Other Barriers

In the final question, participants were prompted to suggest ways to overcome the aforementioned barriers. The following responses were provided:



5. Discussion and conclusion

The research sheds light on the challenges faced by persons in Cyprus entering the maritime industry, providing critical insights for addressing these issues. Understanding the reasons behind the limited participation of persons in Cyprus in the maritime sector is crucial for breaking down potential barriers and promoting greater involvement in this vital industry.

The survey encompassed a predominant demographic of Cypriot male professionals within the maritime industry, aged between 18 and 35. Among the participants, a mere six individuals held the belief that the available educational and learning opportunities within the maritime sector could be deemed as either very good or excellent. Furthermore, only eight respondents mentioned that the knowledge and information acquired during their secondary education concerning the maritime sector reached satisfactory levels. Nonetheless, a majority of the remaining participants expressed their readiness to capitalise on such opportunities if presented.

A disconcerting outcome of the survey manifests in the responses from 23 participants who pointed out that, by the conclusion of their secondary education, they possessed limited or no information regarding the maritime sector. Of those who did receive information, a meagre 15.5% acknowledged obtaining it from educators or professionals within the field. Pertaining to motivational factors influencing career choices, the majority gravitated towards the maritime sector based on personal preference. Their recommendations for others to pursue this path primarily rested on the perceived opportunities for personal development and the promising prospects within the sector.

It is noteworthy that a prevailing sentiment among participants is an inadequacy in the promotion of job opportunities within the maritime industry to young people, coupled with a pervasive lack of comprehension among many Cypriots regarding the nature of a maritime career. A salient revelation from the research is the unanimous belief that the inclusion of maritime education in secondary curricula would significantly enhance an awareness and understanding of maritime careers. Furthermore, participants widely consider maritime professions in Cyprus as reputable, offering promising employment prospects.

In the concluding thematic segment addressing obstacles, several key challenges emerged, including misconceptions about the nature of the profession, deficient information dissemination from educational institutions, challenges in achieving a balance between personal life and professional responsibilities, cultural barriers, and financial concerns. The foremost obstacle underscored, as anticipated, is the dearth of accessible educational resources. Proposed solutions and amendments to surmount these challenges predominantly centred around elevating the standard of education, providing accurate and comprehensive information, facilitating avenues for employment and career progression, promoting greater inclusivity of women in the sector, and undertaking a more efficacious promotion of the maritime industry.

The survey results unequivocally highlight the crucial role of secondary education in shaping the career choices of young individuals. Simultaneously, incorporating maritime studies into the school curriculum could foster increased engagement with the maritime sector. Furthermore, providing accurate information to the public about the true nature of the maritime industry, facilitated through educational initiatives, industry professionals, and government programs, is paramount to overcoming barriers to the integration of young individuals into the maritime sector.

While the study provides valuable insights from a case study involving 58 adults in the maritime sector, it is imperative to acknowledge its limitations. Several challenges were encountered during the planning and implementation of this study. Firstly, and primarily, it is important to address the condition of restricted available literature on factors that can either encourage or deter students/young individuals from pursuing a maritime career, especially among people in Cyprus. Secondly, limitations arose due to the challenge of identifying individuals in Cyprus engaged in any sector of the maritime industry who were willing to respond to the questionnaires. Thirdly, the scarcity of relevant data made it difficult to gather comprehensive insights into the factors influencing career choices within the maritime field among the Cypriot population.

However, these limitations pave the way for future research. Subsequent studies, encompassing a broader sample size and representation from various maritime industries and institutions, could provide a more comprehensive understanding of both challenges and opportunities in entering the maritime field. This avenue for further investigation holds the potential to contribute significantly to the enhancement of strategies and initiatives within the maritime sector in Cyprus.

The proactive approach to identifying methods to encourage newcomers and dispel negative perceptions reflects a forward-looking mindset. Initiatives involving educational institutions, mentorship programs, and awareness campaigns could contribute to a more positive image of the maritime industry. Specifically addressing aspects of the industry's image that need improvement is crucial.

The call for attention from schools and maritime companies is justified, emphasising the importance of fostering a positive outlook among students and addressing concerns about seafaring life and future careers. Collaboration among educational institutions, industry stakeholders and the government is essential to create a supportive environment for those interested in maritime careers.

To conclude, the broader implications, such as the impact on unemployment rates, improved maritime operations, prevention of sea accidents and overall economic growth, underscore the significance of increased

participation in the maritime industry. Investing in initiatives to promote greater involvement in the maritime sector can lead to enhanced outcomes for individuals and the broader economy. The recommendations for future research and collaborative efforts among relevant entities provide a roadmap for addressing challenges and fostering a vibrant maritime sector. Attracting young people to maritime science is not only achievable but crucial for Cyprus to develop a new generation of skilled maritime professionals, contributing significantly to industry advancement and overall progress.

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HUMAN RESOURCE MANAGEMENT AND ORGANISATIONAL BEHAVIOUR

Job satisfaction in the legal profession: The case of Cyprus

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Abstract

The purpose of this research is to investigate and identify key factors and levels of job satisfaction amongst legal professionals in Cyprus, while casting light on how current levels of job satisfaction may be improved in the future. Utilising numerical data, collected through a questionnaire distributed to professionals practicing law in Cyprus, and statistical analysis of the questionnaire's results, this research provides new data for the Cypriot legal system. Furthermore, this research intends to stimulate debate and raise awareness in the Cypriot legal world on issues regarding job satisfaction and present valuable information that can be utilised by law firms on how to identify and manage job satisfaction within their organisation.

Keywords: Cyprus; Job Satisfaction; Law; Stress; Well-being.

Introduction

In today's business environment, every organisation that seeks to develop and accomplish its objectives is challenged to ensure and maintain satisfaction amongst its employees. The world of law is highly idiosyncratic, employing an array of skills with a set of intellectual and interpersonal challenges. As one of the traditional professions, law attracts individuals with ambitious goals who are willing to work under high-pressure environments and demanding workloads (Tang *et al.* 2020). The field of law is known for its long hours of work, high levels of stress, anxiety, intensity and pressure to succeed, which can often lead to negative consequences in productivity, employee engagement and retention, which are critical factors in the well-being of lawyers and a firm's success (Parker, 2023).

Research Rational

Even though job satisfaction has been extensively and continuously debated by academics (Aygun, 2021; Inayat and Khan, 2021; Montuori *et al.*, 2022; Sypniewska *et al.*, 2023), it appears that it has never been examined in relation to legal professionals in Cyprus who meet certain demographic criteria, which will be addressed in this research paper. The focus of this study will be to fill and eliminate the gap that exists in the literature, offer and expand knowledge, and present an objective approach to the views and perspectives of legal professionals in Cyprus on their job satisfaction.

Literature Review

In the challenging era of globalisation, every organisation needs to adapt to a dynamic and constantly changing environment (Raziq and Maulabakhsh, 2015). Organisations are challenged to ensure job satisfaction amongst their employees, since this will positively influence various aspects of their job. Job satisfaction, or satisfaction in the workplace, is an extensively and widely researched subject in the academic world and this is because it depends on and is affected by numerous variables (Yousef, 2000).

Definitions

There does not seem to be one operational definition of job satisfaction, as various scholars have defined it according to different views (Ghonaim, 1986). The reason for this is that job satisfaction has different interpretations for different people, since each person's satisfaction is subjectively influenced by different factors. As correctly pointed out by Al-Amri (1992), one of the main reasons that job satisfaction has so many definitions is that every person's perception of their satisfaction at work is judged according to their subjective point of view, that is personal emotions, behaviours, attitudes and other characteristics.

The definitions provided by literature about job satisfaction mostly relate to personal affection. If employees have positive and enjoyable experiences at their work then this is defined as job satisfaction, whereas job dissatisfaction is defined as when employees have negative and unpleasant feelings for their work (Quang et al., 2023). In this context, job satisfaction relates to the employees' like or dislike of their work and the extent to which their expectations are met. Hoppok and Spielgler (1983) defined job satisfaction as an integrated set of psychological, physiological and environmental circumstances that cause employees to acknowledge that they are satisfied or not with their jobs. Spector (1997) views it as the extent to which employees like or do not like their work; that is, they are satisfied or dissatisfied with their job. According to Robbins and Judge (2019), job satisfaction is defined as '*a positive feeling about a job resulting from an evaluation of its characteristics*' and is influenced by various characteristics, such as job conditions, personality, remuneration and the level of corporate social responsibility (CSR) within the organisation.

Job Satisfaction in the Legal Profession

Notably, satisfaction in the workplace will have positive impacts on motivational feelings, which in turn will lead to lower job turnover (Gan and Voon, 2021), better behaviour and performance (Riyanto et al., 2021) and alignment with task decisions (Vizano et al., 2021). The outcomes of a positive and satisfactory environment in an organisation are enhanced commitment by its employees, increased levels of performance and motivation, development of individual capabilities, positive turnover intention (less likely to seek work elsewhere), and enhancement of initiatives.

It remains questionable whether job satisfaction can be exclusively controlled by any outsider, such as managers and the organisation itself, since different attributes of each individual may come into play. It is thought to be of paramount importance that if an organisation is successful in creating and maintaining satisfactory feelings amongst its employees, then this will most probably lead to successful outcomes.

Practicing law is both rewarding and challenging at the same time. A successful career in law requires dedicating great amounts of time and 24-hour availability at the expense of a balanced personal quality of life, affecting emotional energy and well-being. The legal profession increasingly demands longer working hours, intensified work practices and constant availability as a result of technological advancements (Guest, 2002), while at the same time legal professionals are constantly pressed and stressed by work, leaving them with little or no time to relax (Pham, 2020).

Evidently, law is a field that has a significant impact on work-life balance and life satisfaction, since legal professionals are experiencing elevated levels of depression, anxiety, stress and lower levels of mental well-being than members of the general population (Anker and Krill, 2021). Dissatisfaction in the workplace may lead to experiencing personal distress and unhappiness, which in turn may negatively affect relationships with colleagues, family and friends, impact the reputation of law firms (International Bar Association, 2021) and potentially result in a decline in ethical judgment and an increase in working errors (Reich, 2020). Mahamdashif et al. (2022) report that satisfied lawyers demonstrate higher levels of job-related performance than unsatisfied lawyers.

In recent years there has been much academic research on job satisfaction in the legal profession and debate about levels of satisfaction in different countries around the world. Views, perspectives and attitudes of lawyers towards their profession and the levels of satisfaction are divergent. Both the Law Society and Bar Council of England and Wales have identified that there are increases in stress, anxiety and depression levels among solicitors and barristers in the United Kingdom (Positive, 2015 and The Law Society, 2019). Further to this, recent research in the United Kingdom, Jersey, Guernsey, Isle of Man and the Republic of Ireland observes that there is a considerable risk of burnout among legal professionals, particularly in terms of exhaustion (LawCare, 2021).

Additionally, we have reports demonstrating that overall levels of satisfaction were high in the recent past and that generally lawyers were satisfied with their careers in law (Bainbridge, 1989; Brockman, 1992; Dart, 1988) whereas, more recently, academic literature suggests that lawyers are generally dissatisfied with their career, and they are leaving the profession (Heinz, 1999; Hull, 1999; Schrimsher, 1998).

For lawyers to survive in legal practice and achieve progress in their careers they must have certain skills, such as mental concentration, task autonomy and extensive time involvement. In their research, Forstenlechner and Lettice (2008) argued that lawyers were disappointed due to a lack of interaction with and appreciation from legal partners, absence of mentors, high pressure to charge more, long working hours and a poor work-life balance. The effective implementation of job satisfaction policies is a critical factor influencing career progression, functionality, productivity and viability of the profession. Crow and Hartman (1995) argue that to improve and ensure job satisfaction, organisations must provide a working environment that is free from ‘pay inequalities, abusive supervision, favouritism and poor performance’.

Contemporary research continues to explore and investigate job satisfaction in the legal profession; however, it remains equivocal. There is still no such research on this specific topic of job satisfaction in the legal profession that is focused on Cyprus lawyers, despite its critical importance. Such a gap in the literature will be investigated in this research, so as to potentially eliminate this gap and provide valuable information and knowledge to the legal world in Cyprus.

Research results and discussion

The sample for this research consisted of 112 participants, all of whom were registered litigation and/or corporate lawyers in the Cyprus Bar Association (CBA), with a minimum of two years’ experience in their field. As presented in Table 1, the participants were divided almost equally into 54 males (48%) and 58 females (52%). 75 (67%) of the sample belonged to the age group of 24-35, 28 (25%) to the age group of 36-45, 8 (7%) to the age group of 46-55 and 1 (1%) to the age group of 56-65.

Age:	Gender:					
	Male		Female		Total	
	n	%	n	%	n	%
24 - 35 years old	31	28%	44	39%	75	67%
36 - 45 years old	16	14%	12	11%	28	25%
46 - 55 years old	6	5%	2	2%	8	7%
56 - 65 years old	1	1%	0	0%	1	1%
Total	54	48%	58	52%	112	100%

**Note: Percentages may not necessarily add up to 100%, due to rounding.*

Table 1: Age and Gender

As demonstrated in Table 2, of those 112 legal professionals, 47 (42%) of them are in the Litigation Department, 31 (28%) of them are in the Corporate Department and 33 (30%) are in the Litigation and Corporate Department. Furthermore, 24 (22%) respondents hold the position of Managing Partner in their firm, 20 (18%) are Partners, 27 (24%) are Senior Associates and 40 (36%) are Associates.

Position:	Department:							
	Litigation		Corporate		Litigation and Corporate		Total	
	n	%	n	%	n	%	n	%
Partner	8	7%	7	6%	5	5%	20	18%
Associate	24	22%	10	9%	6	5%	40	36%
Senior Associate	9	8%	9	8%	9	8%	27	24%
Managing Partner	6	5%	5	5%	13	12%	24	22%
Total	47	42%	31	28%	33	30%	111	100%

**Note: Percentages may not necessarily add up to 100%, due to rounding.*

Table 2: Position and Department

In addition, Table 3 demonstrates that 33 (29%) of the respondents have been in the profession for 2-6 years, 42 (38%) for 7-11 years, 21 (18%) for 12-16 years, 12 (11%) for 17-21 years and 4 (4%) for 22 years or more. Table 3 also shows that 26 (23%) of the participants earn an annual income of €0 - €19,500, whereas the majority, 30 (27%), earn €19,501 - €28,000, 28 (25%) earn €28,001 - €36,000, 19 (16%) earn €36,001 - €60,000 and 9 (9%) are high incomers of €60,001 - €200,000 per annum.

Years in the Profession:	Income (Salary, Commissions, Dividends etc.)											
	€0 - €19.500		€19.501 - €28.000		€28.001 - €36.300		€36.301 - €60.000		€60.001 - €200.000		Total	
	n	%	n	%	n	%	n	%	n	%	n	%
2 - 6 years	22	19%	9	8%	2	2%	0	0%	0	0%	33	29%
7 - 11 years	2	2%	17	15%	14	13%	6	5%	3	3%	42	38%
12 - 16 years	2	2%	2	2%	9	7%	5	4%	3	3%	21	18%
17 - 21 years	0	0%	2	2%	3	3%	5	4%	2	2%	12	11%
22 and more years	0	0%	0	0%	0	0%	3	3%	1	1%	4	4%
Total	26	23%	30	27%	28	25%	19	16%	9	9%	112	100%

**Note: Percentages may not necessarily add up to 100%, due to rounding.*

Table 3: Years in the Profession and Income

Levels of Job Satisfaction

Table 4 below presents frequencies and percentages of responses to the question of how satisfied they feel with their present job. From the responses, we observe that 13% of the participants answered that they feel completely satisfied, whereas the majority of them, that is 43%, feel satisfied with their present job. Also, 30% of the participants feel neither satisfied nor dissatisfied, while 13% feel dissatisfied and a negligible 1% feel completely dissatisfied.

These findings reveal not only that the majority of the respondents feel either completely satisfied or satisfied (total of 56%), but also that there is a high percentage of legal professionals, that feel either dissatisfied or neither satisfied nor dissatisfied. This should not be ignored. It is noted especially that such high levels of neutral feelings amongst legal professionals towards their current job, is an element that needs to be addressed by law firms in Cyprus, in order to improve their employees’ levels of job satisfaction.

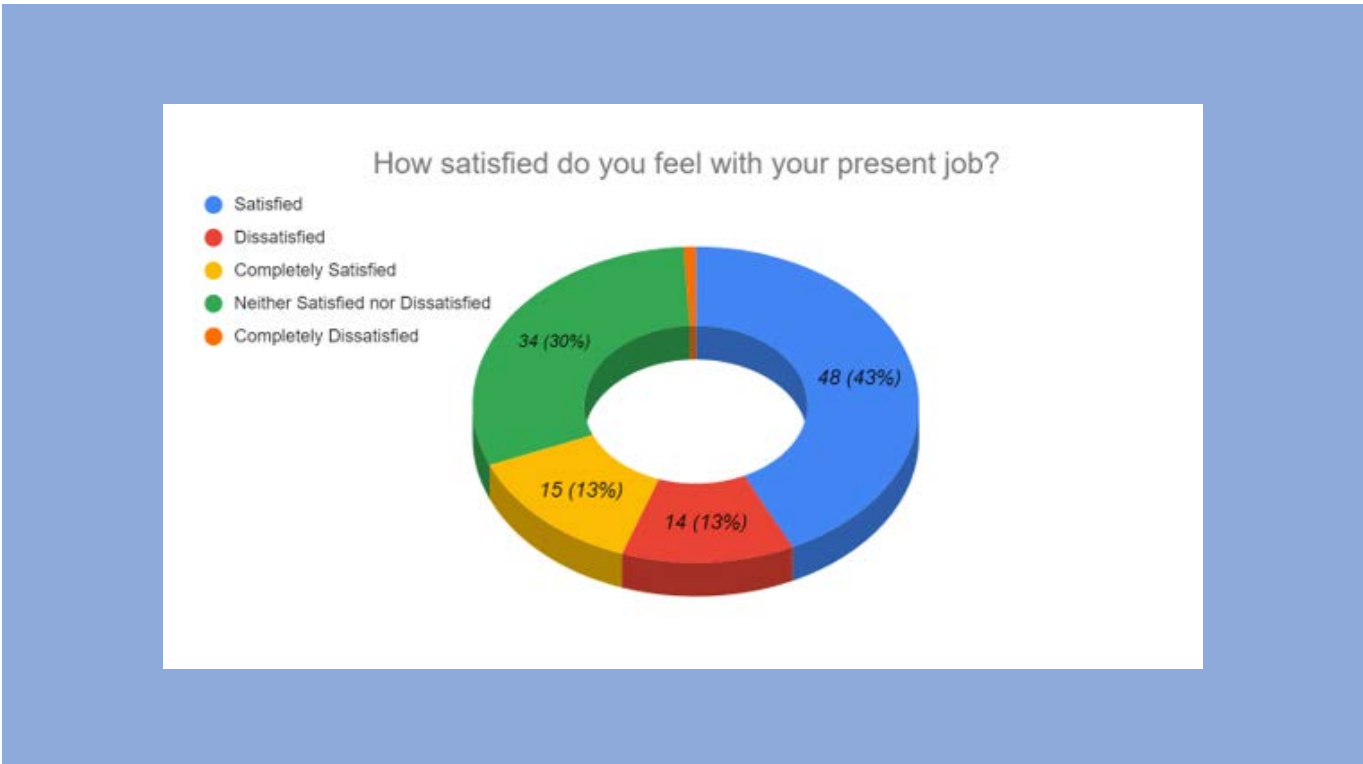


Table 4: Levels of Job Satisfaction

Table 5 lists the results in summary and indicates that a total of 50% of the respondents are either completely satisfied or satisfied with the listed factors (working hours, workload, stress-anxiety, job security and recognition for work accomplished), while 28% of the respondents have neutral feelings and a total of 23% feel either dissatisfied or completely dissatisfied. Notably, there is a high score of dissatisfaction under the category of Stress-Anxiety where 31 of the total 112 respondents (28%) answered that they feel dissatisfied and 21 of them (19%) that they feel completely dissatisfied. This statistical finding demonstrates essentially the stressful nature of the legal profession which may result in negatively impairing lawyers’ health and well-being. This finding was confirmed by Krill et al. (2022) whose research revealed that ‘*practising law has the potential to negatively impact the health and well-being of lawyers*’.

