



Workshop on *Ethics & Legal and Political Philosophy*
Democracy and Regulations in a Global and Half-automated World

November 27th, Friday, 2015 [full day]

Workshop

Abstract and title: November 20th (Conference Website)

Presentation: November 27th

Place: L'Enològica (carrer Amàlia Soler, 29. 08720 Vilafranca del Penedès)



Important Dates

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Abstracts (200-300 words)

Position Papers (8-10 pages)

Full Papers (15-20 pages)

Min. 6000 words and max. 10.000 words

PROGRAMME

MORNING

9.00-9.30 Welcome and Information (Workshop, conditions and dates for the Springer volume)

On Specific Regulatory Issues

9.30-11.30

Antoni Roig (Institute of Law and Technology-UAB), *Regulation of Technology*

Eduard Fosch Villaronga, *Regulatory Framework for Non-Social Assistive Robots: From Intelligent Wheelchairs to Exoskeletons*

Andrijana Nikchevska (LAST-EU Programme, IDT-UAB), *mHealth and General Data Protection Regulation*

Kolawole John Adebayo, *Adding structure to legal text: a semantic annotation approach*

Marc Beninati (LAST-EU Programme, IDT-UAB), *Legal Issues Pertaining to the use of Event Data Recorder (EDR) in Cars*

10.30-11.30 Discussion

11.30-12.00 Break

On Regulatory Models and Electronic Institutions

12.00-14.00

Nardine Osman and Carles Sierra (IIIA-CSIC), *Towards Self-Evolving Software-Enabled Communities*

Enric Plaza (IIIA-CSIC), *Social Intelligence and Emergent Rationality*.

Pablo Noriega (IIIA-CSIC), Title: *An Institutional Understanding of Artificial Socio-Cognitive Systems*.

Pompeu Casanovas (IDT-UAB), *Regulatory Models for a Half-automated World: a Pragmatic View*

Pompeu Casanovas, Pilar Dellunde, Jorge González-Conejero (IDT-UAB//IIIA-CSIC), *Intermediate Institutions: Anchoring Regulations into Specific Ecosystems*

13.30-14 Discussion

14.00-15.30 Lunch

EVENING

On Regulatory Models and Governance: Theoretical and Practical Approaches

15.30-17.00

Arya Pandu Prakasa, *Sentiment Analysis Techniques for Measuring Public Trust and Confidence in Criminal Justice Systems*.

Andrea Ciambra, Jorge González-Conejero (IDT-UAB), *Democratic support through technological empowerment and endowment: a case for fragile and contested governance assistance*

Emma Teodoro, Jorge González-Conejero (IDT-UAB), *The relational dimension of Law: a case study on Security*.

Núria Estrach Mira (Universitat Autònoma de Barcelona), *The Topologies of Political Power: the Limits of the Social Contract*

Samuele Chilovi (University of Antwerp, University of Barcelona), *The Speaker Dilemma in Legal Implicatures*

16.30-17.00 Discussion

17.00-17.30 Break

Ethics and Contemporary Theory of Law and Democracy

17.30-19.00

José-Juan Moreso (Universitat Pompeu Fabra), *The limits of the incorporation thesis.*

Wendy R. Simon (Universitat de Barcelona), *From 1776 to today. Are we stretching democracy too far?*

Josep Maria Vilajosana (Universitat Pompeu Fabra), *Justifying the Right to Decide: Constitution, Democracy and Dignity*

Joan Vergés Gifra (Universitat de Girona), *Non-collaboration as a democratic strategy for peoples striving for independence*

Jaume Casals (Universitat Pompeu Fabra), *On the Origins of Philosophy and Literature. A Logical Concept for Practical Philosophy.*

18.30-19.00 Discussion

ABSTRACTS AND TITLES

ON SPECIFIC REGULATORY ISSUES

Antoni Roig (Institute of Law and Technology-UAB)

Title: *Regulation of Technology*

Abstract: Our goal in this paper is to show how technology and law can evolve into a techno-regulation, implementing legal principles according to concrete knowledge of a technological field. So, legal principles should not be the only regulation offered to engineers. These general frameworks should be complemented with concrete requirements for the design of the device. And this is not a technical decision engineers should take alone, but a complex decision-making process where lawyers should also be involved in it.