Workload	13	41	35	23	0
Stress–Anxiety	4	29	27	31	21
Job security	18	58	23	7	6
Recognition for work accomplished	16	47	36	11	2
TOTAL (n)	68	211	155	96	30
(%)	12%	38%	28%	17%	5%

Table 5: Working Conditions

With respect to Pay-Benefits-Rewards and Table 6 below, there are high levels of satisfaction amongst legal professionals related to their salary, various monetary benefits, and opportunities for raises and promotions. Specifically, approximately half of the participants (51%) feel either completely satisfied (CS) or satisfied (S) under this category whereas 29% of them do not seem to have any positive or negative feelings of satisfaction (NS/ND). A small percentage (17%) of the participants have dissatisfactory feelings (D) but an even smaller percentage (4%) feel completely dissatisfied (CD).

	CS	S	NS/ND	D	CD
Salary	13	49	29	18	3
Opportunities for raise	17	41	31	22	1
Benefits (13 th salary, provident fund, etc.)	18	45	30	14	5
Bonus, commissions etc.	14	36	34	21	7
Opportunities for promotion	14	36	36	20	6
TOTAL (n)	76	207	160	95	22
(%)	14%	37%	29%	17%	4%

Table 6: Pay-Benefits-Rewards

Table 7 below demonstrates that concerning their relationships with co-workers and their supervisor, supervision and work environment, the majority of respondents are satisfied or completely satisfied overall, with a combined total score of 74%. A smaller group of respondents are neutral (19%) on those matters, and even fewer participants answered that they are dissatisfied (7%).

	CS	S	NS/ND	D	CD
Relationships with co-workers	32	70	8	2	0
Relationship with your supervisor(s)	28	47	26	11	0
Supervision	21	47	33	10	1
Work Environment	33	52	19	8	0
TOTAL (n)	114	216	86	31	1
(%)	25%	48%	19%	7%	1%

Table 7: Work Relationships - Supervision - Work Environment

Table 8 below indicates a high score of satisfaction in relation to respondents' feelings as to the opportunities provided by their law firms to utilise skills and talents, learn new skills, receive support from their firm in training and education and ongoing training. It is notable that 23% of the respondents have neutral feelings towards these facets, whereas a total of 11% of them feel either dissatisfied or completely dissatisfied. There was one invalid response, meaning that one of the participants did not provide an answer as to their feelings in relation to the support, if any, of their firm in their training and education.

	CS	S	NS/ND	D	CD	Invalid
Opportunities to utilise skills and talents	20	49	32	11	0	0
Opportunities to learn new skills	19	49	33	11	0	0
Support by your firm in training and education	27	56	15	10	3	1
Ongoing training	23	54	22	10	3	0
TOTAL (n)	89	208	102	42	6	1
(%)	20%	46%	22%	9%	2%	1%

Table 8: Skills and Abilities

Table 9 represents the results in all four categories of job satisfaction, under Section 1 of the Questionnaire, as those were described and analysed above. These overall scores demonstrate that most of the respondents feel that they are either completely satisfied (17%) or satisfied (42%) with their working conditions, their pay-benefits-rewards, their work relationships-supervision-work environment and with the utilisation of their skills and abilities. Yet, there is a noteworthy percentage of neutrality among respondents of 25%, which indicates that almost a quarter of the respondents do not have any decisive feelings of satisfaction or dissatisfaction towards these categories, which must constitute a matter of concern for the legal world.

	CS	S	NS/ND	D	CD	Invalid
<i>Working Conditions</i>	12%	38%	28%	17%	5%	0%
<i>Pay-Benefits-Rewards</i>	14%	37%	29%	17%	4%	0%
<i>Work relationships-supervision-work environment</i>	25%	48%	19%	7%	0.22%	0%
<i>Skills and Abilities</i>	20%	46%	23%	9%	1%	0.22%
OVERALL:	18%	42%	25%	13%	3%	0%

**Note: Percentages may not necessarily add up to 100%, due to rounding.*

Table 9: Total Scores

Factors that Influence Job Satisfaction

Section 2 of the Questionnaire deals with the extent of importance of certain factors in influencing the participants' job satisfaction, as demonstrated below. From Table 10, we observe that an overwhelming majority of the respondents believe that all of the combined factors are either very important (53%) or fairly important (30%) in influencing their satisfaction at work. An overall percentage of 12.18% of the respondents believe that those combined factors are important, whereas only 4% believe them to be slightly important and 1% consider them as not at all important. It is imperative to stress that salary is a substantial factor that influences satisfaction at work, given that it is the most important aspect that influences job satisfaction, with a frequency of 81 responses considering it to be very important and 27 as important, out of the total of 112 participants.

Since the majority of respondents answered that the mentioned factors are very and fairly important to their job satisfaction, we expect that most or even certain factors, at least the ones with the highest scores, must be taken into consideration by law firms that are interested in the well-being of their employees.

Salary	81	27	4	0	0
Benefits	60	42	9	0	1
Rewards	63	37	11	0	1
Job security	67	36	7	2	0
Opportunities for promotion	53	43	15	0	1
Opportunities for growth	62	40	9	1	0
Ability to work remotely	40	24	29	17	2
Working hours flexibility	47	37	18	9	1
Relationship with co-workers	53	29	20	10	0
Recognition from management	60	26	18	7	1
Work-Life Balance	69	32	10	1	0
TOTAL: (n)	655	373	150	47	7
(%)	53%	30%	12%	4%	1%

Table 10: Factors that Influence Job Satisfaction

Outcomes of Job Satisfaction

Under Section 3, the Questionnaire deals with the impact of job satisfaction around certain aspects and more specifically in relation to performance, motivation, commitment/loyalty, use of skills and abilities, work-life balance, creativity, innovation, personal life satisfaction and interpersonal relationships. Furthermore, this section examines the extent of the respondents' agreement regarding whether job satisfaction reduces turnover, absenteeism, stress and burnout.

With respect to the answers in Table 11, a remarkable percentage of 86% believe that job satisfaction impacts either positively (57%) or somewhat positively (29%) these aspects (i.e. Performance, Motivation, Commitment, etc.). Only, an average of 12% of the respondents are neutral, whereas a very small 1.5% believe that job satisfaction impacts somewhat negatively and negatively, respectively. From the total of 1,008 responses, two of them were left blank and thus unanswered.

It is imperative to note that performance, motivation, commitment/loyalty, use of skills and abilities and work-life balance have the highest scores of positive responses, which means that more than two-thirds of the respondents consider satisfaction at work to either positively or somewhat positively affect those aspects. One more important issue to mention is the high neutrality scores under creativity, innovation, personal life satisfaction and interpersonal relationships where in each of those aspects' responses were between 23–25 out of 112 in total. Creativity and Innovation had the most negative scores ('somewhat negative') in comparison with the remaining aspects under this section.

	Positively	Somewhat Positively	Neutral	Somewhat Negatively	Negatively	Invalid
Performance	78	27	6	1	0	0
Motivation	83	23	5	0	1	0
Commitment/ Loyalty	78	27	7	0	0	0
Use of skills and abilities	71	34	6	0	0	1
Work-Life Balance	71	36	3	1	1	0
Creativity	45	38	25	4	0	0
Innovation	46	38	23	5	0	0
Personal Life satisfaction	55	31	24	1	1	0
Interpersonal relationships	44	42	24	1	0	1
TOTAL:	(n)	571	296	123	13	3
	(%)	57%	29%	12%	1%	0.5%

Table 11: How does Work Satisfaction Impact the above Aspects?

From Table 12 below we observe that a significant majority of the respondents (over 80%) believe that satisfaction at work reduces job turnover, absenteeism, stress and burnout. In relation to job turnover, this is also supported by various other pieces of research which show that organisations need to consider work satisfaction as an avenue for reducing employee turnover (Cohen, 1999; Stanfast and Edwinah, 2018; Yukongdi and Shrestha, 2020). Moreover, the findings of Table 12 in relation to absenteeism are confirmed by other research as well, since job satisfaction must be taken seriously by organisations when they want to reduce absenteeism (Harini and Umasankar, 2020). In terms of the relationship between job satisfaction, and stress and burnout, the results of Table 12 are also confirmed by previous research, indicating that work stress and burnout are often the result of dissatisfaction at work (Nickum and Desrumaux, 2022).

	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree	
	n	%	n	%	n	%	n	%	n	%
Job Turnover	47	42%	47	42%	8	7%	8	7%	2	2%
Absenteeism	39	35%	55	50%	12	11%	5	4%	1	1%
Stress and Burnout	56	50%	39	35%	11	10%	5	4%	1	1%

Table 12: Do you Believe that Satisfaction at Work Reduces Job Turnover, Absenteeism, Stress and Burnout? Please indicate the level of your agreement.

Improvement of Job Satisfaction

The last section of the Questionnaire contained an open-ended question by which respondents were asked to indicate two factors that they consider the most important in improving their current levels of job satisfaction. Out of the 112 respondents, 26 did not answer this question, because they either ignored it or there was nothing to respond to since they were feeling at the time completely satisfied with their job (having in mind as well that 15 respondents, according to Table 4, feel completely satisfied). Among the factors that were mentioned by the respondents, the most frequently cited ones are presented in Table 13 below.

As can be seen from the table below, an overwhelming majority of the respondents (n=45) believe that having a better salary would increase their levels of job satisfaction, whereas factors such as less stress, fewer working hours, more opportunities for growth and improvement, recognition for work and work-life balance, are considered by many of the respondents as important factors that would raise those levels. Fewer responses were related to having less workload, more promotion opportunities, motivation by employers, better working conditions and working remotely.

In addition to the responses listed below, certain sporadic responses under this question include input of technology and innovation, having challenging tasks, less administration, opportunities to work on new projects, better infrastructure of courts and public buildings, autonomy, better supervision, better delegation of tasks and utilisation of resources, continuing education and training, bonus scheme and medical insurance, and being paid by customers and teamwork.

FACTORS	RESPONSES (Frequencies)
Better salary	45
Less stress	15
Less working hours	12
Opportunities for growth/improvement	12
Recognition for work	12
Work-life balance	11
Work environment	6
Less workload	5
Opportunities for promotion	4
Motivation by employers	4
Better working conditions	3
Working remotely	3

Table 13: Factors that Improve Current Levels of Job Satisfaction

Conclusions

This research contributes to the literature on job satisfaction, but also addresses and fills the gap that exists in the specific context of the Cypriot legal industry. It provides insights, information and answers to the four core research questions, whilst setting and explaining the results according to statistical analysis. It also records responses from a large sample of legal professionals, making the findings of this research meaningful and significant.

This research can be a valuable tool for law firms established in Cyprus that wish to tackle and address any dissatisfactory feelings among their employees (legal professionals), as well as the CBA that acts as a professional body in serving its members and their well-being and the Cypriot Ministry of Justice and Public Order. Furthermore, this research could also become a practical guide for every law firm in Cyprus, since its findings could provide a reliable understanding and knowledge of the research questions which may be of value to individual lawyers, law firms and professional associations in Cyprus, which would help them facilitate and shape their culture and successfully identify, manage and raise satisfaction whilst eliminating or at least reducing any dissatisfactory feelings. The findings could also provide an important tool for advisory purposes when formulating appropriate retention policies and strategies to enhance employee satisfaction. Effective implementation of job satisfaction policies is a vital factor that influences career progression, reduces employee anxiety and leads to a healthy and functioning society (Drew *et al.*, 2015).

Future research on this topic must be undertaken and should utilise a bigger sample of participants, so that the results and findings are more representative of the entire population of legal professionals in Cyprus. This may be achieved with the assistance of the CBA and the local bar associations (Limassol, Larnaca, Famagusta and Nicosia) to gather more participants.

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INTERNATIONAL TRADE

China-EU trade relations: The impact of European anti-dumping investigations on Chinese enterprises

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The Covid-19 epidemic and the war in Ukraine have brought into sharp focus the fragility of the international economy. Local companies have been protected by the EU through antidumping investigations and increased antidumping duties on imported goods. Can China-EU trade be affected by the EU's anti-dumping investigations?

In this study, the impact of EU anti-dumping investigations against China on trade between the EU and China will be evaluated. This study quotes and analyses data from the Ministry of Commerce, People's Republic of China on the import and export of Chinese goods to the EU as well as data from the European Parliament on anti-dumping investigation quantities. It was found that although the EU regularly launches anti-dumping investigations on products produced in China, these investigations do not have a macroeconomic effect on trade between the EU and China. It is therefore reasonable to doubt the motive and purpose of the EU's anti-dumping investigations against Chinese products.

Keywords: Anti-Dumping; International Trade; Internationalisation.

1. Introduction

The Covid-19 epidemic and the war in Ukraine have highlighted the fragility of international supply chains. Improving the integrity of domestic industrial chains to ensure the supply of consumer products and reducing domestic unemployment rates has become an urgent problem for governments worldwide (Al-Mansour & Al-Ajmi, 2020; Walsworth, 2022). The EU has protected local companies from the devastating impact of cheap goods from China by implementing anti-dumping investigations and increasing anti-dumping duties on imported products (Sandkamp, 2020). Furthermore, the EU not only hopes to protect local employment by increasing the prices of Chinese products through anti-dumping duties, but also hopes to suppress excessively high consumer price index (CPI) growth due to low-cost Chinese products. This is clearly contradictory. As a result, the EU only conducts anti-dumping investigations on Chinese products in specific industries, such as photovoltaic products, to avoid a full-scale trade war with China. However, such trade protection measures undeniably raise the local price level and affect diplomatic and trade relations between the EU and China (Choi, 2017).

In view of the potential for serious distortions in the Chinese market, the EU Commission investigated the appropriateness of using local prices and costs in China. The investigation involved repeated major government intervention in China's economy and market conditions in specific industries, such as solar panels and steel (Herrero et al., 2020). The committee found that all available evidence relevant to the Chinese economy points to the fact that prices and costs are not affected by free market forces. Instead, they were affected by significant government intervention under the basic Anti-dumping Regulations (European Commission, 2018). In 2013, China launched the 'Belt and Road' strategic plan, aiming to enhance the international competitiveness of domestic enterprises and increase trade volumes to promote economic growth (Liu & Xin, 2019). In November 2019, China issued guiding principles on promoting high-quality trade development, stressing the importance of optimising trade structures, achieving high-quality trade development, improving the market competitiveness of export enterprises and enhancing their ability to respond to foreign anti-dumping investigations. Based on these guiding principles, this paper attempts to answer the question: Do the EU's anti-dumping investigations against China affect China-EU trade?

2. Literature review

Since the announcement of China's economic 'reform and opening up' in 1978, its foreign trade has experienced unprecedented rapid development. In terms of scale and volume of foreign trade, China has ranked first in the world for many consecutive years since 2013 (Jian & Yu, 2019). In contrast, against the background of a new wave of trade protectionism to help local manufacturing in developed countries, China's anti-dumping trade barriers in overseas markets are becoming more and more serious (Wang & Wu, 2021). According to the World Trade Organization (WTO) statistics, from 1995 to June 2020, 6139 anti-dumping investigation cases were launched globally, and there were 1440 anti-dumping investigation cases which involved China, accounting for 23% of the total number of cases. More than 55 anti-dumping investigations were encountered every year, and the product industries involved were widely distributed and involved enterprises of various ownership (Hebei, 2022). As an important trading partner of China, the EU plays a significant role in the implementation of anti-dumping investigations against Chinese products, and multiple anti-dumping investigations against China are added every year. The European Commission (2020) confirmed that it had launched 16 new anti-dumping investigations in 2019, with the largest number of cases against China.

According to the European Commission's 2018 report 'Anti-Dumping', whenever a company exports a product at a price lower than the normal local price, it is called 'dumping'. The 'dumping' actions can be seen in cases where exporters choose to lose money in order to gain market share in the importing country. Compared with western developed countries, China's products are often exported to developed countries at a price which is far lower than local producers can match, because China has a large worker base and cheaper wages (European Commission, 2018). Kang et al. (2012) concluded that such a trade mode hurts the manufacturing industry of developed countries and threatens the employment rate in these countries as well. Therefore, for the sake of protecting local enterprises, Chinese export enterprises are often the targets of anti-dumping investigations. In this case, the anti-dumping system allows the affected industries in the import economy to lodge complaints. As soon as the Commission is satisfied with the evidence contained in these complaints, it commences its investigations to determine whether antidumping duties should be added or price commitments made (European Parliament, 2016). Gurubaxani (2019) defines price commitment as "*an agreement whereby exporters voluntarily undertake to modify their prices or stop exporting to the relevant regions at dumping prices*". The purpose of this action is to assure the authorities that the harmful effects of dumping are eliminated. Investigation bodies such as the European Union can agree to this commitment after a feasibility analysis, leading to the termination or suspension of the investigation (European Parliament, 2017).

Sandkamp (2020) pointed out that the impact of the EU anti-dumping duty on countries with a complete market economy and those with a non-market economy is different, when interpreting the latest Commission Implementing Regulation (EU) 2017/2093. Sandkamp (2020) further showed that the imposition of anti-dumping duties does increase producer prices and reduce the volume of imports. The average export volume of non-market economies decreases by 85%, compared with that of full market economies, which is 68% on average. China is counted as a non-market economy which should be hurt the deepest. According to the European Parliament (2016), when dumping is found, EU regulations allow importing countries to set anti-dumping duties that are no higher than the difference between normal prices and dumping prices. The EU uses these obligations to protect European companies from possible damage from anticompetitive behaviour by non-EU exporters (European Parliament, 2016). Anon (2019) pointed out that the anti-dumping measures must not harm the wider interests of the EU, which means that the possible negative effects of these tariffs on European consumers and industrial users should be considered.

Theoretically, the impact of anti-dumping on export enterprises is multifaceted. On the one hand, encountering anti-dumping increases the production cost of export enterprises, weakens the price advantage and reduces profits, thus adversely affecting exports (Chandra & Long, 2013). On the other hand, anti-dumping threatens the

survival of export enterprises, intensifies the competitive pressure they face, and forces enterprises to change strategies to achieve transformation and upgrading, so as to improve their own efficiency and product quality, and fundamentally enhance their product competitiveness (Huang et al., 2016). Therefore, the impact of anti-dumping on China's export enterprises is an empirical problem. The answer to this research question will not only help to evaluate the operating conditions of Chinese export enterprises and deepen the understanding of the mechanisms through which anti-dumping affects them, but also have strong practical significance for how China can achieve high-quality trade development, an innovation-driven manufacturing industry and improved international competitiveness in the context of the global value chain (Tsinghua university, 2021).

Tabakis et al.'s (2019) research found that although long-term trade barriers have decreased e.g. China joined the WTO in 2001, and is now more fully involved in the world's trading mechanism, other types of short-term trade barriers, including countervailing duties, anti-dumping duties and protectionism against China's exports, have increased significantly. In recent years, China has faced the severe challenge of seeking to maintain export growth, considered to be an important engine of China's economic development (Liu & Xin, 2019). In particular, the effects of the Covid-19 epidemic and the ongoing war in Ukraine continue to seriously affect the production and transportation of goods in the world. It is interesting to note that China's exports in 2021 exceeded \$3.36 trillion. Prior to the Covid-19 epidemic and the conflict in Ukraine, in 2019, the total value of exports was \$2.49 trillion. China's economic stability has been ensured by strong export growth, because exports make up 12% of China's GDP (China Customs, 2020, 2022). However, Liu et al. (2019) pointed out that the anti-dumping cases against China not only cause worries and difficulties to Chinese export enterprises and the Chinese government because of the uncertainty an anti-dumping investigation may cause, but also affect the confidence of shareholders and the public. Tabakis et al. (2019) further pointed out that China has become the second largest trade partner and main import source country of the EU. However, recent studies have shown that China is the main target of a large number of the anti-dumping cases reported by the EU. In the period 2011-2020, China accounted for 14 (44%) of the 32 anti-dumping cases initiated by the EU (European Commission, 2021a).

Ning et al. (2020) states that the anti-dumping duty increases trade costs, then has a selective effect on export enterprises. As a result, only enterprises exporting high-quality products, which are products with lower price sensitivity, can survive as trade costs increase, resulting in the withdrawal of enterprises exporting low-quality products, thus improving the average export quality. Tang et al. (2018) argued that due to the extremely low prices of Chinese products, the manufacturing industries of other countries have been impacted. Kang et al. (2012) argued that the EU conducted anti-dumping investigations on products originating in China in order to weaken the threat of Chinese products and protect local industries. Xu and Tang (2009) argued that the most representative anti-dumping case is the EU's anti-dumping investigation into Chinese made solar panels. Major trade participants, such as the EU and China, once regarded green energy manufacturing as a strategic emerging industry, in which trade disputes are inevitable. Goron (2018) pointed out that since 2000, the manufacturing cost of solar panels in China has dropped sharply and the rapid growth of photovoltaic products is also related to public policy. In comparison, Liu and Shi (2019) stated that even though the dominant position of the photovoltaic industry is the result of green industry policies, these strategies are not coordinated. In general, China has decided to subsidise PV equipment manufacturers rather than consumers, while the EU has decided to support consumers rather than manufacturers. Therefore, 90% of China's solar cells and solar panels were manufactured and exported, and domestic consumption was extremely low (Liu & Shi, 2019). Goron (2018) argued that the EU had the largest installed capacity of solar power in the world, accounting for 80% of Chinese products. Chinese solar panel manufacturers heavily rely on the EU as their primary export market. In response to grievances from European photovoltaic manufacturers regarding perceived bias and unfair competitive practices, the European Commission has undertaken anti-dumping and countervailing

investigations. As a result of anti-dumping investigations, the market share of European PV producers is gradually decreasing (Liu & Shi, 2019). Goron (2018) believes that the anti-dumping case of solar panels has evolved into a huge trade conflict.

It is also clear that the EU cannot afford such a trade war. According to the plan of the European Commission, the EU should achieve carbon neutrality by 2050 (European Commission, 2021b). After the outbreak of the war in Ukraine, the European Union chose to use part of the energy embargo against Russia as one of the sanctions, which further increased the urgency of energy transformation (Deutsche Welle, 2022). At a time when countries are accelerating the search for alternative energy solutions, experts have made it clear that due to China's partial monopoly in renewable energy technologies and supply chains, other countries may increase their dependence on China when they strive for new energy forms (Chauhan, 2022). A report jointly released by the European Council on Foreign Relations (ECFR) and the Rhodium Group (2022) believes that in the field of green energy, Europe may face a risk of forming a new dependence on China's supply chain and Beijing's policy decisions. The report of the Rhodium Group points out that although China does not monopolise the raw material market in the field of solar energy, due to a large amount of government investment and low capital costs, most of the global manufacturing chains are now concentrated in China. Among the ten largest polysilicon producers in the world, seven are from China. China's output of silicon ingots and wafers accounts for 97% of the world total (European Council on Foreign Relations and Rhodium Group, 2022). In Germany, once the world's leading solar energy industry, photovoltaic enterprises went bankrupt one after another and lost market share due to ineffective industrial policies and low-cost competition from China. German solar equipment companies now only assemble templates imported from China, and rely around 95% on Chinese products. China is the main origin of many key raw materials, components and early-stage products. Disruptions to the operation of manufacturers or geopolitical tensions may yet cause supply disruptions (Deutsche Welle, 2022).

Herrero et al. (2020) supported the view of the European Commission's (2020) 38th Annual Report from the Commission to the Council and the European Parliament on the EU's Anti-Dumping, Anti-Subsidy and Safeguard activities, and the use of trade defence instruments by Third Countries targeting the EU in 2019, that since China joined the WTO in 2001, European exports to China have increased by about 10% annually. This also shows that the total trade volume of China and Europe is not affected by the number of anti-dumping cases (Herrero et al., 2020).

Additionally, Goron (2018) was not the only voice worrying about possible trade wars between countries and regions, Plasschaert (2016) also pointed out the inherent conflict between export producers and import companies in terms of anti-dumping investigations and taxation imposed by the EU. Both sides expressed opposite interests, with European exporters attributing the loss of domestic and EU sales to the lower prices of goods imported from China. The response of importers is that they want to buy products from the most advantageous manufacturing locations in order to best serve customers and increase sales and profits. According to an article published by the Ministry of International Development (2016), trade definition measures (TDMS) mainly lead to the suppression of trade flows due to extra anti-dumping duties applied. In addition to their direct impact, they have a crucial 'cooling' effect on trade. The initiation of an anti-dumping investigation may bring extra costs to enterprises, thus hindering trade. However, studies have shown that Chinese companies will not wait to die. Peppermans (2017) believes that some Chinese enterprises have previously withdrawn from price commitments in order to maintain their competitiveness in the EU. Ning et al. (2020) found that anti-dumping leads to resource redistribution within and between enterprises. Their analysis shows that because anti-dumping investigations often focus on a single product, the surviving multi-product companies with higher competitiveness have certain flexibility, and they can avoid the competition brought by trade policy shocks by adjusting product mix, so as to improve product quality.

According to Dadush et al. (2020), the EU has taken various measures to combat unfair trade practices against China. These measures have affected the competitiveness of the Chinese companies investigated by the EU in the European market. It is believed by the European Parliament (2017) that China's excess capacity has affected some sectors of the EU e.g., solar panels and steel. Therefore, it is necessary to carry out anti-dumping investigations on specific industries. In addition to achieving existing dumping, the Commission also examined the possibility of continuing dumping if all anti-dumping measures were abolished. Research had demonstrated the precise channels through which trade duties and investigations of antidumping impacted trade volume. Based on Chinese customs statistics, more than 90 percent of products have been exported by means of multi-product enterprises, and in China, nearly 80 percent of exporters are multi-product businesses (Gong & Hanley, 2021).

Multi-product businesses face more difficult quality and pricing choices than single-product businesses, because they have to select not only their entire quality and price level in the target market, but also the quality and price structure across products within the enterprise (Meng et al., 2020). As antidumping practices against China are firm or product-specific, research articles have defined a treatment group as well as a control group where different strategies have been applied to classify trade redirecting behaviours. According to a product-country-month-level analysis, actions of antidumping result in a strong positive correlation between different imports to the EU from third countries (Lu et al., 2018). Li and Whalley (2015) argued that Chinese exports to such regions for the products are confronted by the EU antidumping trade barriers that are consistent with the rerouting hypothesis. Also, there is a significant association between trade deflection (China has exported a large volume to third party states) and trade diversion (the EU has imported a large volume from third party nations after its antidumping investigations against China).

Even without rerouting, the antidumping duties of the EU against China helped to raise the prices of targeted home products in the EU and might attract a large volume of imports from peripheral countries. This process also resulted in an intensification of Chinese exports to many peripheral countries, reflecting an effect of trade deflection (Hua et al., 2019). In contrast, Sandkamp (2020) pointed out that it is essential to consider that the third countries engaged in trade deflection and diversion were unlikely to be a similar group of nations. For one particular peripheral Republic, it may anticipate viewing as negative, instead of positive, the relation among them after an antidumping action by the EU. Research has indicated that Chinese exporters want the EU to maintain the production capacity of Chinese firms through trade diversion (Hua et al., 2019). However, the EU expects to have low import volumes of certain products from identical peripheral countries to China, although China might export large quantities to other third countries. In contrast, trade deflection might make the market of the third country more competitive, as well as dampening domestic sectors in the third country, which results in lower exports from the peripheral country to the EU (Sandkamp, 2020).

It is therefore critical to analyse a strong positive correlation between the imports of the third nation from China and the same third nation's exports to the EU, solely based on the trade deflection and diversion. The research has indicated that China is willing to accept anti-dumping practices. Normally, investigations into antidumping are meant to increase tariffs for a restricted set of products. The research evidence has revealed that since 2000, the EU has experienced a massive trade deficit with China (Hua et al., 2019). Officials and citizens of the EU have gradually recognised the increasing unemployment in their production sectors because of the influx of products manufactured in China. This issue has highlighted the core reason for increasingly initiating a large number of antidumping cases by the EU, currently particularly against China (Bougette & Charlier, 2018).

3. Methodology

Secondary data is used as the main source of data for this study. This study quotes and analyses the import and export data of China to the EU in 2002-2019 from the Ministry of Commerce of China, the anti-dumping investigation quantity data from the European Parliament in 2002-2019, and the data on the value of import and export commodities by international trade classification from the China Statistical Yearbook (2002-2019).

The data is presented and managed through Excel and SPSS software. In this way, the influence of EU anti-dumping investigations, especially the anti-dumping investigations against China, in terms of China's export volume to the EU can be analysed. This data analysis method is of great significance in investigating and exploring the impact of anti-dumping investigations on trade relations between China and the EU.

4. Data Analysis

With regard to the selected data sources, this paper divides the impact of the EU anti-dumping investigation on the internationalisation of Chinese enterprises into the following aspects for analysis:

- the correlation between the number of new anti-dumping investigations and China's exports volume
- the relationship between antidumping investigations and affected industries

Table 4.1 shows the data on trade and new anti-dumping investigations (original data) extracted by researchers from the Ministry of Commerce reports of China and EU reports over the past years 2002-2019:

Year	New Investigations into China's Products	Trade Amounts of China's exports to Europe (\$US Billion)
2002	4	59.22583
2003	3	90.33044
2004	9	107.16251
2005	8	143.71158
2006	12	181.98335
2007	6	245.19173
2008	6	292.8782
2009	7	236.28419
2010	10	311.23542
2011	8	356.01983
2012	7	333.98845
2013	6	338.98502
2014	6	370.88434
2015	6	355.8759
2016	6	339.04794
2017	5	372.04153
2018	1	408.63164
2019	7	428.51427

Table 4.1 New Investigations into China's Products and Trade Amounts of China's Exports to Europe

Through the Excel software, the researchers categorised and analysed the original data, as shown in table 4.2:

Year	Percentage change of trade amounts	Percentage change of new investigations	New investigations initiated in total	China's share of the total number of investigations
2002	-	-	23	17%
2003	53%	-25%	8	38%
2004	19%	200%	29	31%
2005	34%	-11%	26	31%
2006	27%	50%	36	33%
2007	35%	-50%	9	67%
2008	19%	0%	20	30%
2009	-19%	17%	21	33%
2010	32%	43%	18	56%
2011	14%	-20%	21	38%
2012	-6%	-13%	19	37%
2013	1%	-14%	9	67%
2014	9%	0%	16	38%
2015	-4%	0%	14	43%
2016	-5%	0%	15	40%
2017	10%	-17%	11	45%
2018	10%	-80%	10	10%
2019	5%	600%	16	44%

Table 4.2 Anti-Dumping Investigation Trends involving China.

After categorising the basic data, the researchers made comparative drawings and correlation analyses of the data.

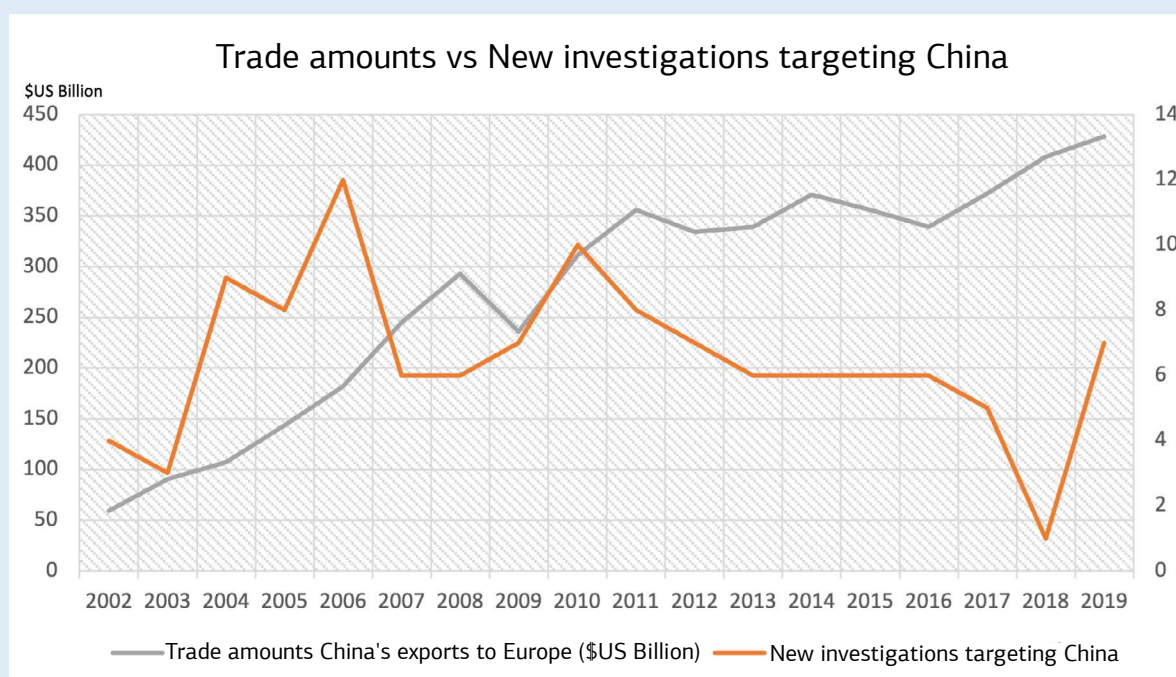


Figure 4.1: Comparison Between China's Export to the EU and the Number of New Anti-dumping Investigations of the EU against China.

Correlation analysis results:

The correlation between China's exports to the EU and the number of new anti-dumping investigations on Chinese products by the EU is -0.129953751, because the value does not reach ± 0.3 , it can be judged that the two groups of data are not correlated.

Results of linear regression analysis (n=18)									
	Unstandardised Coefficients		Standardised Coefficients						
	B	Std. Error	Beta	t	p	VIF	R ²	Adj R ²	F
Constant	314.920	78.815	-	3.996	0.001**	-			
New investigations targeting China	-5.954	11.356	-0.130	-0.524	0.607	1.000	0.017	-0.045	F (1,16)=0.275, p=0.607
Dependent Variable: Trade amounts of China's exports to Europe (\$US Billion)									
D-W value: 0.135									
* $p < 0.05$ ** $p < 0.01$									

Table 4.3 The New Investigations Targeting China vs The Trade Amounts of China's Exports to the EU (\$US Billion)

It can be seen from Table 4.3 that new investigations targeting China are taken as the independent variable and the trade amounts of China's exports to the EU (\$US Billion) is used as the dependent variable for linear regression analysis. It can be seen from the above table that the R value of the model is 0.017, which means that new investigations targeting China can explain the trade amounts of China's exports to the EU (\$US Billion) 1.7% of the total. It is found that the model does not pass the F-test ($F = 0.275$, $P = 0.607 > 0.05$), which means that new investigations targeting China do not have an impact on the trade amounts of China's exports to Europe (\$US Billion), so it is not possible to analyse the influence of independent variables on dependent variables.



Figure 4.2: Comparison of China's Exports to the EU and the Percentage of Chinese Products in the New Anti-dumping Investigations.

Correlation analysis results:

The correlation between China's exports to the EU and the percentage of Chinese products in new anti-dumping investigations is 0.251287139. Because the value does not reach ± 0.3 , it can be judged that the two groups of data are not correlated.

Results of linear regression analysis (n=18)									
	Unstandardised Coefficients		Standardised Coefficients						
	B	Std. Error	Beta	t	p	VIF	R ²	Adj R ²	F
Constant	198.612	79.201	-	2.508	0.023*	-			
China's share of the total number of investigations	200.141	192.047	0.252	1.042	0.313	1.000	0.064	0.005	F (1,16)=1.086, p=0.313
Dependent Variable: Trade amounts of China's exports to Europe (\$US Billion)									
D-W value: 0.268									
* $p < 0.05$ ** $p < 0.01$									

Table 4.4 China's Share of the Total Number of Investigations vs The Trade Amounts of China's Exports to the EU (\$US Billion)

It can be seen from the table 4.4 that China's share of the total number of investigations is taken as the independent variable, and the trade amounts of China's exports to the EU (\$US Billion) are used as the dependent variable for linear regression analysis. It is found that the model does not pass the F-test ($F = 1.086$, $P = 0.313 > 0.05$), which means that China's share of the total number of investigations does not have an impact on the trade amounts of China's exports to the EU (\$US Billion), so we cannot specifically analyse the influence of independent variables on dependent variables.

Percentage change of trade amounts vs China's share of new investigations

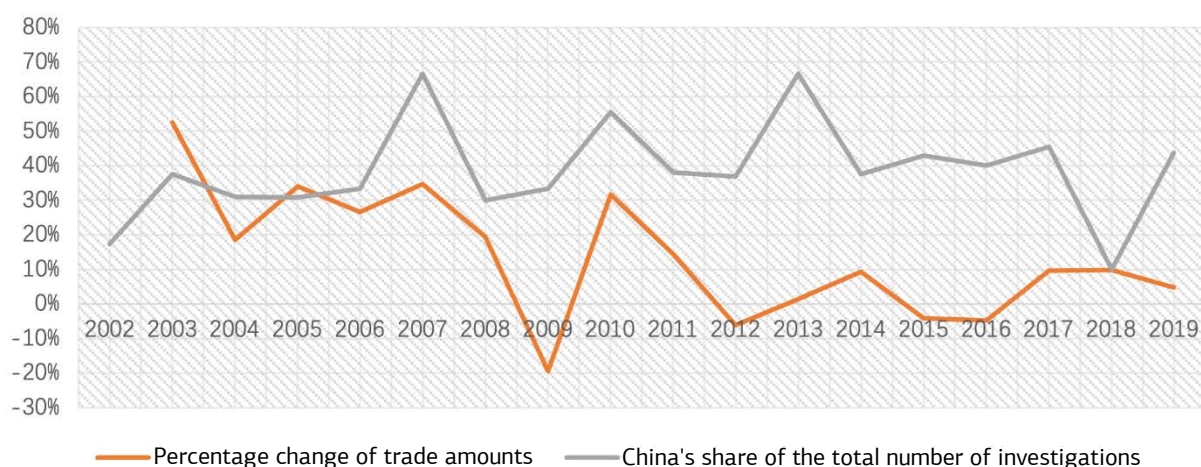


Figure 4.3: Comparison of the Percentage Change of China's Exports to the EU and the Percentage of Chinese Products in New Anti-dumping Investigations.

Correlation analysis results:

The correlation between the percentage change of China's exports to the EU and the percentage of Chinese products in new anti-dumping investigations is 0.086376504. Because the value does not reach ± 0.3 , it can be judged that there is no correlation between the two groups of data.

Results of linear regression analysis (n=17)

	Unstandardised Coefficients		Standardised Coefficients						
	B	Std. Error	Beta	t	p	VIF	R ²	Adj R ²	F
Constant	0.089	0.144	-	0.615	0.548	-			
China's share of the total number of investigations	0.122	0.342	0.092	0.357	0.726	1.000	0.008	-0.058	F (1,15)=0.127, p=0.726
Dependent Variable: Percentage change of trade amounts									
D-W value: 1.236									
* p<0.05 ** p<0.01									

Table 4.5 China's Share of the Total Number of Investigations vs The Percentage Change of Trade Amounts

It can be seen from the above table that China's share of the total number of investigations is used as the independent variable and the percentage change of trade amounts as the dependent variable for linear regression analysis. From the table above, it can be seen that the R value of the model is 0.008, which means that China's share of the total number of investigations can explain percentage change of trade 8% of the amount. The model did not pass the F-test ($F = 0.127$, $P = 0.726 > 0.05$), which means that China's share of the total number of investigations did not have an impact on the percentage change of trade amounts, so we cannot specifically analyse the influence of independent variables on dependent variables.