We will describe first how the initial legal framework based on rules and principles can be enriched by impact assessments. If law asks for accountability of stakeholders and does not enhance at the same time its legal frameworks, it is indeed calling for non-legal autonomous new lawmakers: engineers. Moreover, the call for technology regulation, for instance the Privacy by Design Principle (PbD) that claims we should use Privacy Enhancing Technologies (PET) is also too open, too unconditioned. Law needs to bridge the gap towards technology

adapting the legal principles and accepting a co-regulation in a shared field. The alternative is to leave regulation to non-lawyers.

Eduard Fosch Villaronga (LAST-EU Programme, IDT-UAB)

Title: *Regulatory Framework for Non-Social Assistive Robots: From Intelligent Wheelchairs to Exoskeletons*

Abstract: This study pioneers the regulatory framework comparison between two sub-types of Personal Care Robots (PCR): Person Carrier Robots (PCaR) and Physical Assistant Robots (PAR). Although both robots are under the same category, are considered non-social assistive technology and share some common regulatory modules (e.g. safety, liability and consumer robotics) they completely differ on their attributes, their capabilities or the contexts where they are inserted. That is why whereas “safety” will be a major concern in both PCaR and PAR, its definition, extent and specificities will differ considerably in both cases. This will also happen with liability, especially in PAR where *prospective liability* will come into play.

Andrijana Nikchevska (LAST-EU Programme, IDT-UAB)

Title: *mHealth and General Data Protection Regulation*

Abstract: Mobile health monitoring systems emerge as promising technologies for real-time, health and wellness monitoring of individuals during their daily activities. These technologies provide individuals to manage their health more actively, live more independently thanks to self-assessment or remote monitoring solutions, to perform self-diagnoses and self-measurements. This resulted in the shifting from the traditional health care to eHealth, and now steps forward to mHealth.

From the point of view of privacy and data protection problems can arise from: 1) the multi-layered structures of actors in the mHealth ecosystem (mobile platform, manufacturer, developer, distributors of the apps, internet service provider) and the difficulty to distinguish their obligations according to data protection legislation and 2) the lack of definition what is health data in the context of mHealth. The GDPR gives very broad definition of health data, which can easily result in breach of data protection legislation. Article 9 of the GDPR qualifies health data in a special category of data to which a higher level of data protection applies and prohibits processing of this data unless an exception applies. The reason for this is that misuse of health data might have long term consequences which can lead to infringement on the right of privacy and non-discrimination especially by insurance companies and future employers. The main question is how data controllers will comply with the proposed GDPR in order to fulfil guaranteed rights of data subjects?

Kolawole John Adebayo (LAST-EU Programme, IDT-UAB)

Title: *Adding structure to legal text: a semantic annotation approach*

Abstract: With the increasing use of computer in day-to-day activities and the continuous growth of internet, paper document is being slowly phased out and electronic document being embraced. The field of law has also benefitted in electronic document revolution, especially in eDiscovery procedures where electronic documents are now legal tender in law courts. A recurring problem however, is in managing the resulting huge electronic document for efficient indexing and information retrieval. This is made much difficult as the documents are usually extremely huge (Big Data) and are mostly unstructured. Our research aims at performing a fine-

grained conceptual document segmentation and semantic annotation of legal documents. The goal of this research is not to develop an eDiscovery system but rather a system whose output can further improve accuracy of eDiscovery systems as well as other tasks by introducing our ideas which seeks to give more structure to legal texts as well as performing Semantic Annotation (SA) on legal texts for improved search facilities.

Marc Beninati (LAST-EU Programme, IDT-UAB)

Title: *Legal Issues Pertaining to the use of Event Data Recorder (EDR) in Cars*

Abstract: An automotive Event Data Recorder (EDR) is a recording system embedded in most of the modern passenger vehicles in Europe. EDR collects, records and stores cars data from unusual road events, such as incidents or accidents. EDR systems were first implemented into cars in the United States automotive market, by General Motors, in the early 1990s. Since then, EDR has becoming an increasingly common feature in modern passenger vehicles, not only in the U.S. but also in Europe.

ON REGULATORY MODELS AND ELECTRONIC INSTITUTIONS

Nardine Osman and Carles Sierra (IIIA-CSIC)

Title: *Towards Self-Evolving Software-Enabled Communities*

Abstract: Self-organisation and self-evolution is evident in physics, chemistry, biology, and human societies. Despite the existing literature on the topic, we believe self-organisation and self-evolution is still missing from the IT tools (whether online or offline) we are building and using. In the last decade, human interactions have been moving more and more towards social media. The time we spend interacting with others in virtual communities and networks is tremendous. Yet, the tools supporting those interactions remain rigid. We argue the need for self-evolving software-enabled communities, and propose a roadmap for achieving this required self-evolution via agreement computing and normative systems. The proposal is based on building agreement-driven normative-based communities, where community interactions are regulated by norms and community members are free to discuss and agree on their community's norms. The evolution of communities is then dictated by the evolution of its norms, which is driven by members agreeing on those norms.

Enric Plaza (IIIA-CSIC)

Title: *Social Intelligence and Emergent Rationality.*

Abstract: Artificial intelligence dealing with open multi-agent systems have to address the problems of group coordination, social choice, and shared intentions. This talk, rather than present a solution, discusses the social and cognitive issues that need to be addressed. Are groups just a collection of individuals? Groups of individuals have emerging properties or constraints that are not merely derivative of the composing individuals, for instance preferences, goals and decisions. We use the problems arising from judgement aggregation (discursive dilemma) to illustrate these issues.

Pablo Noriega (IIIA-CSIC)

Title: *An Institutional Understanding of Artificial Socio-Cognitive Systems.*

Abstract: One may argue that the design and deployment of sociotechnical systems involve the creation of a restricted context of interaction that is governed by its own "rules". One may therefore think of these systems as institutions of some sort, an analogy that is quite pertinent when the sociotechnical system involves rules and regulations that are explicit and have accompanying governance mechanisms.

In such cases and for the sake of providing a crisper description, one may distinguish three concomitant views of the system: (i) the organisational (or "pragmatic"?) vision---that sees the system as a working coordination environment where actual individuals interact to achieve goals that exist in the real physical world; (ii) the technological view ---where the system is an amalgam of technological objects like code, computers, networks, interfaces, and (iii) the institutional understanding that looks at the system as a set of rules and regulations, and other symbolic or abstract entities that constitute the ideal or normative analogue of the working system and its implementation. However, for this tripartite view to make sense, one should clarify what the relationships between the three views are. In this talk I will discuss this abstract view of sociotechnical systems and concentrate in the relationships between the organisational view and the other two; and, if time permits, I will discuss how this tripartite view of a given system is in fact embedded in a wider context and evolves over time.

Pompeu Casanovas (IDT-UAB)

Title: *Regulatory models for a half-automated world: a pragmatic view*

Abstract: The nature of law is experiencing a deep transformation in the cloud. What links the information flow, social intelligence, rights management, and modelling in the Web of Data is the pragmatic approach ---what we call the *pragmatic turn*. I.e. the representation of users' needs and contexts to facilitate the automated interactive and collective management of knowledge. Both ontology building and knowledge acquisition share this perspective. The Web of Data brings about new challenges on agency, knowledge, communication, and the coordination of actions. Institutions can regulate both human and machine behaviours within these new environments. *Licensed Linked Data, Licensed Linguistic Linked Data, Right Expression Languages, Semantic Web Regulatory Models, Electronic Institutions, Artificial Socio-cognitive Systems* are examples of regulatory and institutional design (Regulations by Design). In the cloud, regulatory systems become more complex, in order to be simpler.

Pompeu Casanovas (IDT-UAB), Pilar Dellunde (IIIA-UAB), Jorge González-Conejero (IDT-UAB)

Title: *Intermediate Institutions: Anchoring Regulations into Specific Ecosystems*

Abstract: How could be principles, values, rules and norms implemented in the next stage of the Web? Regulatory models and Electronic Institutions cannot be directly embedded into specific ecosystems without what we call "intermediate institutions", a hybrid set of rules, agents, functions and roles that can facilitate their acceptance, evaluation and use among communities, end users and stakeholders. We will discuss the example of CAPER, a security platform to fight against organised crime.