Table 4.6 shows the data for trade and new anti-dumping investigations (original data) extracted by researchers through the Ministry of Commerce reports of China and reports from the EU over the years 2002-2019:

Year	Exports of manufactured goods (\$US Billion)	Number of investigations on manufactured goods
2002	297.056	4
2003	403.416	3
2004	552.777	9
2005	712.916	7
2006	916.017	10
2007	1156.267	5
2008	1352.736	6
2009	1138.483	7
2010	1496.069	10
2011	1797.836	7
2012	1948.156	7
2013	2101.736	6
2014	2229.601	6
2015	2169.541	6
2016	1992.444	7
2017	2145.638	5
2018	2351.689	1

Table 4.6 Exports of Manufactured Goods and Number of Investigations on Manufactured Goods

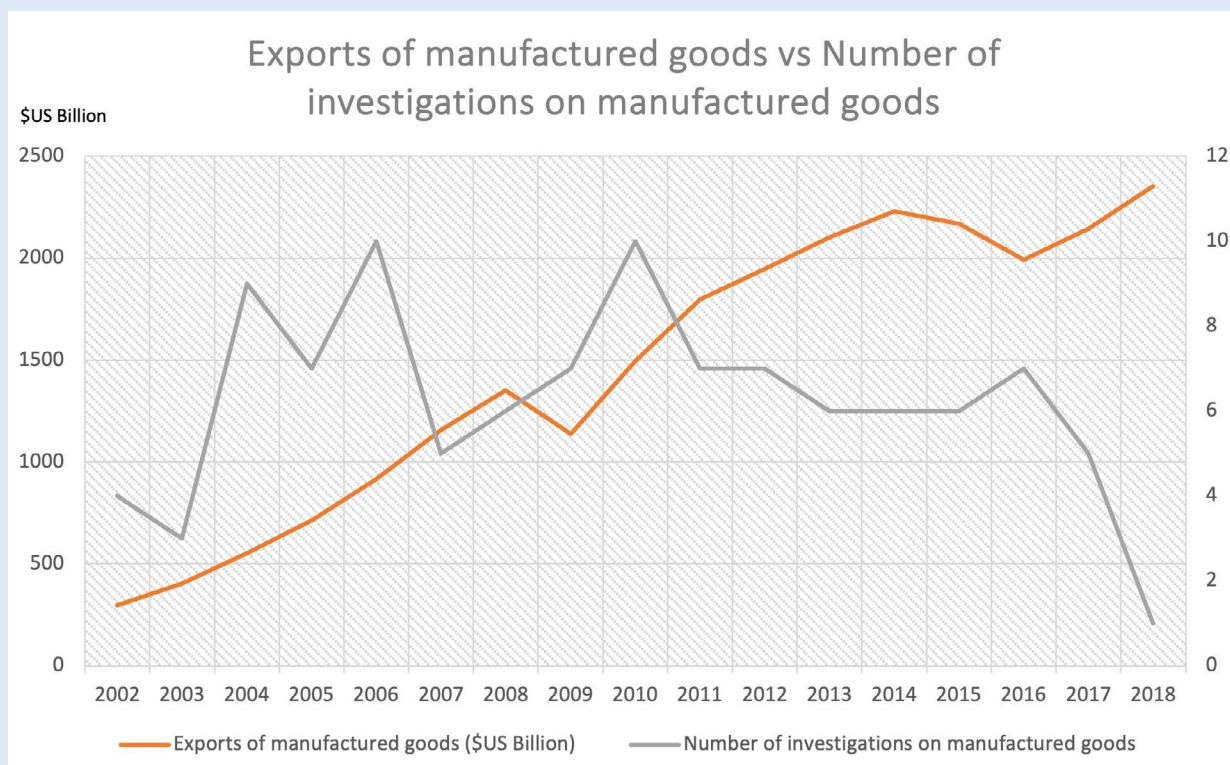


Figure 4.4: Comparison of Exports of Manufactured Goods (\$US Billion) and Number of Investigations on Manufactured Goods.

Correlation analysis results:

The correlation between exports of manufactured goods (\$US Billion) and Number of investigations on manufactured goods is -0.147672837. Because the value does not reach ± 0.3 , it can be judged that there is no correlation between the two groups of data.

Results of linear regression analysis (n=17)									
	Unstandardised Coefficients		Standardised Coefficients	t	p	VIF	R ²	Adj R ²	F
	B	Std. Error	Beta						
Constant	17347.792	5110.488	-	3.395	0.004**	-			
Number of antidumping investigations	-446.120	771.467	-0.148	-0.578	0.572	1.000	0.022	-0.043	F (1,15)=0.334, p=0.572
Dependent Variable: Exports of manufactured goods									
D-W value: 0.096									
* p<0.05 ** p<0.01									

Table 4.7 The Number of Antidumping Investigations vs The Exports of Manufactured Goods

It can be seen from the table that the number of antidumping investigations is taken as the independent variable and exports of manufactured goods as the dependent variable for linear regression analysis. It can be seen from the above table that the R square value of the model is 0.022, which means that the number of antidumping investigations can explain the 2.2% change in the value of exports of manufactured goods. The model did not pass the F-test ($F = 0.334$, $P = 0.572 > 0.05$), which means that the number of antidumping investigations does not affect the exports of manufactured goods, so the influence of independent variables on the dependent variables cannot be analysed.

5. Discussion

The researchers analysed the data obtained from the Chinese government departments (Ministry of Commerce, Statistics Bureau) and the European Commission's anti-dumping investigation reports. The findings indicate that the quantity of EU anti-dumping investigations targeted at China does not exert any influence on the trade volume between China and Europe. This lack of impact is observed not only in the overall trade volume but also in the trade volume of manufactured goods, even in sectors where anti-dumping investigations are particularly concentrated. These results reinforce the theoretical standpoint put forth by the European Parliament (2020) and Herrero et al. (2020), which emphasises that the EU's anti-dumping investigations concerning China do not wield any discernible effect on the trade volume between the two entities.

However, Goron's (2018) conclusion mentioned that these actions could cause a trade war between China and the EU, due to the continuous anti-dumping investigations launched by Europe against China, but there is no data or other theoretical support in this study for that. The outcomes of this study align with the conclusions drawn by Li and Whalley (2015). Their findings suggest that the reason behind this alignment lies in the fact that around 80% of China's enterprises engaged in import and export operations are involved in multifaceted product production rather than concentrating solely on a single product. Given that EU anti-dumping investigations frequently focus on specific products or are finely targeted at particular products of individual companies, their impact does not directly extend to the broader trade dynamics between China and Europe, nor does it substantially influence the trade volume of specific industries. This phenomenon is attributed to the diverse range of products manufactured by these enterprises. The data analysis results are reflected in the correlation tests and linear regression tests of the collected data. The number of EU anti-dumping investigations against China is not one of the factors affecting trade between China and the EU.

Overall, although the EU conducts more antidumping investigations on Chinese products every year, there is no impact on the trade between China and the EU because trade between the two is growing. Therefore, it is reasonable to doubt the motivation and purpose of the EU's anti-dumping investigation against Chinese products. On the one hand, the media in European countries publicises the idea that China's cheap goods damage the interests of local enterprises and increase the unemployment rate, and the European Union imposes high tariffs on specific products produced in China to respond to public concerns. On the other hand, the European Union's own business report also points out that, taking the photovoltaic industry as an example, European factories are highly dependent on raw materials and parts produced in China. Further, imposing punitive tariffs on Chinese products will also push up the production costs of European products, resulting in a decline in purchasing power and thus increasing the unemployment rate in specific industries.

From the data analysis of this study, it can be concluded that although the EU initiates anti-dumping investigations on Chinese products every year, it does not fully carry out trade sanctions against China. Since China joined the World Trade Organization in 2001, China's cheap goods have rapidly filled the world market, making China the world's factory. In addition, China's national export strategy has been increasingly optimised since the 'Belt and Road Initiative' was launched in recent years. The Chinese government hopes that China's export

products will change from low added value to high added value, and from low-end raw material processing exports to high-tech and high-end manufacturing parts and complete machine exports, so as to increase the market competitiveness for Chinese products. Therefore, in order to protect its high-end manufacturing market from being squeezed by Chinese products, the EU will certainly take more trade protective measures to restrict the market for Chinese products. From the current EU anti-dumping investigations on Chinese products, the EU's trade policy towards China continues to be important. On the one hand, the EU wants to protect its manufacturing industry, but on the other hand, it has to import raw materials and parts from China to control costs. The EU's mentality will always have an impact on overall EU - China trade, just as when the United States launched a comprehensive trade war against China, inevitably pushing up domestic prices and causing economic difficulties. At present, the EU has just kept a restraint on Chinese products, and there is no sign of launching a comprehensive trade war. However, in recent years, China and the EU have deepened their political and institutional antagonism. Influenced by the war in Ukraine and a potential economic crisis, the nationalist sentiments of EU countries are rising. These factors are like a time bomb, which will always test China – EU relations both economically and politically.

6. Conclusion

A review of the literature is used in this paper to explain the findings of scholars on international trade anti-dumping investigations, as well as gather and compare secondary data from government reports. A comparison was also conducted between the results of the data analysis and those of scholars, and a conclusion was reached. In light of the fact that the number of anti-dumping investigations is not directly related to the volume of trade, subsequent studies can explore the political, social and cultural factors that influence international trade.

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MANAGEMENT

A new management manifesto for a VUCA world:
An invitation

By

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Abstract

As we see the makings of the Fifth Industrial Revolution, we are required to revisit the essence of management as a concept not only as a business practice. Scientific management principles have shaped corporations' functioning and have defined why we associate business with efficiency and effectiveness as a consistent feature of the history of industriousness. The systematic and systemic crises that some now refer to as a state of polycrises due to their relentlessness, signal that the intractable problems that underpin them exacerbate volatility, uncertainty, complexity and ambiguity as operating conditions that corporations need to function in. These conditions make us simultaneously consider our hitherto used measures of success as unsustainable. Therefore, we are called to redesign the way corporations are managed to break-through the current stalemate of (mal)practices that limit progress and threaten sustainability on the planet. This paper is an invitation to cocreate a new management manifesto. At the core of such a manifesto lies a reassessment of the practice of management, to not only rethink its essence but also its relationship to leadership, responsibility, practical judgement and collective action. Doing so would open possibilities and potentialities that would shape the future of management and allow it to realise its impact to shape a better world. It would also initiate a process of rediscovering that management as originally conceived is integral to human flourishing; as, management after all is also MAN-AGEMENT.

Keywords: Management; Manifesto; Fifth Industrial Revolution; Human Flourishing; Phronesis; Responsibility; Leadership; Collective Action; Common Good; Impact; VUCA.

Introduction

A recent analysis claims that over 250,000 students graduate yearly with an MBA worldwide (Byrne, 2022). This global investment in improving management practices by supporting the development of managers and cultivating their leadership capacity, points to an ongoing commitment to understand management itself (Mintzberg, 1989; 2013; Cunliffe, 2021). To this commitment I would also add the need for greater reflexivity. Such reflexivity prompts us to ask whether MBA graduates and practicing managers are also building the capacity to manage in a VUCA (Volatile, Uncertain, Complex and Ambiguous – Bennett and Lemoine, 2014) world which undoubtedly will redefine the meaning of management. In this paper, I will outline some of the ongoing challenges in leadership development, the shared responsibility between academics and practitioners to realise a better world and the ways this can be achieved if we cocreate a new management manifesto for a VUCA world. Hence, this paper is an invitation to join forces by partnering for impact (Antonacopoulou, 2022).

Managing and Organising in a VUCA World

Despite considerable investments in elevating the power of purpose in corporations (Lleo De Nalda et al., 2022; Business Roundtable, 2021), the recognition that businesses play a key role not just in the economy but also in the ecology,¹ has not resulted in the much-needed progress in addressing the United Nations Sustainable Development Goals (UNSDGs, 2021) or indeed attending to calls for a values-based economy (Carney, 2021). The introduction of new measures (e.g., ESG – Quinson, 2021) may achieve very little considering previous efforts to mobilise Corporate Social Responsibility (CSR – Ennals, 2014) which have resulted in little more than acts of 'washing'²

¹ Ecology is the term widely used to describe the wider environment and focus on grand challenges like the UNSDGs. It extends the predominant focus on the economy.

² Washing here is used akin to 'green washing' (Bowen, 2014) and more recent variations including: 'purpose washing' and 'ethics washing' as emerging terms to denote the absence of substance and the tendency of corporations to engage in initiatives based on the 'flavor of the month' jargon and associated activities, but without doing the substantial work that such initiatives require.

(European Parliament, 2023). The preoccupation with *looking* good, as opposed to *doing* good, is part of a long and growing catalogue of activities that signal the tendency to perpetuate dichotomies between what we say and what we actually do, something that has also been referred to as the gap between ‘espoused theories’ and ‘theories-in-use’ (see Argyris and Schon, 1974). Put differently, they reveal the ongoing inconsistencies between what we promise and what we deliver; inconsistencies which go a long way to limit progress. This tension also simultaneously amplifies the lack of trust, one of the most sustained periods of crises across professions (Blond et al., 2015). Worse still, such crises undermine much of the drive to restore well-being. The growing attention on well-being is not only in response to the recent pandemic. It is also the result of violations of human dignity and the ensuing toxicity in the workplace. The post-COVID world of work is anything but the ‘return to normal’ that some were hoping for (Adisa et al., 2022; Antonacopoulou and Georgiadou, 2021).

As a result of this new reality, corporations face ongoing tradeoffs which demand learning to navigate the unknown. The unknown is central to calls for paradigmatic shifts to references of ‘managing change’ or ‘change management’ which are progressively recognised as oxymorons. Instead, there is a growing appreciation that VUCA is all there is. We can no longer refer to continuities and discontinuities, stable environments and predictions. The world of work is in constant flux – operating at the edge of chaos. For this reason, existing knowledge is insufficient (and in some cases inappropriate) to the task of designing the future. No wonder that crisis management is no longer about the aversion of crisis per se, but about the crisis in learning necessary to engage with the unknown on its own terms (Antonacopoulou and Sheaffer, 2014).

It is this mode of learning that is gaining momentum, acknowledging also that it is no longer the prerogative of the boards of corporations to define the next strategy. Open innovation (Dahlander and Wallin, 2020) and a practising approach to strategising (Antonacopoulou, 2023) is what a VUCA world calls for, along with new ways of managing and organising to co-create the preferred future(s). Corporations cannot afford to design their future based on probabilities, plausibilities and projections. They have to co-create the possibilities and potentialities that serve the common good and will demonstrate their response to the emerging Fifth Industrial Revolution (Antonacopoulou, 2022).

Taken together these trends are as much a realisation of the need to partner for impact as they are a recognition that returning to management is an urgent priority. They are also a call to redesign one of the most significant organising modes around which we conduct our working and personal lives. It is an invitation to ask afresh what is management in the VUCA world of the 21st Century?

Return to Management

I will argue in this paper that part of the challenge VUCA conditions present is the ways we frame the very essence of ‘management’ itself. If we note the history of management as a concept and consider the ways it has come to be associated with industrial revolutions, we can readily appreciate why the principles of management are called into question not only for the rationalisation of practices it promotes, but also the underlying thinking, governing assumptions and relevance these hold, or do not hold, in a VUCA world.

Scientific management principles continue to perpetuate the bureaucratic ways in which corporations are governed. The world of work, and the meaning and purpose it serves in society and the economy, continues to mistreat the workforce and does little to alleviate ongoing inequalities. The workplace is not a happy place to be in and unsurprisingly workers’ health suffers, with frequent new statistics demonstrating ongoing absenteeism and new trends such as ‘quiet quitting’ and ‘the great resignation’ (Mirchandani, 2022).

Hence, we know more about mismanagement than we do about management, or indeed what 'good' management actually is. And this very notion of 'good' seems to currently receive renewed attention. We note references to 'good management' (Johnson, 2019), the 'good organisation' (Penn, 2023) and the 'good life' (Stephen, 2014). What is meant by 'good' merits further consideration especially when some would consider 'good-ness' can be reduced to five principles or qualities.

It must be acknowledged that this is not how the founding fathers of management envisioned management. The essence of management as Drucker (1954) originally conceived in *The Practice of Management* was intimately connected to a new version of man – the *Industrial Man* (1942) – putting an end to earlier versions of the *Economic Man* (1939). Management, understood as a distinct form of work, inspired Drucker to conceive of the 'Manager' as an integral part of making management possible and the worker (knowledge worker especially) as a catalyst for productive work, arguing that '...today the center is the knowledge worker, the man or woman who applies to productive work ideas, concepts and information rather than manual skill or brawn... Where the farmer was the backbone of any economy a century or two ago...knowledge is now the main cost, the main investment, and the main product of an advanced economy and the livelihood of the largest group in the population' (Drucker, 1968: 264).

Drucker, had a vision of management as contributing to a functioning society. However, Flaherty (1999: 23) explains that due to capitalism, which is also associated with the growth of management and the focus it previously promoted as a measure of efficiency and effectiveness (economic performance), it has not been possible to realise the 'well-functioning society' due to the moral failure of ongoing inequalities that we live by. This is a critical juncture at which we can also embrace 'human flourishing' (Karthikeya et al., 2022; Las Heras et al., 2023) more fully, mindful that it is expected to mark the focus of the Fifth Industrial Revolution. By implication, attending to human flourishing (Neill and Nevin, 2021) extends recent calls for a shift of focus in management from the shareholder to a stakeholder mindset (Pless et al., 2022). However, as we continue to see, such a shift in mindset is far from taking place not because Friedman's legacy is as much a doctrine, as it is a theorem (Zingales et al., 2020). It also delineates the work that has yet to be done by corporations. It remains a priority for them to realise their obligations, integration, sensitivity and influence in society (McDonald, 2015). Thus, to engage multiple stakeholder groups it is imperative to return to management as a relational practice. In other words, it is to recognise that it takes collective action (Kornberger, 2022) not only in managing and organising but for management and organisation to even remain a possibility.

Yet, we continue to witness corporations on the whole being managed with the principle of maximisation of profit over planet, productivity over performance and minimisation of costs over resources. And whilst such management practices foster organisational structures and business models that define what 'successful management' looks like through a shareholder mentality, they more fundamentally do little to attend to the changing needs of those 'being managed'. Unsurprisingly then, we continue to bear witness to toxic workplaces, catalogued malpractices and their resulting polycrises which have become an accepted phenomenon of the norm of mismanagement. This begs the need to embed as integral to management and managing the choices made. Choice making is an integral part of way-finding (as a mode of strategising) and unlike decisions that are committal, they can be more readily changed whilst also signaling a firm positioning. Such choice-making and stance-taking can be strongly supported by practical judgement – phronesis. Returning to management is also a return to phronesis, a type of wisdom or intelligence relevant to practical action.

The Aristotelian idea of phronesis denotes practical wisdom based on a way of being in the world that is pragmatic, context-dependent, and oriented toward action informed by reflection (Antonacopoulou, 2010a; Shotter and Tsoukas, 2014). Despite advancements in our understanding of phronesis as a mode of knowing how to respond appropriately to situational conditions (Hadjimichael and Tsoukas, 2023), we have not done enough to account for why poor judgement is integral to the irresponsibility that remains rampant in the corporate world. This may be partially explained because the connection between phronesis and responsibility has not been fully explored. This is ironic considering recent calls to restore character and value-based organisational practices. The resulting focus on ethics and morality seems to have done little to improve practical judgement in the way management and leadership are conducted.

Considering the momentum towards advancing responsible management, leadership and governance (van Essen et al., 2013; Laasch and Conaway, 2015; Miska and Mendenhall, 2018) we must ask if the current understanding of responsibility itself suffices. Hitherto, accounts have tended to focus on responsibility as the ‘ability to respond’ (Gherardi and Laasch, 2022). However, this framing does not account for what constitutes a response as opposed to a reaction. The latter implies the mere reply to a stimulus, while the former implies the use of judgment. In both instances the intention is to adapt. However, adaptability may be too slow a response, and responsibility, by extension, can become little more than compliance to existing or emerging rules.

However, if responsibility marks an awakening, beyond resilience and agility in dealing with disruptions, it would reflect the conscientious and deliberate attentiveness that VUCA conditions demand. In other words, we are more likely to place practical judgement more centrally in the capacity to respond, because the call to action will also be a call to exercise choice and that draws on how present social actors are as part of the VUCA world that we are experiencing and co-creating. Such presence and attentiveness are affordances that all individuals and organisations have. It is not some extraordinary quality preserved for heroes. Such a realisation in and of itself also draws us to focus on how we cultivate and activate responsibility. And it is here where the role of leadership comes more clearly into play in rethinking management.

In the ‘post-heroic’ (Collinson et al., 2018), distributed and relational character of leadership as process, we can turn to explore the phenomenon of ‘euthynophobia’³, something that has not yet received the attention it deserves. Euthynophobia is defined as the reluctance to own up to one’s obligations and duties and the lack of readiness to act in relation to a challenging situation or to assume accountability for the implications of one’s actions. Such a condition does not denote irresponsibility but the reluctance to own up to the responsibility that social actors are afforded to cocreate their preferred future. Hence, the call for human flourishing is also a call to leadership, so that responsibility to co-create their preferred futures is activated.

Leadership for Flourishing: Redefining Man-Agement

Bennis’ (1994: 78) claim that “Leaders are people who do the right thing; managers are people who do things right” has infiltrated the mainstream zeitgeist and is often quoted to make a distinction between managing processes and leading people. However, it is also a way of juxtaposing and separating leadership from management. The tendency to present the former as the antidote to the latter is dangerous, not least because there is an absence of any account as to what ‘right’ means. In the same way, I previously made references to notions of ‘good’, as what is deemed ‘right’ can vary in different circumstances. In a VUCA world there is a

³ Euthynophobia is a Greek term denoting the fear of taking responsibility. It is not an act of irresponsibility.

need for both management and leadership. They each and jointly attend to and complement different right and good issues. The real need is for leadership and management to be both simultaneously developed and demonstrated.