Víctor Rodríguez-Doncel, Penny Labropoulou, Jorge Gracia, Asunción Pérez-Gómez

Title: *Licensing Language Resources in the LIDER project*

Abstract: The LIDER project (2013-2015) aimed at creating a cloud of language resources as Linked Data to support content analytics tasks of unstructured multilingual content. This cloud included corpora, dictionaries, lexical and syntactic metadata and had specific use cases in

industries related to social media, financial services, localization, and other multimedia content providers and consumers. The LIDER project tackled the automatic composition of these resources, and for such purpose it included a precise definition of licenses in a digital manner. An RDF vocabulary was defined, attending the existing practices and requirements of the language industry and being compliant with ODRL. The chapter presents this vocabulary and examples of usage with existing license templates in the METASHARE organization.

Marta Poblet i Mari Fitzpatrick (RMIT, Melbourne)

Title: *Microtasking: refining crowdsourcing practices in the Web 3.0*

Abstract: The ubiquity of Internet technologies and mobile devices is enabling new forms of digital labour that leverage the data processing skills of the crowds. In this paper we consider microtasking as a specific modality of digital labour that emerges from both a refinement of crowdsourced procedures and recent advances in Web 2.0 and Web 3.0 technologies. We examine some examples of microtasking platforms with different modalities of microwork that are becoming increasingly pervasive in both commercial and civic projects. We briefly summarise these developments to propose a conceptual framework in order to set basic typologies of participation.

ON GOVERNANCE AND REGULATORY MODELS: THEORETICAL AND PRACTICAL APPROACHES

Arya Pandu Prakasa (LAST-EU Programme, IDT-UAB)

Title: *Sentiment Analysis Techniques for Measuring Public Trust and Confidence in Criminal Justice Systems*

Abstract: Legal scholars have long argued that court might defer to public preferences due to uphold its reputation, legitimacy, and the implementation of its rulings, yet in practice the court does not always defer to public preferences and the court decisions may actually play a role in shaping public opinion. For this reason, the harmonization between public opinion and criminal justice systems is essential in maintaining public trust and satisfaction in the systems. These study challenges to implement sentiment analysis techniques to capture and classify emotions found in a set of formal judicial documents and public view on social media concerning a particular criminal justice case. The study then links the findings to illustrate the comparative emotion representations between the two data sets and summarized the gathered opinions to further then discovers its patterns.

Andrea Ciambra, Jorge González-Conejero (IDT-UAB)

Title: **Democratic support through technological empowerment and endowment: a case for fragile and contested governance assistance**

Abstract: This paper analyses the room for improvement in both the conceptualisation and practical use of technology as a means to empower democratic participation and mobilisation in fragile or unsafe political contexts. The development of mobile, localisation, and crowdsourcing technologies, in particular, has expanded the spectrum of available political means in an unprecedented way. The relation between politics and technology is thus no longer limited to electronic vote, the reduction of bottlenecks and red-taping in administration and bureaucracy, or mobilisation through new social platforms and networks—i.e., the analytical lenses through

which this binomial has been conventionally seen. This paper examines, firstly, the current state of the art in both the literature and public debate on the relationship between democracy and technology. Secondly, it defines the concept of fragile or contested governance, fragile or failed states, and other political scenarios in which the structural deficiencies or systematic violations of democratic order hinders the ability of citizens to freely participate in the political system. Finally, it explores the possibility for specific technological instruments and techniques to provide citizens with otherwise inaccessible opportunities to openly participate, associate, and mobilise within their own political environment. The ultimate goal of this toolkit should encompass (but not be limited to) guaranteeing freedom of expression, open debate, information sharing, data collection, electronic voting, promotion of political alternation, and empowerment of political mobilisation and organisation, among others. This paper suggests a research roadmap in both political science and information technology to achieve viable models and cutting-edge tools to empower democratic citizenship participation in the face of unstable, fragile or repressive governance.

Emma Teodoro, Jorge González-Conejero (IDT-UAB)

Title: *The relational dimension of Law: a case study on Security.*

Abstract: This work is aimed at designing a regulatory model specifically devised to guarantee fundamental rights and ethical principles, which could be jeopardised through platforms that are able to gather personal information. The socio-legal approach, which characterizes the designing process, is twofold: i) the first stage is based on the knowledge acquisition process that constitutes the main expert knowledge acquisition technique; and ii) the second stage consists on the prospects carried out through hard law, policies, soft law and ethics. Both stages are able to set up a risk mitigation strategy that provides an ad hoc regulation for all platforms focused on the search of data in the Internet.