As I have suggested previously in my longstanding interest in advancing management and leadership studies, we have a real opportunity to adopt a relational orientation, such that our attention goes beyond identifying (naming/defining) and separating processes and practices. Instead, by exploring the connections and the space-in-between processes and practices, such a positioning (which is aligned also with systems thinking) would look to unpack the conditions that underpin their interrelationships as opposed to merely recognising either their interdependence or complementarity. Hence, my invitation is for us to focus more and continue to explore not only how leadership and management support each other, but also what greater good they collectively serve.

Undoubtedly, both leadership and management are necessary when navigating the unknown. And it is indeed this orientation towards the unknown that also provides a placement for leadership as a ‘VUCA Primer’ (Johansen, 2012), indicating the need to respond to volatility with *vision*, uncertainty with *understanding*, complexity with *clarity* and ambiguity with *agility*. To develop such leadership calls for managing as a new mode of VUCA learning (Antonacopoulou, 2018) where volatility meets with vision, calls for learning to feel safe with being *vulnerable*. In order to respond to uncertainty, to form an accurate understanding, calls for courage to remain *unnerved* by the unknown. To respond to complexity through clarity calls for *candour*. To embrace ambiguity through agility calls for *awakening*. Recognising *vulnerability*, being *unnerved*, *Candour* and *Awakening* as integral to VUCA Learning Leadership revives the idea of the ‘New Learning Organisation’ (Antonacopoulou et al., 2019; 2020). Figure 1 represents these connections diagrammatically. This invites coordinating means and ends by investing in the process of learning to strengthen their collective mobilisation.

The ongoing practise that necessarily fosters the growth of leadership and management practices through individual and collective learning is marked by a ‘leap-of-faith’ which amplifies entreprenuring and strategising (Antonacopoulou and Fuller, 2020; Antonacopoulou, 2023). Such a leap of faith accounts for a way of knowing that is not merely intuiting nor sense-making. Instead, practising leading and managing is integral to ongoing refinements that constitute human flourishing. This is because in a VUCA world returning to the essence of what makes us (as social agents) human is central not only to the ways corporations are led or managed. It is indeed the very essence of how we lead and manage our everyday lives, by virtue of the choices we make as integral to our collective and not only individual flourishing.

VUCA World (Bennett & Lemoine, 2014)	VUCA Learning Leadership (Antonacopoulou 2018, Antonacopoulou & Bento, 2016)	VUCA Primer: Leading (Johansen, 2012)
Volatility	Vulnerable	Vision
Uncertainty	Unnerved	Understanding
Complexity	Candour	Clarity
Ambiguity	Awakened	Agility

Figure 1: VUCA Learning Leadership for Managing in a VUCA World

Such *leadership for flourishing* realises the ultimate impact of management; to support the growth of humanity, because it affords embedding humanity as central to management. This is what prompts Antonacopoulou to coin a ‘man-agement’ orientation to prompt redesigning management practices like human resource management (2015) and knowledge management (2014) so as to attend to personal and collective growth. By introducing flourishing as integral to management, the leadership opportunity is to embrace something that is beyond the economic logic of efficiency and effectiveness or the ecological disposition of abundance and inter-being. Flourishing is as much about the good life as it is about the right choices of all humans to serve the ‘common good’ (Ostrom, 1990). In this sense, management goes beyond forms of capital and technical proficiency. Management (when recast as man-agement) is also a space and place where humanity is cultivated and activated over time through acts of leading and managing with a difference.

By placing flourishing as integral to leading and managing, we attend to the very foundations of how humans operate as autopoietic and become sympoietic agents. Flourishing is the mark of overcoming euthynophobia and embracing the duty of care towards each other and all life on earth. Flourishing is ultimately the way humans continue to redefine humanity and what being human means.

This focus on man-agement⁴ is extended in this paper to arrest the power of management as the capacity to grow humanity. The centrality of humanity in (new world) management presented here is founded on the orientation it holds towards progress (industriousness and revolution). It is also integral to the challenge of maturing the quality of personhood. By virtue of how mankind embraces progress it also seeks through progress to advance the kind of human one becomes. The quality of humanity one exhibits through one’s conduct calls for competence, character, conscience and a commitment to critique – hence the focus on reflexivity earlier in the paper (Antonacopoulou et al., 2023).

Hence, integral to Drucker’s ‘industrial man’ also is the hu-man. This is because through action choices, and the tensions and extensions these provide, especially when dealing with dilemmas and paradoxes, ‘humanity’ emerges to make the shift from the ‘economic to the industrial man’. In leadership terms this has marked a shift from ‘homo economicus and sociologicus’ to ‘homo-phroneticus’ (Antonacopoulou, 2012). By cultivating phronesis (practical judgement), intimately connected to choice making, this orientation also speaks to honouring dignity and demonstrating a duty of care. These dimensions are integral to responsibility. Responsibility, as integral to leadership and management for flourishing, is no longer a matter of ability to respond; it is a mark of realising ‘y-our’ impact. It is such realisation (self and other actualisation) that also propels participation directly or indirectly in multiple activities where man rises to the occasion of becoming human. This would be the moment where flourishing is not only an end state, but a mode of living. This would be a moment when, through cultivating and activating responsibility, the otherwise dormant euthynophobia that holds mankind back from attending to grand challenges (such as the Anthropocene and UNSDGs) is brought closer to focus.

If we recognise that the VUCA world we live in calls for new management which supports MAN-AGEMENT then we must collectively embrace the challenge and the opportunity to shape a new manifesto that can better align what we aspire to do and what we actually do, what we promise and what we deliver. This is not just so that we sustain human life on the planet or indeed embrace sustainability as more than just an environmental consideration. It is so that we can realise individually and collectively – ‘y-our’ – impact. In this respect, impact is not merely an outcome, but also a stance denoting the positioning towards a realisation. Extending the earlier distinction between reaction and response, realisation amplifies a response to a positioning (stance-taking). Such a positioning of impact marks a stance to continuously IMProving ACTions, expanding the meaning of impact from output and outcome to a process (Antonacopoulou, 2010b). This ultimately constitutes the invitation to cocreate a new MAN-AGEMENT manifesto.

⁴ References to man are akin to references to mankind and must not be confused with references to masculinity.

This paper is intended as an invitation to cocreate a new management manifesto for a VUCA world. The preceding discussion outlined some of the main challenges and opportunities, but also described the capacity for human flourishing as a foundation for a new form of management and leadership that attends to improvements in actions as fundamental to advancing humanity. If this focus on advancing humanity frames the Fifth Industrial Revolution, then a new management manifesto focusing on MAN-AGEMENT will collapse distinctions between leadership and management as traditionally conceived. It would focus on: *What does it mean to be a human being at this juncture (of the history of human evolution)?* It would also problematise: *What does leadership for man's flourishing mean in a VUCA world?*

Leadership for flourishing through management that is orientated towards 'Man-Agement' is also orientated towards redressing competition, where the latter is no longer just about industry trends and modes of differentiation and advantage. Competition⁵ is where the advancement lies in joining forces to co-design a better world. Here, competition would be aligned to cooperation, not merely in terms of co-opetition (Gernsheimer et al., 2021) but also in terms of co-creation.

Such a mode of co-creation goes beyond longstanding traditions in collaborative inquiry (including action research, action science, action learning, activity theory, appreciative inquiry, cooperative inquiry and participatory research – Shani and Coghlan, 2021). By supporting productive exchanges between multiple agents (e.g., academics, executives, policy makers as knowledge stakeholders) the GNOSIS research institute, that I founded and currently lead, supports ongoing partnerships whose impact has also been reported in publications accounting for the improvements in management practices (see Antonacopoulou et al., 2019, 2020, 2023; Soh et al., 2023). This approach to co-creating preferred futures is founded on a new axiology.

The axiology governing the mode of learning for flourishing acknowledges worthiness (axia) as a foundational approach to revising the essence of management (Antonacopoulou, 2022). By embedding such axiology, management celebrates collective worth as it serves the common good. It also honours the unique axia of each contributing actor (human and non-human). Hence, a new management manifesto starts by valuing the relationality that underpins the cocreation process where all participating and contributing actors (human and non-human) mark the worthiness of their shared purpose. This axiology also embeds a systemic orientation, a relational mode of being – inter-being – that amplifies what 'co' in co-creation (cooperation, coordination, collaboration, coopetition etc.) means. If 'co' is what makes common a way to connect with each other and what holds us together in the wider economy (e-co-nomy) and ecology (e-co-logy) then we can potentially restore through our inter-actions not only our inter-dependence but also inter-connectedness. In doing so, we can place as central to the new management manifesto amplifying the "inter-ness"—connection—that defines the quality of the relationship between all human and non-human actants that contribute to the pursuit of flourishing.

When we place the focus on the space-in-between "y-our" impact we have the possibility of living to witness the co-authoring of new story of 'the people' – humanity. The new management era, the Fifth Industrial Revolution, as the momentous advancement of MAN-AGEMENT, could rewrite the course of history. It would demonstrate the co-creation of our preferred future by joining forces to co-author a new management manifesto.

⁵ Competition – (in Greek ανταγωνισμός - antagonismos) holds as central to its meaning the pursuit towards a goal that can be achieved though placing someone as an opponent or as a fellow traveler (συναγωνισμός - synagonismos). Hence, competition whether done against or with others places 'the other' as an integral part of the pursuit of flourishing.

An Invitation

Unlike typical papers which end with conclusions and implications, this paper will remain open, as a work in progress, with the invitation to interested individuals, groups and corporations to join forces in a collaborative inquiry to cocreate the dimensions of a new management manifesto that will mobilise a preferred future that enables human flourishing. A new MAN-AGEMENT program has been designed and piloted as part of a global forum promoting humanistic leadership and management practices⁶ and invites YOU to add YOUR voice and perspective to shape OUR future.

Co-authoring a new MAN-AGEMENT manifesto involves engaging with process, content and impact questions as illustrated in Figure 2, so that we can begin to explore (as a corporation, as a practising manager or as a human being ready to become human) what we are choosing to make 'management' mean in a VUCA world. This collaborative inquiry can provide new insights that can shape the co-creation of our preferred future by practising and exploring process, content and impact.

Process Questions - These questions focus on the relational mechanisms used for practising ways of connecting:

- *How do you, (as a corporate entity, group or individual) connect with others?*
- *Are you fully present? How do you recognise your entanglement in the system you are part of?*
- *How do you recognise different degrees of engagement?*
- *How do you address experiences of discomfort or dissonance?*
- *Do you and others you interact with feel safe being vulnerable when learning with and from each other?*

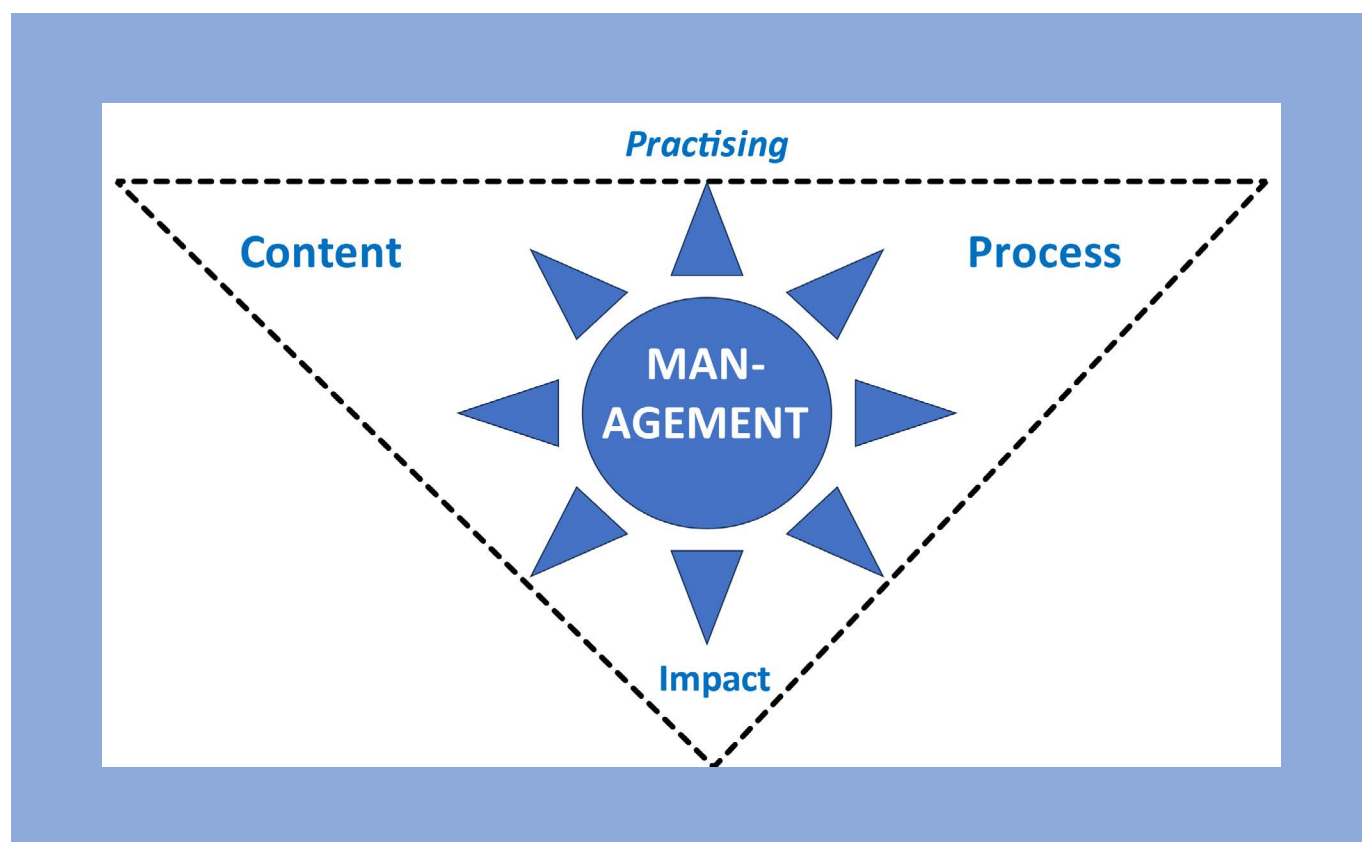


Figure 2: Practising MAN-AGEMENT

⁶ This initiative is affiliated with The International Humanistic Management Association - <http://humanisticmanagement.international/>; Humanistic Leadership Academy - <https://humanisticleadershipacademy.org/>; The Harvard Human Flourishing Program - <https://hfh.fas.harvard.edu/>; SHINE - <https://shine.sph.harvard.edu/>.

Content Questions - These questions highlight the specific issues that you bring attentiveness and alertness to:

- *What understandings are you (on a corporate, group or individual level) ready to review?*
- *Are you fully aware of what new learning you are called to explore?*
- *What are you seeking to preserve/defend/change? Why are you making the choices you are making? How do they serve you and others?*
- *How are you cultivating and activating responsibility through your actions?*
- *What affordances do you realise through your practical judgement?*

Both process and content questions need to be revisited when (intended and/or unintended) *impacts* emerge. Impact acts not as a measure of success and progress, but as a constant reminder that improvements in action are critical and intentionally sought.

The invitation to co-create a new management manifesto leaves plenty of scope for additional questions to be raised and impacts to be captured. For starters, however, the hope is that it can inspire commitment to improvements in action by enabling human flourishing. Hence, it poses questions such as:

What are the dimensions that you and your corporation would be prepared to commit to? Figure 3 invites you – the reader – to add these dimensions (extensions) as beams of light/possibilities in the diagram below.

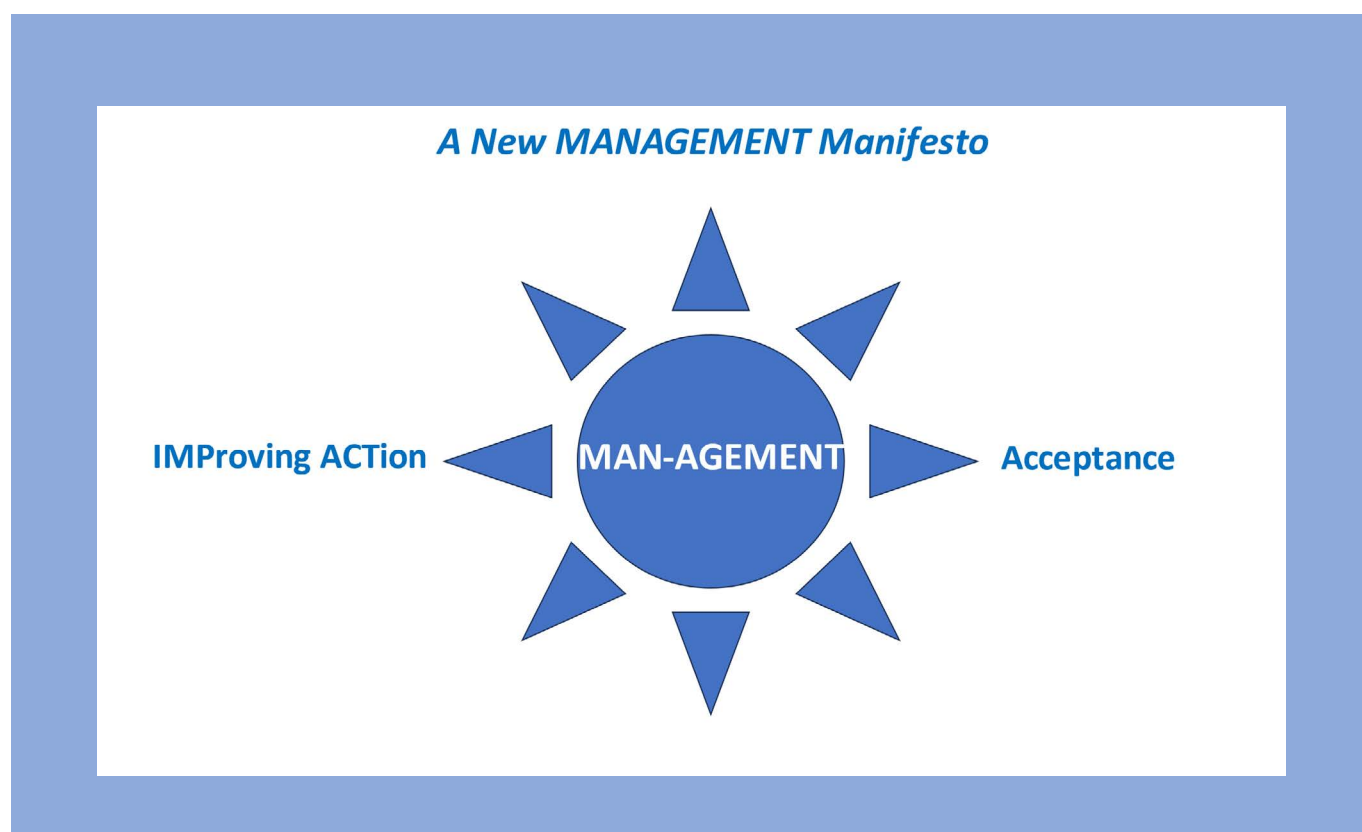


Figure 3: Co-creating a New MAN-AGEMENT Manifesto

To get the ball rolling, I offer 'acceptance' as a new dimension of the new MAN-AGEMENT manifesto. Previous management practice has popularised approaches like 'Management by Objectives – MBO' (Drucker, 1954) and 'Management by Walking Around - MBWA' (Peters and Waterman, 1990). What would your response be to the possibility of 'Management By Acceptance - MBA'? How might this approach to managing recast the very essence of an 'Masters of Business Action' (MBA⁷) qualification?

⁷ I have previously made the case for an MBA to mean the preparation of Managers as 'Masters of Business Action' (Antonacopoulou, 2008). Management By Acceptance would be part of cultivating such mastery.

I introduce the notion of '*Management By Acceptance - MBA*' to mobilise a commitment not only to relational dialogue but also to extend beyond tolerating 'the other' or a perspective one may not consider or even agree with. MBA could be a way of cultivating acceptance beyond the scope of celebrating difference through greater inclusiveness; the importance of accepting each other where we are at in our own journey of personal growth. Instead of violating human dignity with mistreatment and misplacements amplifying inferiority complexes and imposter syndromes, MBA would honour each person's worthiness and provide the support needed to enable flourishing.

Responding to the *process* questions, MBA would potentially mobilise a mode of relating and connecting with others by searching together for the 'golden mean'. The common good needs to be worked with collaboratively, as acceptance as to what constitutes 'good' is a common and shared priority. If we were to embed MBA as an aspect of the new management manifesto this focus could foster human flourishing by supporting modes of genuine listening. When fully present, one listens with the intention to understand and not merely to respond to what is being said, especially when there is disagreement. Such listening would be empathetic in tone and active in demonstrating interest as a way of marking one's full presence and engagement in the dialogue. It would also demonstrate care and respect towards the other and the perspective they bring to demonstrate the level of engagement. It would use silence and non-judgmental commentary to create a safe space and a vulnerability trust that would permit one more easily to open-up. Such listening would also monitor experiences of discomfort or dissonance, accepting that these provide valuable insights into the content questions that can guide the dialogue.

Engaging and responding to *content* questions would draw attention to the way issues are articulated and would invite renewed understanding of the level of alertness towards what may be said (or not said), implied and assumed in the course of a relational dialogue. This would also invite commitment to the course that the dialogue presents, as issues may require multiple iterations in order to discuss and consider how to reach agreement, if agreement is possible. Hence, it is also important to provide space to learn to agree to disagree. It is equally important to make time during and after any relational dialogue to reflexively account for what truly matters to each of the dialogue contributors. Recognising what each party is seeking to preserve/defend/change and why they are making those choices, will provide invaluable insights to their underlying axiology. Honoring the other's dignity and recognising that their values may or may not be in alignment is powerful and a mark of how responsibility is demonstrated. Acceptance is no longer a matter of negotiation but an affordance guided by practical judgments that seeks the golden mean.

What management dimension could you lead to cocreate the new MAN-AGEMENT manifesto to foster flourishing?

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Online games, female gamers and marketing: New business opportunities and challenges

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Abstract

This paper examines online games and marketing to reveal new business opportunities and generate awareness about selected challenges. To that end, the use of secondary research is employed.

This research strives to unearth salient demographic groups (i.e., female gamers) that require a deeper understanding. In doing so, it identifies stereotypes—for example, that gaming is only for men. However, as is shown later, this is not the case. Females play a part in gaming as consumers, forming an active audience, with a significant portion of them being Millennials. For this reason, marketers should keep this segment in mind, particularly if they wish to solve the problem of effectively reaching out to target audiences constituting people of marginalised identity. Marketeers who do this will also be able to position themselves in such a way as to gain a sustainable competitive advantage.

This paper also provides examples of brands that have tapped into this important segment by making collaborations with specific game developers. Additional topics included in this study include the role of culture and female players; whether a country can limit women from playing or consuming gaming, and, in that event, explore how marketeers can address this audience, if at all.

In this study the purpose is to understand the current situation within the area of online gaming and marketing, prior to considering the limitations of this research, and also to make specific recommendations for future research.

Keywords: Brand(s); Female Gamers; Gender; Marketing; Online Games; Stereotypes; Videogames.

Introduction

This study investigates how videogaming can provide new business opportunities and challenges to marketers. The previous articles published by the authors which have placed an emphasis on online gaming, act as a springboard for the present study.¹

Online games have far-reaching demand (Kotler & Keller, 2009, p. 551), with a recent PwC report (Global Entertainment & Media Outlook 2022-2026) writing that, by 2026, the international gaming industry could be worth \$321 billion (Read, 2022). This is why the current paper focuses on such a promising industry.

Not to mention, the fact that female gaming comprises a somewhat under-researched area (McLean & Griffiths, 2019). Additionally, a further issue to consider is the growth in the number of female gamers which has become evident (Bhandari, 2023). Specifically, the embracing of gaming on mobile phones at the time of writing entails, for example, female players providing further brand loyalty. So, women constitute a key target market for gaming businesses as well as advertisers (Hardcastle, 2023). The topic of female players, a focal point of this study, will then be further explored.

Within the context of mobile gaming, moreover, instances of the Pareto Principle (i.e., the 80/20 Rule) arise. Adweek found that 70% of in-app purchase revenue derives from only 10 percent of in-app purchasers (i.e., 'whales'), who additionally generate 59% of total revenue (Shaul, 2016). Further consideration of mobile gaming and female gamers appears later in the study.

¹ Specifically, 'Online Games, Celebrities and Licensing: Igniting a New World' (Terekhova & Constantinou, 2023), 'Online Games: Exploring Future Possibilities' (Terekhova & Constantinou, 2022), and the first article in the series entitled, 'Are our Battles in Online Games Enough to Attain Peace across the Globe?' (Terekhova & Constantinou, 2021).

The main *research question* of this study is whether marketers can strategise in such a way as to effectively reach their desired target audience(s), particularly when the targeted individuals are of marginalised identity.

Specifically, we will consider whether women are being underestimated, under-researched and/or under represented as consumers in the gaming world. It is notable that research has shown the number of female videogamers in Asia is increasing at a quicker rate than that of their male counterparts (Harper, 2020). Further, gaming penetration in the United Kingdom by gender is also changing rapidly. In 2013 females accounted for just 38% of gaming penetration and reach, whereas by 2022 the percentage had risen to 56% (Clement, 2023).

Thus, certain propositions will be put forth after reviewing the relevant literature to date, with the aim of offering insights that might prove useful to, for example, readers from the industry.

Although this article revolves around the topic of the online gaming industry and more particularly female gamers, the key takeaways transcend the gaming sphere as these can be linked with the brand(s) of practitioners from other industries, provided that marketers can see beyond the issues relating only to gaming.

To begin with, we present the opportunities pertinent to online gaming in general, before moving onto specific challenges with particular attention to female gamers. We will argue that an opportunity can constitute a challenge too, and vice versa. Inclusion and diversity are also addressed. Throughout the present study, we strive to highlight the pivotal role of female players. Additionally, we also present the importance of looking out for new market space. Finally, the limitations of this study and recommendations for future research are stated after some concluding remarks.

Online gaming and opportunities: A holistic perspective

This section looks into the various opportunities online gaming can provide in terms of benefits and advantages that playing such games can entail for businesses and consumers. It also shows how these opportunities can extend beyond just gaming to the wider population and its needs. Game developers and scientists have already worked together to aid individuals with mental health conditions by using games. For instance, in a 2021 study, researchers from the University of Limerick, Ireland found that videogames constitute a valuable instrument in lowering the severity of depression as well as anxiety (Huffington, 2022).

Countless brands use games as well as entertainment apps to engage customers, with the healthcare sector now applying game systems to drive significant and possibly life-changing behavioural changes. Evidently then, games have the power to educate and raise public awareness, with gamification possibly being a lot more than simply a marketing buzzword (Senecal, 2012).

Women and videogaming

In general, the expected growth of spending on in-game advertising in addition to product placement is worth noting (Kotler & Keller, 2009, p. 551). Marketers understand that female gamers form an important demographic for brands, so any business advertising in the gaming world may establish a powerful connection in the community with a female-focused communication strategy (Vasilyeva, 2021). Marketers play leading roles in well-known videogames too, for example, Lara Croft in ‘*Tomb Raider*’ drives around in a Jeep Commander (Kotler & Keller, 2009, p. 551).

Women and movies

Certainly, a plethora of videogames feature female characters, such as, Lara Croft in the above-mentioned popular videogame ‘*Tomb Raider*’. To transcend the videogame milieu by entering the film industry, ‘*Lara Croft: Tomb Raider*’ (2001) and ‘*Lara Croft Tomb Raider: The Cradle of Life*’ (2003) films, which were portrayed by

Hollywood star Angelina Jolie, proved to be great hits (Zeitchik, 2009). It can be argued that the most iconic female protagonist in videogame history is Lara Croft, portrayed by highly acclaimed actress Alicia Vikander (2018)² who played the part in a later film after Angelina Jolie starred in 2001 and 2003 movies as previously pointed out (OffGamers, 2023). 'Wonder Woman' has undergone a recent revival thanks to the movie portrayed by Hollywood star Gal Gadot, and can now be found starring in her own game, developed by Monolith Productions (Peters, 2021). This clearly indicates that videogames can create important business opportunities.

Marketing in the online world

In terms of videogame marketing, the tie-in game (i.e., produced and sold following the release of a film) is certainly a typical and established method, given that such media may combine to generate a hybrid marketing style that will build a large audience following. Within the context of successful videogame marketing campaigns, and considering the social element that casual gaming entails –with 'Fast & Furious 6: The Game' boasting a good following of casual players–, word-of-mouth can be successfully used as well as the creation of a marketing buzz (NYFA, 2015).

A note here is that Michelle Rodriguez, the American actress who played in the 'Fast & Furious' franchise grew frustrated at some point with how the franchise treated women (Khosla, 2017). However, it all worked out fine in the end as the new videogame 'Fast & Furious Crossroads' also featured her voice talent (Romano, 2019). This showcases the crucial role of women in the topic under study, presenting an opportunity for any researcher wishing to explore the subject-matter in more depth.

The real-world marketing potential of virtual realms is evident in the active online commerce that occurs within them (e.g., 'Second Life'). Put differently, online virtual realms provide marketing potential for real-world products and services whose potential is yet to be unlocked, especially given their capacity to create sustained consumer engagement with any given brand. This takes place via interactions with avatars, i.e., the beings users generate as representations of themselves and via which they live as well as relate to others in these realms. To overcome the challenge of product placement in online realms, which feels to players of the games as if it is three-dimensional spam, marketing in such realms must be harmonious with the online environment and enrich the experience of participants. All in all, the blend of strong virtual-world commerce and the emergent overlap of online worlds and the real world offers opportunities for creative real-world marketers (Hemp, 2006).

Online gaming, female players, and brands amidst health crises

In this section, we demonstrate how beauty brands can be linked with gaming because of the female audience. In the context of the pandemic health crisis, beauty brands were able to employ gaming to permit players to trial and experiment with their products in a safe and hygienic way, via the use of gaming avatars. Givenchy represented an excellent example of this when it launched its iconic makeup products on 'Animal Crossing: New Horizons'. Players could beautify their gaming avatars using virtual make-up designs inspired by Givenchy's iconic 'real-world' products, while also applying a 4G tattoo in a Givenchy logo design to their avatar which further enhanced brand awareness (Di Gesu, 2020).³ In another example, the beauty giant MAC Cosmetics joined forces with 'The Sims 4' to launch customised make-up looks (Nesvig, 2020), and with self-care also came a feeling of nostalgia with 'The Sims' (Herman, 2021). There is evidence to show that sixty percent of players of 'The Sims 4' are females between the ages of eighteen and twenty-four (Dale, 2022).

² For more info: <https://www.warnerbros.com/movies/tomb-raider>.

³ Brand awareness is the extent and ease with which customers recall/recognise the brand and may detect the products/services with which it is associated. It is linked to the strength of the brand node or trace in memory, as displayed by the ability of consumers to recall or recognise the brand under various conditions (Keller & Swaminathan, 2020, pp. 129, 580).

Admittedly, given the above-mentioned use of avatars, a marketer must acquaint themselves with the phenomenon of avatars and ponder if they need to alter their marketing messages, as well as channels (Hemp, 2006). It seems that the ability to adapt to changing, or even unprecedented times can be beneficial to marketers.

Empowerment of women via online gaming

Beauty and gaming concepts line up with empowerment trends when beauty brands collaborate with the gaming industry to maintain their emphasis on salient trends about body positivity and inclusivity. A case in point, Gillette Venus' Skinclusive Summer Line was promoted utilising inclusive in-game skin/body avatar designs in Nintendo's 'Animal Crossing: New Horizons' (Di Gesu, 2020). In this way, the empowerment of previously marginalised groups can be achieved by including in online games trends that are more inclusive.

Esports, start-ups, and female entrepreneurs

In India, an expansion in the electronic sports (esports) industry can be seen primarily in the growth of the start-up culture, with entrepreneurs enthusiastically investing in the industry, offering cutting-edge technology as well as data analytics, platform convenience and marketing solutions, to name but a few examples. The environment for start-ups is such that it has driven the nation's esports industry to a strong position in the international gaming market. Tech-savvy Millennials account for much of the user demographic of esports, with many brands interested in entering this area. In fact, most of the esports viewers in India are Millennials and Gen Zers.⁴ Esports are formally recognised by the government, with many tournaments planned (Bhandari, 2023). Thus, marketers can tap into the esports market.

Germany is commonly seen as a hub for European esports, specifically, regarding events. It is one of those rare states that matches the degree of ambition of Asian powerhouses, like China and South Korea, with regards to esports development (Esports Insider, 2023). Another country in Europe where a rising interest in esports is evident is Italy (Marazzi & Mancini, 2023). In the next paragraph, the untapped market potential of female players can be seen.

There are female-founded startups that give a voice to women in the gaming industry. These female founders -in this case, Laura Deutsch, Rebecca Dixon, Verta Maloney and Heather Ouida- have established a community where female players may connect. Specifically, the *gameHERs website and app⁵ is a good example of this (Stengel, 2022).

Esports investments, brand ambassadors, and women's role in the gaming sector

Former professional footballers have identified possible openings in esports. Examples include David Beckham, who co-owns Guild Esports, and Wales and Real Madrid player, Gareth Bale, who launched Ellevens Esports⁶ (Marston, 2020). Sorare⁷ have also joined forces with Lionel Messi by having him not only as an investor, but also as a brand ambassador (Helm, 2023).

Equally important to note is the esports organisation Misfits Gaming Group, which launched the 'Women of Misfits' platform to mentor as well as inspire women within the sports and gaming sector. The platform hosts a monthly speaker series, with speakers such as Angela Ruggiero, the CEO and Co-Founder of Sports Innovation

⁴ For more details about Millennials (who spend more money online compared to any other group) and Generation Z (or Gen Z, who spend the biggest percentage of time online), see Jobber and Ellis-Chadwick (2020, p. 216).

⁵ For more info: <https://www.thegamehersapp.com/>.

⁶ For more info: <https://ellevens-esports.com/>.

⁷ Sorare comprises a fantasy sport cryptocurrency-based videogame. For more info: <https://sorare.com/football>.

Lad, four-time Olympian, as well as gold medalist with the USA Hockey team (Duran, 2021). Further, despite being in a setting dominated by men where gender could be seen as an issue, Kelsie Grieg -or Kels as she is known in the gaming world-, has defeated the odds by becoming the first female player to qualify for the 'Call of Duty Challengers Elite' tournament (Pandey, 2023).

Challenges: A broad perspective

This section addresses specific challenges that are evident in the online gaming industry. Despite ample evidence corroborating the view that gaming can aid players' mental health, especially as was the case during the Covid-induced lockdowns (e.g., Huffington, 2022; Read, 2022), there remains contrary evidence that suggests that gaming causes problems. For example, research by the University of Sydney demonstrates that spending excessive quantities of time online over the course of an adolescent's developmental years may have grave long-term effects (Nogel, 2020). Further evidence reveals a considerable rise in depression as well as suicidal thoughts over the past years for teens, and particularly those who spend many hours per day using screens—especially girls (Shafer, 2017). There is also evidence published before the pandemic (e.g., Hicks, 2017) showing a rather blurred line between what constitutes a challenge and what, in fact, may very well constitute an opportunity.

Thus, to be on the safe side, marketers must conduct research to understand the online gaming audience (and, especially the female audience) prior to creating any promotional campaigns. Additional information with respect to the challenges associated with online gaming (and female gamers in particular) is presented next.

Online gaming (esports), women, and the role of culture

The esports landscape has habitually been led by men, and although it remains so, it has nonetheless witnessed a considerable shift in attitudes for the better in places like Saudi Arabia (Arab News, 2023).

Concerning the West, the commonly held belief that gaming is a typically male arena continues. In the advertising world, it is important to realise the importance of breaking down the existing stereotypes, given the purchasing power of these female players (Inniss, 2018).

Gender representation, bias and stereotypes

Evidence suggests that about fifty percent of gamers are women (Clement, 2022; Wheless, 2022), yet gaming faces persistent challenges with gender bias. Games, moreover, are more likely to have male protagonists than female, with numerous games confining women to stereotypical roles (Roberts & Rennick, 2023). With regards to gender representation in videogame dialogue, evidence reveals that dialogue from female characters is only half that of their male counterparts, with some of this owing to a lack of female characters. But further, there are also biases in who female characters speak to, as well as what they say (Rennick et al., 2023).

Sexual harassment and beyond as experienced by women

Female gamers frequently report that they experience sexism and harassment while playing online (e.g., Anderson & Vogels, 2020; Bustos-Ortega, 2023; Fox & Tang, 2017; Marsh, 2023; McLean & Griffiths, 2019; Ochab, 2023; Oppenheim, 2021; Rackham, 2021; Reynolds, 2023; Sacco, 2022; Sky News, 2023; Wong & Ratan, 2023). This undoubtedly prevents a lot of women from joining the gaming community (Tang et al., 2019).

Sources suggest that when a woman, a person from the LGBTQIA+ community or an individual from an ethnic minority group attempts to break into the gaming industry, the 'toxic geek masculinity' forces back in such a way that regularly results in sexual abuse and bullying (Lorenz & Browning, 2020). Therefore, marketers must be aware of this reality when addressing (any of) the above-mentioned audiences.

Gamergate: An online harassment campaign targeting women

An organised campaign of online abuse -namely Gamergate- struck the international videogame industry in 2014,⁸ dramatically raising awareness of the scope of gendered harassment on social media (Salter, 2018). When the controversy persisted, big technological companies, such as Intel, briefly pulled their advertisements from certain gaming sites (Greengard, 2023). This illustrates how such controversial issues, until they are effectively resolved, can further challenge the work of marketers given the backlash such a controversy might create.

There is no 'one-size-fits-all' approach

It should be highlighted that generally there is no such thing as a 'one-size-fits-all' marketing approach. It is necessary to understand the key characteristics of those who will be targeted, and where on the customer journey they can be found prior to tailoring any messaging, if a marketer wants to attain optimum results. In fact, the more that messages are personalised to the exact target, the more those marketing efforts will succeed. For this reason, when marketing messages are personalised, it is imperative to know the customer journey and which media is best capable of communicating with the target audience (Deeb, 2022).⁹ Any successful marketer then knows, finding a 'one-size-fits-all' approach to promoting a videogame to, say, female players, is next to impossible.

Adapting to the changing times

Gamers change over time, which means that a game that might have successfully managed to obtain a particular influencer to promote it does not mean that it would work successfully again for somebody else to promote it in the future. Hence, marketers must correctly carry out their research to discover whether such moves still constitute something that makes sense for their fan base (The Game Marketer, 2021). Add to this the recent sources which suggest that approximately forty-five percent of those who play videogames are women, yet merely around five percent of gaming influencers are female. Women who lead the charge as gaming influencers, however, can have a cross-over appeal that reaches beyond gaming. Further, given that a significant part of the female gaming audience consists of Millennials, who spend more money online compared to any other demographic group, this supports the view that brands must turn to female influencers when searching for how to reach their audience (Suciu, 2022).

Online gaming, female in-game characters and censorship

Marketers must be aware of the various restrictions evident in different parts of the world. It is worth mentioning the challenge of censorship imposed on videogames by countries like China (Foust, 2022), evidenced recently by the shutdown of the Chinese version of the popular videogame 'Fortnite'.¹⁰ Adding to this example of censorship, China has also banned online gamers under the age of eighteen from playing on weekdays, limiting their play to only three hours over weekends (Chang & Disis, 2021; Liao, 2021). Further, the

⁸ For more info: <https://www.britannica.com/topic/Gamergate-campaign>.

⁹ Personalising one's marketing involves the requirement of unique marketing creatives for every sub-audience (Deeb, 2022).

¹⁰ The Chinese version of 'Fortnite' is known as 'Fortress Night' (Spangler, 2021). 'Fortnite', which was developed by Epic Games, was launched in China in 2018 after partnering with Tencent. Further, Tencent, which is the Chinese internet and gaming giant, owns approximately 40% of Epic Games (Chang & Disis, 2021).

female characters in the game 'Genshin Impact' wear censored outfits which have been created in response to Chinese government regulators (Tassi, 2022).

Other challenges still to overcome: Cultural issues

There is evidence to suggest that culture affects creative strategies, so cross-cultural marketers as well as advertisers must recognise the advantages of utilising cultural difference (Jin, 2010). This is particularly when popular videogames in places such as Afghanistan can be banned (RFE/RL's Radio Azadi, 2022). Thus, marketers must be specific in the ways in which they address each culture.

Turning a challenge into an opportunity

This brief section demonstrates how any challenge can, in fact, be turned into an opportunity.

Inclusion and diversity

The inclusion of previously excluded groups, is evident with companies like Sony. This can be seen in the introduction of more well-written female characters to Sony's exclusive games, and games such as 'The Last of Us' (Hobbs, 2015). It is, therefore, suggested that more game developers should create inclusive videogames. That is to say, attention must be turned to persons with marginalised identities like the LGBTQIA+ community, or gamers of colour, for example, who may experience various forms of harassment (Reynolds, 2023).