Rebeca Varela Figueroa (IDT-UAB)

Title: *The tension between mutual recognition and fundamental rights in the new models of judicial and police cooperation in criminal matters: the case of the European Union.*

Abstract: The implementation of an Europe without borders has led to a level of transnational movements without precedents regarding goods, services, money and people. This situation has made traditional national strategies in the fight against organized crime highly inefficient. In a unified Europe in terms of territory the fight against these phenomena needs to be also one. This political belief has led to the development of a new model of cooperation between police and judicial forces around Europe, based on the principle of recognizing actions and decisions of the authorities another Member State as issued by ones authorities' in terms of execution- the case of the European Arrest Warrant being the most visible result of this legislative policy. Mutual recognition is based on the idea of the existence of a level of protection of individuals rights that is balanced in all the Member States and that generates the mutual trust needed for the system to work. This paper explores how reality shows that when it comes to procedural rights of individuals before courts, the lack of harmonization of procedural laws creates a high level of tension that is working as an obstacle for the model of judicial and police cooperation in the European Union.

Núria Estrach Mira (UAB)

Title: *The Topologies of Political Power: the Limits of the Social Contract*

Abstract: The flexibility of the language allows for the same term (eg *power* or *liberty*) to be conceived in multiple forms, based on different ideological contents. In other words, there is no bijection between the different forms of power (democracy, oligarchy, anarchy, noocracy) and the multiple ideologies that use each of them. Similarly, there is no neutrality in the use of language. Conceiving political power in topological terms is effective because of its ontological plasticity. The multiple areas (ethical and political) and various functions (religious, scientific, aesthetic) of power in human relationships force us to clarify certain fundamental aspects, namely: its historical categorization, the properties of bodies, the types of relationships (circular, horizontal, vertical, triangular). The first objective is to apprehend what crystallizes unalterably political power despite the continuous changes that occur in theory and practice, therefore to apprehend topological multiplicity. The second objective is to analyze the rules of union and intersection between bodies where power materializes (connectivity, compactness, metricity, etc.) and their shortcomings. Ultimately, this will help provide intelligibility to new areas of power that give revolutionary forms that support human emancipation, which certainly means creating new forms of life within collective coexistence. It is therefore necessary to highlight the identified textures of power. In this same direction, we propose to think the limits of the social contract.

Samuele Chilovi (University of Antwerp, University of Barcelona)

Title: *The Speaker Dilemma in Legal Implicatures*

Abstract: The paper introduces the notion of legal implicature (conversationally implicated proposition of law), and presents a dilemma concerning how to aggregate the intentions of the lawmakers. Given standard assumptions on the nature of implicatures, the dilemma is about what counts as the implicated proposition. Given suitable assumptions regarding the nature of law, the problem is how to determine what the law requires. The case, which I call ‘speaker dilemma’, is one where plausible principles that may be used to determine statutory meaning yield mutually inconsistent results, and hence seem to call for better justification than it is usually assumed.

ETHICS AND CONTEMPORARY THEORY OF LAW AND DEMOCRACY

José-Juan Moreso (Universitat Pompeu Fabra)

Title: *The limits of the incorporation thesis*

Abstract: This paper deals with what conditions should have propositions referred to our actual world in order to be combined with the propositions of law and to obtain new propositions of law. The propositions of law are the meaning of sentences with the prefix ‘According to the law’. The use of sentence with this operator reveals interesting peculiarities of legal reasoning: thus, there are true propositions in our actual world which cannot be combined with some propositions of law and there are false propositions in our present world which are candidates to figure out as premises of legal reasoning. In this sense, they show certain analogy with propositions referred to a fiction world. The so-called –by Joseph Raz- incorporation thesis, that is to say, all law is either source-based or entailed by’ source-based law should be constrained for achieving plausibility.

Maribel Narváez Mora (Universitat de Girona)

Title: *Identificación dinámica de la corrección jurídica.*

Abstract: Al menos desde los años noventa del pasado siglo se viene discutiendo sobre cómo articular nuevos modelos de representación del derecho. Situaciones que pudieron considerarse excepcionales o de menor importancia pasaron a ser por relevancia y abundancia de difícil encaje en las viejas categorías. La tarea está consistiendo, pues, en alumbrar un programa metodológico y teórico útil para este llamado “mundo globalizado, del riesgo, líquido, del conocimiento, de la complejidad, o muy especialmente de la información”. ¿Pero es esa tarea posible? ¿No acabará el conocimiento del derecho disolviéndose en una multitud de facetas difícilmente reconducibles a la otrora Teoría del Derecho, formando un mosaico de quehaceres ocupando cada uno su propio nicho y en desconexión? Bien es posible. Nada impide que, como todo lo que tiene historia y no naturaleza, algo reconocible como derecho acabe desapareciendo ante nuevas contingencias.

Wendy R. Simon (Universitat de Barcelona)

Title: *From 1776 to today. Are we stretching democracy too far?*

Abstract: Contemporary democratic systems all share one common root: the liberal theory of John Locke. Two hundred years after the American "experiment", in which a nation tried implementing Mr Locke's ideas by establishing a new concept of the republic (revolutionary in both its structure as well as its content), in the contemporary era the challenges posed to democracy compell us to analyze if democracy has in fact the necessary resources to face those challenges. It is out of responsibility that we must ask ourselves if these challenges are a product of the times or if, conversely, they find their origins within democracy itself. Did the American Constitution exhaust Locke, or may we still find in him -if we seek- the tools to help us mitigate the current liberal crisis?

Pere Fabra (Universitat Oberta de Catalunya)

Title: *Law and democracy in Habermas: a virtuous circle?*

Abstract: At the heart of Jürgen Habermas's philosophy of law is the need to clarify the connection between what he calls the *subjective liberties of action* (private subjective rights – civil rights-) and the people's *civic autonomy* (public subjective rights – political rights-), a dichotomy that leads, ultimately, to the distinction human rights vs. popular sovereignty. For Habermas, the theory of law has not yet managed to “reconcile private autonomy with public autonomy in a satisfactory way at a fundamental conceptual level”. His diagnosis is that this problem is mainly related to “the metaphysical legacy inherited of natural law, namely, the subordination of positive law to natural or moral law”. If, as he maintains, we are capable of differentiating the origin of positive law and postconventional morality as two distinct universes – in spite of their necessary conceptual links – then it should be easier to avoid the democratic principle becoming subordinate to the moral principle. This habermasian “third way” is based on introducing a further step “above”, in that it adds a higher level (the discourse principle ‘D’) to the conceptual framework from which is later derived both the moral principle of universalization (U) and the democratic principle (Dm). We will analyse the soundness of this strategy, which presumably has to allow a “reconstruction” of the system of rights, which safeguard the idea that the private and public autonomy – or human rights and popular sovereignty– mutually presuppose each other.

Daniel Gamper (Universitat Autònoma de Barcelona)

Title: *Does deliberative democracy allow for religious reasons?*

Josep Maria Vilajosana (Universitat Pompeu Fabra)

Title: *Justifying the Right to Decide: Constitution, Democracy and Dignity*

Abstract: In this article, the author defends the right to decide, meaning that holding a referendum on the political future of Catalonia is not banned by the Spanish Constitution. The principal reason cited is that the principle of indissolubility and the principle of national sovereignty should be adequately balanced with the principles of liberal democracy: the principle of the autonomy of the individual, the principle of the inviolability of the individual and the principle of the dignity of the individual. In light of this perspective, the article provides justification for two main aspects: 1) holding a referendum on Catalonia's independence on the grounds of an evolutionary interpretation of democratic rights linked to a dense conception of democracy; and 2) holding a referendum exclusively in Catalonia, in order to avoid shifting from the principle of the majority to the dominion of the majorities.