In search of new market space

According to Kim and Mauborgne (2015, pp. 4–5), if we were to picture a market universe made up of two kinds of oceans, there would be red oceans and blue oceans. Red oceans denote the entire industries that exist to date (i.e., this comprises the known market space), whereas blue oceans characterise all the industries that do not exist at present (i.e., this constitutes the unknown market space). Any business must go past competing; they must also create blue oceans to grasp new profit as well as growth opportunities. Thus, after reading about the challenges noted earlier, and especially, the ones faced by the female players, this latter consideration of two kinds of oceans can certainly prove useful to any marketer in the gaming industry who is particularly, interested in finding/developing a 'blue ocean' (uncontested, growing market) for her/his organisation.

Conclusion

The current study has tried to provide an overview of online games and marketing by searching for new business opportunities, while synchronously creating awareness about the existence of specific challenges. It appears that global online gaming is an ever-growing industry, and it is worth placing female players at the centre of marketing.

Transcending the context of online gaming, practitioners for other industries can learn valuable lessons about their brand here. So, any lessons learnt can be applied to a brand in a different industry where marketing to women (or indeed to other marginalised groups) has yet to be fully explored. Online gamers are, after all, just one stereotype that marketers might consider, given the huge untapped audience for other areas too. If we place the discussion within the context of manufacturers of automotive appearance products (e.g., car polish), marketers could analyse the role of gender to identify a potential target group and business opportunity. After proving that the example we have provided works for gaming (as is manifest in the growing number of female players over the years) and has potential for other brands as well, recommendations for future research are given here, after some key limitations of this study are presented.

Limitations of study

It could be argued that with more time the secondary data evident in this study could have been complemented with primary data collection. For example, it would be possible to use qualitative interviews with key informants. Furthermore, to address a wider audience, broader geographical coverage would have proved beneficial.

Future research

This section provides some recommendations for future research. Firstly, future studies could focus on how videogames encourage teamwork as well as aiding in the development of leadership skills (Cipriani, 2021).¹¹ Secondly, further work could be done on the subject of non-binary characters (Roberts & Rennick, 2023). Thirdly, like the study of Yin et al. (2023) that was conducted to consider the probable challenges of contemporary techniques in human-computer gaming and what the future trends are, future research could examine the imminent challenges of users of, say, AI-powered ChatGPT. This AI provision can already create whole videogames in no time and requires no coding experience, e.g., Snake comprises a game that users can create using OpenAI's GPT-4 model (Cuthbertson, 2023). Finally, a contemporary case study such as, Wargaming,¹² for example, and the role of machine learning (which is an application of AI) could also be the focus of future research.

Authors' Statement: Any opinions that may have been expressed in the present paper are entirely those of the authors.

¹¹ Leadership may be defined as "the ability to influence" (Andreou, 2023, p. 138).

¹² For more info: <https://worldoftanks.eu/>.

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Strategic Communications, Geopolitics and Crisis Management

Western strategic communications
and the formation of geopolitics amidst the Ukrainian crisis

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Abstract

This paper discusses the importance of strategic communications, the formation of geopolitics, and crisis management amidst the ongoing war in Ukraine. In doing so, this research explores the multifaceted challenges inherent in the ongoing humanitarian crisis. It also addresses political elements—European Union (democratic/legislative) and the work of The North Atlantic Treaty Organization (NATO) (high political level and military support) in combination with geopolitics; and EU/NATO (politico-strategic). In addition, this study considers why the local/global public should filter the information disseminated by (social) media outlets (platforms) for any mis- and disinformation (propaganda)/ fake news. Given that the misinterpretation of facts is quite sophisticated, its dealings remain ever more challenging. Strategic communications are, moreover, used to shape the geopolitical knowledge/imagination of both the EU and wider international society. Further, all domains of critical geopolitics are employed in strategic communications. The pivotal role of think tanks, government officials and the (general) public become evident in the context of strategic communications. Lastly, the limitations of this study and recommendations for future research are presented.

Keywords: EU Diplomacy/Foreign Policy; Humanitarian Crisis; Hybrid Warfare; Information Operations (InfoOps)/Warfare (Influence Operations); International Relations; Migration Management; NATO; Political Marketing; Popular/(Critical) Geopolitics; Psychological Operations (PsyOps)/Warfare; Strategic Communications (StratCom); Ukraine War/Crisis.

Introduction

This section starts by introducing the reader to the ongoing Ukrainian conflict before proceeding further into a more in-depth analysis.

The War in Ukraine: Crisis Management

The war in Ukraine commenced on February 24th, 2022, and has resulted in the displacement of over six million refugees from Ukraine as at July 2023 (USA for UNHCR, 2023). The present invasion of Ukraine has certainly renewed numerous persistent debates regarding the relationship between Russia and the Western world, particularly the US and the EU. Even though several critics of the Russian President, Vladimir Putin, have argued that he would follow an aggressive foreign policy in ex-Soviet states irrespective of Western involvement, Prof. John Mearsheimer,¹ an international relations theorist, holds that America is in the wrong for provoking him (Chotiner, 2022).² However, the Western world officially and unequivocally condemns the Russian invasion of Ukraine and considers that if this aggression is not drastically and effectively contained it would spread to neighbouring countries, potentially affecting and threatening the entire European security architecture.

The North Atlantic Alliance and the European Union (EU)

The NATO Secretary-General, Jens Stoltenberg, at a joint committee meeting with the European Parliament showed NATO's commitment to Ukraine through economic sanctions, alongside its military and political support (NATO, 2023a). The President of the European Commission, Ursula von der Leyen, has also shown

¹ For more info: <https://www.mearsheimer.com/>.

² According to the chief of defense of the Belgian armed forces, Michel Hofman, following Ukraine, Moldova and the Baltic countries could be Russia's next targets (Hülsemann, 2023).

European support for Ukraine via sanctions against Russia (DW, 2023).³ The President of Russia, Vladimir Putin, mocked the new round of Western sanctions (Chiappa, 2023). Stoltenberg also cautioned that, should the Russian Federation win in the war in Ukraine, then Russia will attack other countries as well (Lau, 2023).

Within the context of sanctions, the EU closed a loophole that permitted EU governments to contract multimillion-euro arms sales to Russia. Nations with big defence industries, like Germany and France -two countries that belong to both the EU and the North Atlantic Treaty Organization (NATO)-, were among the main exporters, despite the 2014 embargo following Russia's annexation of Ukraine's Crimea region (Guarascio, 2022).

According to Dr Katerina Tsetsura, there are considerable dissimilarities in strategic communication between the West and Russia. For example, in Russia, the idea of transparent information is viewed as weakness, whilst shows of force constitute a significant aspect in gaining respect alongside power. Russia, furthermore, depends on strategic ambiguity in messaging—a focus on authority as well as a less structured order—whereas, the West appreciates clarity and structure in addition to transparency (Schiess, 2023).

Concerning why the authors' focus is on Western strategic communications, it is because they both originate from the Republic of Cyprus, a country that has been a full EU Member State since May 1st, 2004 (Ministry of Foreign Affairs, 2023). Adding to this, NATO is part of the Western-centred sphere of transnational organisations (Jackson & Sørensen, 2013, p. 135); and many of the EU Member States are also part of NATO. Moreover, NATO and the EU work together in crisis management, with Cyprus participating in informal NATO-EU meetings (NATO, 2023b).

Strategic Communications (StratCom): An Overview

Strategic communications consist of actions that are essentially associated with claims and counter-claims regarding ethical conduct in international relations. A state can hide things from the citizens from whom it draws its legitimacy by utilising strategic communications, which may enable a state to cover up its own (short-term) failures or even place a positive 'spin' on the said failures. What is more, private strategic communications firms contracted by a state are more than content to offer such services, given how profitable they are (Frost & Michelsen, 2017, p. 29).

Within the context of public diplomacy,⁴ which will be analysed in more detail later, it is noteworthy to mention that official communication targeted at foreign publics comprises an old phenomenon in international relations, with image cultivation, propaganda and activities that are now labelled as public diplomacy being almost as old as diplomacy per se. In fact, even in the old days, princes concerned about status, alongside their representatives, never utterly overlooked the potential as well as the pitfalls of public opinion in overseas territories. Adding to this, references to a nation and its image date as far back as the Bible, and international relations operatives in ancient Greece and Rome, Byzantium and the Italian Renaissance were also very much aware of diplomatic activity targeted at foreign publics (Melissen, 2005). However, the key difference between strategic communication as it is applied in the Western world and other forms of communication, especially those used by authoritarian or totalitarian regimes, is the ethical aspect. Thus, when ethics are neglected, the forms of a regime's communications are similar to propaganda, where mis- or dis-information and fake news are constantly and interchangeably used, aiming to forcefully forge and manipulate the public's opinion.

³ For more information about the Russian invasion of Ukraine, the wider implications and the Cyprus Question see Θεοφάνους, Α. (2023) *ΑΠΟ ΤΗ ΔΕΣΜΕΥΜΕΝΗ ΑΝΕΞΑΡΤΗΣΙΑ ΤΟΥ 1960 ΣΤΙΣ ΠΡΟΚΛΗΣΕΙΣ ΤΟΥ ΣΗΜΕΡΑ – Συνοπτική αξιολόγηση του Κυπριακού και της πολιτικής όλων των Προέδρων* (Λευκωσία: Εκδόσεις Hippasus). Specifically, and to bring the discussion home, Θεοφάνους (2023, p. 181) mentions that the Republic of Cyprus cooperated with the EU in its sanctions policy against the Russian Federation as, under the circumstances, Cyprus had no other choice.

⁴ Chaban and Elgström (2023) argue that for public diplomacy to be successful, it necessitates that heed is turned to certain challenges. The EU, moreover, must explain its policies – whether it is pertinent to accession negotiations or dealing with refugee policies (Chaban & Elgström, 2023).

The concept of contemporary strategic communication in the political sphere has recently been under meticulous study, with the aim of continuous improvement. It is considered as a critical strategic tool in the hands of political and military leaders aiming to convey their key messages to various target audiences—and in parallel to counter any offensive mis- and dis-information campaign harmful to their interests. In an era where hybrid threats and warfare have transformed the global geopolitical environment, the role of strategic communications is of great importance. Covert subversive and offensive activities conducted by various state and non-state actors have proliferated, aiming at compromising the western-world's security architecture by undermining the democratic states' values, and credibility. In this context, strategic communication acts along with other tools as a safeguard of the Western political system by contributing to the overall endeavour of countering the aforementioned threats.

In the following pages, light is shed on (1) Why western countries have widely endorsed the use of strategic communications (i.e., implicitly doing so, by generating a strategic communication campaign against Russia); (2) How Russia attempts (on its own) to gain the support of the international community (which can be seen in a positive or negative light); (3) Geopolitical imagination/knowledge and what tactics are employed (i.e., what Russia tries to shape and what the West does within this war of communication in a public domain); and (4) A focus on how the West tries to legitimise its measures/actions against Russia (NATO deterrence; military StratCom). The ethical concerns of the West resorting to force to de-escalate the current situation should be addressed in further research, given the space limitations evident here.

Strategic Communications and the EU

The European External Action Service (EEAS) has two communications divisions that work together to communicate what it represents. Specifically, the Communication Policy and Public Diplomacy division promotes the activities of the EU High Representative and communicates regarding EU foreign affairs, security and defence policy, in addition to EU external action, engaging effectively with its audiences. It combines forces with, whilst at the same time providing guidelines to, the EU Delegations and Missions and Operations across the globe in their activities to communicate the EU. As far as the Strategic Communications division and its Task Forces are concerned, this contributes to effective as well as fact-based communication, countering disinformation, narrative-positioning and the boosting of the general media environment and civil society in their corresponding regions (European Union External Action, n.d.). The EU Strategic Communication division has been very active since the Russian invasion of Ukraine, cooperating and coordinating its efforts with other relevant directorates of the EEAS aiming for consistency. In parallel, close cooperation with the Member States has been a *sine qua non* for the success of this endeavour, with action being taken in a timely and effective manner by the StratCom division.

In a business context, we have the existence of strategic communication which entails the theory and study of communication principles alongside the practice of employing engaging messaging in addition to marketing skills in multimedia, advertising and public relations campaigns (MasterClass, 2022). In fact, contemporary *Western politics* have embraced the concept of strategic communication based on its effective usage by the flourishing business sector.

Strategic Communications and the North Atlantic Treaty Organization

NATO is an international body (Hill & Smith, 2011, p. 13) which can bring more light to the topic under study. Within the context of NATO, strategic communications (StratCom) cover various elements of public diplomacy, political marketing,⁵ international relations, persuasion and military strategy, to name but a few

⁵ The results from, say, the research of O'Cass (1996) have long shown that major political marketing decision makers within the party which was under study frequently have a limited understanding of the marketing concept.

(NATO, 2020a). Based on the example of political marketing, as a discipline, it needs to develop its own frameworks as well as models by using those from the core marketing literature (Antoniades, 2023, p. 14). Particularly, considering the limited research that exists into political marketing (Antoniades, 2018, p. 92), to remain within the context of political marketing, the CIS model (that is, the capability to Create, Inform, and Support),⁶ indicates that political actors should create a political product/service -i.e., an idea/proposal- and, additionally, inform people about the product and support it (Antoniades, 2022). Furthermore, for practitioners to employ political marketing to its best advantage, it is imperative that they become aware of the differences evident in commercial and political contexts (O'Shaughnessy, 2001).

Strategic Communications (StratCom): Further Development

StratCom may be understood as a holistic approach to communication, founded on values as well as interests, that includes all the elements an actor engages in to attain objectives in a contested milieu. In other words, StratCom is realised more as a holistic mind-set in projecting the policies of the establishment it serves, and should not turn the spotlight on short-term, single-dimension, local issues. That is, it is important to consider long-term, complex solutions, in addition to effective ways of influencing significant discourses in a very antagonistic setting. Despite such a constant state of flexibility and change, it is paramount to remain true to own values (NATO, 2020a).

NATO StratCom entails the coordinated and suitable deployment of NATO communications activities as well as capabilities to reinforce NATO's policies, operations and activities, and additionally to advance the aims of NATO. The activities and capabilities in question involve public diplomacy/affairs, military public affairs, information and psychological operations as further elaborated below (NATO, 2020a).⁷ In so doing, the interaction of diplomacy and business will also become evident.

Public Diplomacy

This involves NATO civilian communications and outreach efforts, which are responsible for promoting the awareness of and establishment of an understanding, as well as support for the Alliance's policies, operations and activities, which serves to complement the national efforts of the NATO allies (NATO, 2020a).

Public Affairs

This comprises NATO's civilian engagement via the media, to inform the public of the Alliance's policies, operations and activities in a timely, accurate, responsive, as well as a proactive way (NATO, 2020a). Put otherwise, within a business context, public affairs constitutes at present a critical building block for brands and necessitates public affairs teams becoming deeply integrated with not merely classic brand marketing but, additionally, communications teams (Gilbertsen, 2022).

Military Public Affairs

This includes the promotion of the Alliance's military aims together with objectives to audiences, to strengthen the awareness as well as understanding of NATO's military aspects (NATO, 2020a). In the United States, for example, military public affairs officers lay the foundation for partnerships (Patterson, 2022).

⁶ The CIS Model is an award-winning model developed by Dr. Nicos Antoniades and presented at the 7th International Conference on Management and Education Innovation, University of Greenwich, London, UK (April 2019). Title: "Packaging Government Ideas to Achieve Citizen Satisfaction and Loyalty: Creating, Informing, and Supporting."

⁷ See Hadjipavlis and Constantinou (2023) for more details on Information/Psychological Operations.

Information Operations

This entails the Alliance's military advice, along with co-ordination of military information activities, to create anticipated effects on the will, understanding and capabilities of adversaries as well as other North Atlantic Council—approved parties giving backing to NATO operations, missions and objectives (NATO, 2020a). To add to this, Information Operations consist of non-traditional measures, and despite the topic being controversial, it is nonetheless effective (ENISA, 2023).

Psychological Operations

This incorporates planned psychological activities by means of methods of communications as well as other means directed to approved audiences to influence perceptions, attitudes and behaviour, affecting the attainment of political in addition to military objectives (NATO, 2020a). Put differently, psychological operations can potentially constitute the strongest weapon in an army's arsenal, targeting the mind and influencing decision makers (Modrzejewski, 2016, p. 98).

About the NATO Strategic Communications Centre of Excellence

The NATO Strategic Communications Centre of Excellence (NATO StratCom COE) contributes to ameliorated strategic communications capabilities within NATO and allied nations (NATO, 2020b).⁸

Strategic Communication: Ukraine Crisis

The study of Zhang and Zhou (2023) looks back at Russia's strategic communications during the 2013 and 2014 Ukraine crisis in light of the continuing Russia-Ukraine conflict. The strategic communication campaign of Russia, particularly the sophisticated adoption of state-sponsored global broadcasting -i.e., Russia Today (RT)- showed it was capable of raising sympathy, distracting attention and delaying effective reactions from the Ukrainian government as well as NATO (Zhang & Zhou, 2023).

Russia's apparatus is considered to be very skilful and innovative as regards the methods and techniques used to influence and manipulate public opinion, leading to subversive activities against the Western states amidst the war in Ukraine. These acts aim at weakening the credibility and acceptability of Western governments, so that they are gradually deprived of their legitimacy. In this context, Russia has been accused by various western states of attempting to intervene in their internal politics by either transmitting mis- and dis-information or fake news, i.e. in Germany, France, the UK and the USA. Moreover, Russia's own means of communication or local proxies have been widely used to transmit dubious messages to the Western public, while in a concerted way they attempt to overstress a number of governmental or Western system failures in order to again enfeeble the entire Western political order and create serious doubts amongst the public. Thus, the Western governments, apart from losing their legitimacy, also have to tackle a growing number of internal problems that occasionally culminate in serious public upheavals and violent mass demonstration which divert attention from the international scene and particularly the war in Ukraine.

⁸ Strategic communication constitutes an integral part of the efforts to accomplish NATO's political as well as military objectives. Hence it is ever more salient that NATO communicates in a proper, timely, accurate and responsive style on its evolving roles, objectives and missions. Afterall, and in accordance with the Preamble to the Constitution of UNESCO (1946), since wars start in the minds of people, it is in the minds of people that the defences of peace must begin too (UNESCO, 2023). In other words, this quotation is more than pertinent in the information age, given we may not fathom a successful operation absent of a clearly defined and efficient strategic communication (NATO, 2020b).

The originality of this article lies mostly in the endeavour to couple the concept of strategic communication with the discipline of critical geopolitics. As analysed by O'Tuathail (2006), critical geopolitics can be distinguished as three strands—formal, practical and popular. Formal geopolitics are mainly promoted by academics and various think tanks, who formulate an official geopolitical knowledge, mostly based on their ideologies and theories where they draw upon their legitimacy. Practical geopolitics is considered the everyday practice of geopolitics mainly by governmental officials, be it diplomats, military officers or any other institutional executive. Through their acts and discursive practices, they also contribute to the formation of the imaginative geographies that govern the geopolitical imaginations prevailing in distinct communities (Gregory et al., 2015). In parallel, popular geopolitics refers to the ways these geopolitical imaginations are produced through everyday communication, mainly facilitated by the mass media.

Critical geopolitics, in contrast to classical geopolitics, deem that geopolitical knowledge is formed and constructed through discursive actions while it is neither fixed nor ahistorical. Thus, each strand has a distinct role in the formation of geopolitical knowledge, whereas popular geopolitics per se reflects to a large extent the ideas, opinions and, in general, the discursive acts of the mass media, including any message transmitted by agents dedicated to changing the geopolitical knowledge and imagination of their target audience into a specific form. In this regard, critical geopolitics, and particularly popular geopolitics, could embrace strategic communication, or any other means of communication, to the public, whether ethical or not, and explain their purpose and objectives through the discipline's theory. Be it strategic communication or propaganda in the form of mis- or dis-information or fake news, the goal remains the same; to shape the geopolitical knowledge of the public and lead them to the adoption of certain geopolitical imaginations that serve the purpose and afford these agents with the necessary legitimacy for their political acts.

War in Ukraine: A broader perspective

It is worth underlining here that the war in Ukraine needs to be understood within a broader context. Specifically, Russia attempts to influence societies in the West through disinformation campaigns and hybrid warfare, in the form of information operations and psychological warfare being used to undermine the West.⁹ Russia strives to gain backing from the international community through various means.