Joan Vergés Gifra (Universitat de Girona)

Title: *Non-collaboration as a democratic strategy for peoples striving for independence*

Abstract: Since 2010 Catalonia has undergone what is usually called "the sovereigntist process". So far this process has had two parts, closely connected to two objectives. First, an attempt to fulfil the "right to decide" demand. Second, an attempt to become an independent State through unilateral decisions. In this talk/paper I'd like to (1) list the array of philosophical problems the sovereigntist process arise. One of these problems is the kind of strategy a national minority can follow consistently with the democratic ideal in order to succeed in achieving its aims. (2) I will present a strategy of non-collaboration aimed at succeeding in the attempt to fulfil the right to decide. (3) I will notice the originality of the strategy of non-collaboration (SNC) with respect to other forms of democratic fight such as civil disobedience, boycott or whatsoever. (4) I will try to answer the question whether a minority striving for independence can conceptually recur to a strategy of civil disobedience. My answer to this last question will be negative. That does not mean though that a rebellion for independence cannot be sufficiently justified.

Jaume Casals (Universitat Pompeu Fabra)

Title: *On the Origins of Philosophy and Literature. A Logical Concept for Practical Philosophy.*

Abstract: The Giorgio Colli's idea around the birth's coincidence of Philosophy and Literature is commented and related to Modern Philosophy and Phenomenology, specially in order to the analysis of the word induction (epagôgê). The results lead to a concept of Philosophy just as a gender of Literature. This concept seems to be meaningful only when considered as necessarily involved in practical reason. *Nulla philosophia sine practica.*

ON BIOETHICS AND BIOPOLITICS

Angel Puyol (Universitat Autònoma de Barcelona)

Title: *An Unexpected Justification for Autonomy in Bioethics*

Abstract: The principle of autonomy in bioethics represents one of the last successes of liberalism. After the recognition of the political and economic freedoms which emerge in the American and French revolutions of the late eighteenth century and the endless proliferation of individual freedoms which runs through the recent history of the West -from freedom of conscience to consumer freedoms- the freedom of the patient to refuse medical treatment is the latest wave of conquests of liberal individualism. But once established, the principle of autonomy has taken root so that it has almost become an ideology, that is, in a principle that not becomes almost never a problem for proponents because they always assume its moral value, in a kind of supreme principle of bioethics that include or drown everyone else, and getting in practice that the rest of values and principles of bioethics be reduced to it. This idolatry of autonomy in the field of bioethics contrasts, however, with the problems that often presents both for its justification (why we must respect patient autonomy) and implementation (how do we know that a patient is truly autonomous). In this article, I will focus on the problems of justification to defend the thesis that when we respect the choices of patients do not do it because we respect their autonomy in the Kantian, Millian or libertarian sense (the three *moral* justifications for the principle of autonomy most cited in the current bioethics literature) but mainly because not doing it is worse from the *political* point of view of social coexistence between free and equal citizens.

Itziar de Lecuona (UNESCO Chair in Bioethics at the University of Barcelona)

Title: *Big Data Research: Bioethics and/or biopolitics?*

Abstract: Research and Innovation activities need an ethical framework to be real innovation and research. In a half-automated world it is very dangerous to rely only in datasets from the electronic and digital domain as if they confer power and truth. The reasons that support this statement will be analyzed here. The case of Big Data Research allow us to explore the crosscutting issues that enable any new technology to be not only useful, but also regulated in the best manner in a data transfer and delivering society. In particular personal data, such as exchange money seems to make sense in the private and public domain or in a combination of both, where the research industry is always the basis. We live in the era of the internet of things, smartphones that know more of ourselves than us, wearables and apps. First, this work contributes to conceptualize from the bioethical perspective what Big Data Research is taking into account the state of art coming from the scientific and technological domain. Second, it is under scrutiny what Big Data Research represents or must represent and needs if it is here to stay for the sake of citizens, no matter if the endeavour is a merge between the public and the private. A critical perspective will be part of this work to study until what extent is there a bioethics or a biopolitics of the Big Data Research pursuing interests apart from the main and legitimate goal. An interdisciplinary reflection on the legal, ethical and social issues involved in this new scenario is timely and needed a bioethics for Big Data research?.

List of participants

Dr. Carles Sierra (IIIA-CSIC)
Dr. Nardine Osman (IIIA-CSIC)
Dr. Enric Plaza (IIIA-CSIC)
Dr. Pablo Noriega (IIIA-CSIC)
Dr. Pilar Dellunde (IIIA-CSIC, UAB)
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PhD-Doctorates

Rebeca Varela (Global Public Law Doctorate, UAB-IDT)
Arya Pandu Prakasa (LAST-JD Doctorate, UAB-IDT)
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