Influence operations

Based on a recently declassified US intelligence analysis, Russia is increasing its efforts to disseminate pro-Russia and anti-Ukraine messages in America and the West by adopting influence-laundering methods to camouflage the efforts of its intelligence agencies to manipulate public opinion (Barnes, 2023).

Hybrid Warfare

The war in Ukraine is a hybrid war, with NATO defining hybrid warfare as involving the interplay or fusion of conventional as well as unconventional instruments of power and tools of subversion [...] blended in a synchronised way to exploit the vulnerabilities of an antagonist and attain synergistic effects (Kong & Marler, 2022). In general, hybrid attacks are characterised by a lot of vagueness (Bilal, 2021).

⁹ Psychological warfare (psywar) is of ancient origin and has become a more systematic and prevalent technique in strategy/tactics, as well as a more substantial part of warfare (Hosch, 2023).

The war in Ukraine triggered the quickest and biggest displacement of individuals in Europe since the Second World War, with the EU quickly becoming the focal point of an information war. In fact, a substantial share of disinformation germane to the war in Ukraine regards refugees, with this disinformation depicting migrants along with refugees as a threat to not only Europeans' health, but also wealth or/and identity, something which clearly appeals to people's anxieties. For this reason, it is imperative to consider the reason(s) behind why Ukrainian refugees have become the target of large-scale disinformation. This is especially since the lies with respect to refugees from Ukraine and the efforts to make the most of Europeans' fears have been short of polarising or shaping the public discourse hitherto. Yet, the proportion of information that is hostile to Ukrainian refugees is rising and producing more engagement on social media (Neidhardt, 2022).

Weaponisation of the Humanitarian Crisis: PsyOps, Disinformation Campaigns, Propaganda, and Fake News

Ukraine, and the wider area of Europe, is suffering a devastating humanitarian disaster (Roy, 2023), with another refugee crisis (*The Economist*, 2022). Besides the Russian-led information and psychological operations felt in countries like Germany, which has welcomed a over one million Ukrainian refugees, there is also the element of propaganda which demonises the refugees from Ukraine using (social) media other than the disinformation campaigns and fake news (Morris & Oremus, 2022).

Conclusion

In conclusion, the current paper has illustrated the significance and the close link between strategic communications and geopolitics within the context of the war in Ukraine. The role of (social) media has also been presented, and how it can affect public opinion. The discipline of critical geopolitics could adequately provide a sound theoretical foundation concerning the ways of public influence by the various forms of strategic communication and other non-ethical means of transmitting key messages to the public. Next, limitations of the present research are discussed, and direction for future research is provided.

Limitations of Study and Recommendations for Future Research

There are some limitations evident in our study that must be explained. The first limitation is that researchers could have conducted primary research (e.g., focus group discussion) with research participants representing both sides (the West and Russia) to obtain valuable insights into how exactly the war of communication is affecting them. This was not possible, due to time constraints and limitations on the extent of the article.

Future research could focus on strategic psychological warfare (Hosch, 2023). In addition, future research could take an in-depth look at the role of Europol within the context of the war in Ukraine.¹⁰ This article could constitute the basis for further exploration and analysis of the key actors, the means in use and their objectives regarding the various strategic communication campaigns and mis- or dis-information operations. Future research could also focus on migration management and the welcoming of Ukrainian refugees¹¹ or examine the role of political marketing and communication within an EU context, given the ongoing crisis.

¹⁰ For more info: <https://www.europol.europa.eu/europol%E2%80%99s-solidarity-ukraine>.

¹¹ For more info: https://home-affairs.ec.europa.eu/policies/migration-and-asylum/migration-management/migration-management-welcoming-refugees-ukraine_en.

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USE OF EVIDENCE AND NEURODIVERSITY AT WORK

Is a little knowledge a dangerous thing?
A stakeholder perspective on the use of evidence
about neurodiversity at work.

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This brief practice-focused paper reports on data relevant to the use of evidence and the provision of training to support knowledge and neurodiversity, which broadly refers to naturally occurring differences in neurocognition. We report on relevant data from 985 employees and 127 employer representatives collected as part of a wider study. Applying principles of evidence-based management (EBM) as a benchmark, we find that employers and employees disproportionately avail themselves of stakeholder perspectives, professional experience and judgment at the expense of building on scientific evidence. Internet searches are a 'go to' resource, and 11% of employers do not seek any advice at all. In-house training from colleagues and from those with lived experience are more frequent than specialist external training. We discuss implications for refining the principles of EBM to comprise policy and legal advice which is highly pertinent in a diversity context. We further call for more rigorous training on neurodiversity as a substantive topic, but also the evaluation and synthesis of evidence to inform genuine and value-driven inclusion strategies and activities in organisations.

Keywords: Neurodiversity; Neurodivergence; Neuroinclusion; Diversity; Evidence-based Management; Evidence-based Practice; Training.

Introduction: What is neurodiversity?

Over the past decades, the world of work has witnessed an increased focus on managing workplace diversity which refers to a range of processes, and arguably associated policies, to foster a sustainable work environment where people are valued for their similarities and differences (Patrick & Kumar, 2012). There have been contrasting perspectives on the focus and value of such practice. One lens has focused on the business case for diversity management which purports that increased diversity leads to increased organisational efficiency and productivity (e.g. McKinsey, 2020). Others have advocated for a value-driven approach to encourage organisations to not only be accepting and harness their workforce diversity internally, but by doing so also to contribute to wider society through offering equitable opportunities for all (e.g. Mor Barak, 2000). Recent focus on neurodiversity at work is in line with the latter perspective. The term neurodiversity originated from online advocacy movements referring to natural neurocognitive differences in human functioning (for a helpful overview of terminology see Walker, 2021). It is estimated that about 15% to 20% of the adult population is neurodivergent, which means that their brains work differently from the population norm (Moeller et al., 2021). Neurodivergence comprises different conditions, including attention deficit hyperactivity disorder (ADHD), autism, dyslexia, dyspraxia and tic conditions. People in these categories are also referred to as neurominorities (Doyle & McDowall, 2021) and are the focus of the current paper. We further included mental health conditions in our operationalisation of neurodivergence as people think differently when they are anxious or depressed, for example.

There has been increasing emphasis in organisational practice on supporting neurodivergent workers and harnessing their considerable strengths, which include divergent thinking, creativity and focus (McDowall, Doyle & Kiseleva, 2023). As a result, specific programmes have sprung up, such as 'Autism at Work'. Yet, our own research has found that while well-intentioned, such programmes may have unintended consequences as they are more likely to be accessed, for example, by white and male employees (Doyle, McDowall & Waseem, 2022).

In order to truly facilitate workplace diversity and inclusion, it is therefore important that organisations and individuals utilise good quality evidence and ensure up-to-date knowledge.

The evidence base for fostering diversity regarding gender identification or race and racial identity, for example, is more established and mature than for neurodiversity. Regarding diversity training outcomes concerning (a) the business case, (b) learning (knowledge and attitudes), and (c) social justice (equality of opportunity), Alhejji and colleagues (2016) found that literature remains fragmented and methodologically limited and that comparatively little is known about social justice outcomes arising from diversity training and more about the business outcomes in terms of efficiency and performance. Little is known regarding who delivers relevant training. This is particularly pertinent in the neurodiversity context because, notwithstanding considerable strengths, individuals are also highly likely to present with different conditions (Walker, 2021). At the organisational and legal meso- and macro-level, employer obligations vary between countries. For example, in the UK, the setting for the present research, the Equality Act 2010¹ holds that once employees declare a disability which is a protected condition, employers are obliged to facilitate reasonable adjustments specific to individual circumstance and need. Yet, this is a complex issue as neurodivergent conditions remain underdiagnosed in adult populations since research remains focused on children and teenagers (Doyle & McDowall, 2021).

Thus, there are different stakeholders relevant to neurodiversity and neuroinclusion:

- a) Employers, who want to harness neurodivergent talent but also comply with local legal requirements.
- b) Employees, who want to be valued for their strengths but may also require specialist support and development for experienced challenges, such as difficulties with working memory and concentration.
- c) Governments and policy makers to support diversity and inclusion in wider society.

Evidence-based management (EBM) is a helpful framework for evaluating and synthesising evidence from different sources. The premise is that management decisions should be based on critical thinking, evaluation and triangulation of a range of valid and reliable evidence (Centre for Evidence-based Management, CEBMa, N.D.). There are broadly four different types of evidence (Barends, Rousseau & Briner, 2014) which are:

- a) organisational data, facts and figures
- b) professional experience and judgment
- c) scientific research findings
- d) stakeholder values and concerns.

For the neurodiversity context, we would also add a fifth source: policy advice and legal guidance.

It is important to make use of the best available evidence where possible. There is a hierarchy of trustworthiness for each of these sources, including for peer-reviewed academic research where, for example, rigorous systematic reviews, controlled randomised studies, or rigorous qualitative research are more reliable and valid sources of evidence than small scale correlational research or limited case studies. The other sources of evidence are also important but in different ways as, for example, an initiative such as training will fall flat if people don't like it, meaning it's important to investigate stakeholder values and concerns. Yet, research tells us that although managers like the concept of evidence-based practice (EBP), so have positive attitude towards it, there are barriers in practice including a lack of time and not understanding academic research (Barends et al, 2017).

¹ <https://www.gov.uk/guidance/equality-act-2010-guidance>.

Rationale and research question

Training is not only important for increasing knowledge in organisations, but also for affective outcomes such as more positive attitudes, so ‘changing hearts and minds’ (e.g. Kraiger, Ford & Salas, 1993). It is also important to understand which sources of evidence stakeholders in organisations avail themselves of. While EBM has focused on managers, we contend that, in the neurodiversity context, it is equally important to also investigate evidence use by employees given the strong and vocal influence of the advocacy movement and relevant groups, which may be internal or external to the organisation. Thus, our research questions were:

- a) What sources of evidence and advice do employers and employees draw on to inform themselves about neurodiversity?
- b) From whom do employers commission training on neurodiversity?

Research approach and methods

Acknowledgement

The data reported here is based on a wider research project using a bespoke survey to investigate neurodivergent experience at work, funded by the charity Neurodiversity in Business (NiB). An earlier practice-focused report was published following their inaugural conference online (McDowall, Doyle & Kiseleva, 2023), and other academic publications are currently being prepared.

Data Collection Methods and Sample Description

Following ethical approval from the researchers’ institution, a bespoke survey was co-created and disseminated through social media channels. We had responses from 985 employees, all of whom identified as neurodivergent and who worked in organisations of varied sizes within varied sectors (e.g. 17.3% Professional Services, 15.6% Health and Social Care, 13.7% Technology). The majority (77.2%) were employed full-time and 31.2% had line management responsibilities.

We had responses from 127 employer representatives who were also from varied sectors (e.g. 17.3% Technology, 14.2% Professional Services, 11.8% Health and Social Care) and nearly 50% came from organisations with more than 1,000 employees. 52% operated internationally.

All employees and 31.5% of employer representatives self-identified as neurodivergent. Both sub-samples had an overrepresentation of cis-gender women (employers 73.2%, employees 67.2%).

Survey item development

In order to co-create the survey, we engaged with a range of employer and employee representatives, including people with lived experience. We asked them which sources of advice they would usually consult, to create a list of relevant sources, which we then supplemented based on our own professional knowledge of specific guidance on neurodiversity recently published by professional associations. We asked employers and employees to indicate which sources they regularly turned to.

Findings

We now report the descriptive statistics. Regarding our first research question relating to the sources of evidence, Table 1 contrasts employee and employer use of evidence mapped against the CMBA criteria augmented by the additional policy advice source. The cells detailing the frequencies are shaded in descending grading to signpost level of usage. Internet searches are by far the most preferred source for employees, followed by tapping into networks, advocacy groups and reading lived experience literature. Employers also undertake such

searches, but equally turn to lived experience literature and specific charities, as well as NiB. Regarding ‘other’ sources of advice not listed here, employees referenced medical and health professionals such as therapists, psychologists and doctors, as well as self-help support groups, newspapers and magazines outside of work as well as employee resource groups at work. Employees were slightly more likely than employer representatives to turn to academic literature. Concerningly, 11% of employers did not seek any advice (compared to 8.7% of employees).

Advice Source	Evidence Category	Employees (N=985)	Employers (N=127)
		Frequencies (percentages)	
Internet searches	Stakeholder concerns	638 (64.8%)	45 (35.4%)
Own professional network (e.g., on LinkedIn)	Stakeholder concerns	490 (49.7%)	N/A
Advocacy groups online	Professional Experience, Stakeholder concerns	422 (42.8%)	30 (23.6%)
Lived experience literature	Stakeholder concerns	421 (42.7%)	47 (37.0%)
Specific charities (e.g., BDA, ADHD Foundation, National Autistic Society, Dyspraxia Foundation)	Professional Experience, Scientific Evidence, Stakeholder Concerns	368 (37.4%)	45 (35.4%)
Academic literature	Scientific Evidence	306 (31.1%)	35 (27.6%)
Neurodiversity in Business (NiB)	Professional Experience, Stakeholder Concerns	225 (22.8%)	43 (33.9%)
Handbooks and practitioner books	Stakeholder Concerns, Scientific Evidence	181 (18.4%)	20 (15.7%)
Government advice	Policy Advice	160 (16.2%)	30 (23.6%)
The NHS	Professional Judgment, Scientific Evidence	145 (14.7%)	24 (18.9%)
ACAS (UK forum for free impartial advice on workplace rights, rules and best practice)	Policy Advice	97 (9.8%)	35 (27.6%)
Private specialist companies	Policy Advice, Professional Advice, Stakeholder Concerns	80 (8.1%)	34 (26.8%)
Business Disability Forum	Policy Advice	78 (7.9%)	29 (22.8%)
Trade Unions	Policy Advice	73 (7.4%)	8 (6.3%)
British Psychological Society or its members	Scientific Evidence	63 (6.4%)	17 (13.4%)
Chartered Institute of Personnel Development or its members	Policy Advice, Scientific Evidence	40 (4.1%)	30 (23.6%)
Valuable 500 (global partnership to end disability exclusion)	Policy Advice	15 (1.5%)	6 (4.7%)
National Institute of Occupational Safety and Health	Policy Advice, Scientific Evidence	13 (1.3%)	9 (7.1%)
Royal Medical Colleges	Policy Advice, Professional Judgment, Scientific Evidence	8 (0.8%)	5 (3.9%)
Society of Occupational Medicine or its members	Professional Judgment, Scientific Evidence	8 (0.8%)	11 (8.7%)
Other	N/A	135 (13.7%)	11 (8.7%)
Do not seek advice		86 (8.7%)	14 (11.0%)

Table 1: Sources of Advice about Neurodiversity at Work Used by Employees

We collected organisational data which we operationalised as policy presence and domain-specific knowledge from employers only. Regarding the prevalence of policies, 117 employer representatives (92.1%) confirmed that they had equality, diversity and inclusion policies. Sixty employer representatives (47.2%) said they had specific disability inclusion policies and 29 (22.8%) that they had neurodiversity inclusion policies. Regarding benchmarking to external UK charters, 53 participants (41.7%) said their organisations had, or were working towards, the UK Disability Confident scheme. 21 (16.5%) towards the Race Equality Charter and 18 (14.2%) towards Stonewall, which benchmarks lesbian, gay, bi and trans inclusion. 9 (7.1%) referenced Valuable 500, which is a disability forum, 8 (6.3%) Dyslexia Friendly employer, 3 (2.4%) Athena Swan (gender equality in education), and 14 (11.0%) 'Other'. We asked employer representatives if they could estimate the prevalence of neurodivergent workers in their organisations; of the 56 (44.1%) who said that they could, the majority (44.6%) estimated this at 0-10%, which is lower than the likely population prevalence rate. 74.8% (95 employer representatives) were able to estimate staff turnover percentages with 38.9% estimating this between 0-10% and 36.8% between 11-20%. However, only 26% indicated that their organisation monitors differences for minority groups including neurodivergent workers.

Further, we asked employers to self-rate knowledge and support for neurodiversity and neurodivergent needs on a 5-point agreement scale as is shown in Table 2 below. Support was rated higher than knowledge.

Item	Overall (N=126-127) Mean (SD)
How would you describe the general level of knowledge about neurodiversity in your organisation?	3.08 (1.16)
How supportive are staff in your organisation about neurodivergent needs on average?	3.83 (0.92)

Table 2: Knowledge About and Support for Neurodiversity, As Rated by the Employer Representatives

Regarding the second research question, Table 3 shows that 60 employer representatives (47.2%) reported that they implemented neurodiversity awareness training. Responses show that employers use different providers for delivery of training, with awareness training from someone with lived experience and in-house training from a colleague rated as most frequent. External training is less likely to be commissioned.

	Overall (N=60)
Awareness training with someone with lived experience	45 (35.4%)
In-house training from a colleague	44 (34.6%)
External professional - Educator	32 (25.2%)
External professional - HR professional	22 (17.3%)
External professional - Psychologist	20 (15.7%)
External professional - Medical professional	12 (9.4%)
External professional - Other type of professional	11 (8.7%)

Table 3: Types of Neurodiversity Awareness Training Provided

Summary of findings

Addressing our first research question on the use of evidence, we established that employers and employees alike are far more likely to consider stakeholder concerns and professional experience than scientific evidence. Self-reported use and knowledge of organisational data elicited that only about a quarter tracked valuable business information regarding differences in turnover between minority groups. Curiously, support for neurodiversity was rated higher than knowledge. The data also indicated that employer representatives likely underestimated neurodivergent prevalence rates in their workers.

With reference to our second research question, training was more likely to be commissioned in house and from people with lived experience than from external experts, although it was a cautiously positive sign that respondents turned to more than one provider.

Implications for research and practice

The first implication of our findings concerns a potential conceptual refinement to the CBMa evidence-source framework to include a fifth evidence category of policy and legal advice, which is particularly relevant in a diversity context. Neurodivergent conditions can, but of course do not have to, be disabling, and disability is a protected characteristic in many jurisdictions. Employer representatives have to stay abreast of relevant guidance and seek regular professional advice as necessary. For example, we habitually encounter in our own

practice the contention that “surely all adjustments are reasonable” from people with lived experience. The reality is that, yes, many jobs can and should be adjusted to play to individual strengths and accommodate challenges but, no, not all adjustments are reasonable as there is a job to be done and tasks to be completed. As an example, it would not be reasonable for a project manager to ask for and be granted numerous time extensions if such adjustment then impedes the progress of other people in the work team and endangers timely delivery to the client.

The second implication concerns over-reliance on stakeholder values and concerns and professional experience to the detriment of taking on board scientific evidence. Employees, and indeed employers, are likely to turn to the Internet for advice. Yet, much of such advice is not curated or reviewed, so may be inaccurate or downright misleading. This is risky for employers and employees alike. Neurodivergent conditions are complex as co-occurrence is the norm and not the exception (McDowall, Doyle & Kiseleva, 2023). Different conditions come with differing preferences regarding preferred ways of working, and it is important to foster informed and holistic understanding – many advocacy-based sources of advice are condition-specific. Future research should investigate to what extent publicly available information actually reflects best scientific evidence in a fast-moving field, so that misunderstandings and misconceptions can be dispelled.

The third implication concerns professional societies and academics. Clearly, the evidence they generate and disseminate is not yet taken up and translated into organisational knowledge. Accessible summaries in multiple formats, and readily available toolkits and resources, are clearly needed.

The fourth implication considers who delivers any training and what training is being commissioned for – for example to educate people about essential knowledge regarding neurodivergence, to instigate organisational activities to boost specialist support or to work wider organisational change towards genuine neuroinclusion. Contracting training from people with lived experience is important for credibility and trust, but this needs to be equally paired with input from external experts to ensure that organisational policies and activities are based on sound evidence. Here, employer representatives rated knowledge of neurodiversity lower than support offered – yet support without commensurate knowledge could be ineffective or even carry risks. A little knowledge can be a dangerous thing.

Conclusion

Getting neuroinclusion right is complex. Holistic understanding and appreciation of the challenges and strengths of differing conditions, as well as the overlap between them and with other health challenges is important. Knowledge about supporting potentially complex individual needs should be paired with furthering knowledge of how to strategise and manage organisational change in a diversity management context. We ascribe to a values-based perspective, which goes beyond the business case rhetoric for organisations to take wider responsibility for a just and fair society which genuinely celebrates the differences and contributions of all people. A key premise for making this happen is evidence-based activities. Our data shows that there is a need to educate employers and employees alike on neurodiversity as a substantive topic, but there is also a need to train everyone regarding the quality, purpose and critical synthesis of different types of evidence more broadly.

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